

Arizona Department of Health Services

State Licensing Update Home Health

Arizona Association for Home Care
Annual Conference

JUNE 18, 2010

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STATE LICENSING UPDATE

- Licensing Fees
- Licensing Process
- Online Complaint Process
- Online Application Process
- 5 Year Rule Review
- State Licensing Deficiencies
- Release of Information
- Emergency Preparedness
- Resources

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LICENSING FEES

- 1/1/2010- New licensing fees implemented
 - House Bill 2013- September 4, 2009
 - This bill authorized the Department of Health Services (DHS) to establish a new fee structure for healthcare licensing
 - Application Fee- \$50.00 Nonrefundable (remained same)
 - Licensing Fee- \$365.00 Base with no bed capacity

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LICENSING PROCESS FOR RENEWAL APPLICATIONS

- Renewal Applications are due 60-120 days before the expiration date of the current license (Arizona Revised Statutes (A.R.S.) 36.422 C.)
- Department will be notify healthcare institution:
 - 120 day postcard before expiration date of the current licensee
 - 90 day email or postcard reminder of renewal application due date

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- 59 Day Notice of Late Application with Enforcement
 - Late fee assessment first offense- \$250.00
- Expired License Notice of Enforcement for Operating Without a License

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LICENSING PROCESS FOR HOME HEALTH AGENCY

- A.R.S. 36-151.5/A.A.C. R9-10-10.26

"Home health agency" means an agency or organization, or a subdivision of such an agency or organization, which meets all of the following requirements:

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- a. Is primarily engaged in providing skilled nursing services and other therapeutic services.

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- b. Has policies, established by a group of professional personnel, associated with the agency or organization, including one or more physicians and one or more registered professional nurses, to govern the services referred to in subdivision (a), which it provides, and provides for supervision of such services by a physician or registered professional nurse.

- c. Maintains clinical records on all patients.



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- Arizona Administrative Code (A.A.C.) R9-10-1101. 3.

"Branch office" means an office which operates under the license of a "*parent home health agency*" and utilizes the **same administrator and supervising physician or nurse.**

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- A.A.C. R9-10-1101(12)-"Parent home health agency" means the licensed agency that develops and maintains administrative control of branch office
- The "Branch office" of a "Parent home health agency" does not require a separate **state** license

BUT....

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- As a Medicare designated “Branch” must be requested and **APPROVED by Medicare as a “Branch”** before you can provide services
 - Submit a Medicare 855 and
 - **Approval from Medicare**

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- A.A.C R9-10-101.4 "Administrative office" means a location used by personnel for recordkeeping and record retention but not for providing medical services, nursing services, or health-related services.
- Does not require a separate state license

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- R9-10-109. Changes Affecting a License
 - A. A licensee shall ensure that the Department is notified in writing at least 30 days before the effective date of:
 1. A change in the name of:
 - a. A health care institution, or
 - b. The licensee; or
 2. A change in the address of a health care institution that does not provide medical services, nursing services, or health-related services on the

- A.A.C. R9-10-109.G. A licensee shall not implement a change or modification described in this Section until an amended license or a new license is issued by the Department.

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- A.A.C.R9-10-108 B.4

For an initial health care institution application, the Department shall consider the application withdrawn if the applicant fails to supply the missing documents or information included in the incomplete notice within 180 days from the date of the notice

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ONLINE COMPLAINT PROCESS

- 4/1/2010- New Online Complaint Process with Form implemented
www.azdhs.gov/ls/online_complaint
- A complaint is a suspected violation of Arizona state rules and/or statutes governing the operations of a licensed healthcare institution

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- Provides the ability for anyone with knowledge or concerns about a suspected violation to submit a complaint through this webpage
- Includes Complaint Frequently Asked Questions (FAQs)

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ONLINE LICENSING APPLICATION PROCESS

- Currently under development
- Ability to submit applications and fees online
- Expect implementation in Fall

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5 YEAR RULE REVIEW

- The Department must review all of its rules at least once every five years to determine whether any rule should be amended or repealed
- Each Five Year Review Report must be submitted and approved by the Governor's Regulatory Review Council (GRRC)

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- 2/2/2010- 5 Year Rule Review presented and accepted by the Governor's Regulatory Review Council
- Rules moratorium until July 1, 2011

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STATE LICENSING DEFICIENCIES

- Top 10 State Licensing Deficiencies from July 1, 2008 to June 30, 2009 on the website: www.azdhs.gov/als/medical
- Top 10 State Licensing Deficiencies for July 1, 2009 to June 30, 2010- pending
- Initial analysis- Remains consistent with data from 2009

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Release of Information

- Effective 3/1/2010- Complaint Investigation Reports are not released
- Findings of a Complaint Investigation is Statement of Deficiencies (SOD) posted to www.azcarecheck.com 30 days after SOD sent to Licensee.

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- Enforcement actions posted to website www.azcarecheck.com after fully executed



Emergency Preparedness

- The ADHS Bureau of Emergency Preparedness and Response (BEPR) collaborates with state, tribal and local stakeholders to protect the health of Arizonians from public health threats that include bioterrorism and pandemic influenza.
- <http://www.azdhs.gov/phs/edc/edrp/>

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Resources

- Questions regarding Licensing Process including applications: Adriana Gonzales, Support Staff
- Questions regarding Operations and Rules
Connie Belden, Team Leader
- Questions regarding Statement of Deficiencies, Informal Disputes, Plan of Correction: Mary Sokol, Team Leader

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- Questions about Enforcement: Linda Ettenborough, Acting Team Leader
- Surveyors being crossed trained to all licensing rules
- State Furlough Days (6) in FY2011; (6) in FY2012

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- Kathy McCanna, Program Manager
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