



Insights

Long Overdue Federal Rules for Home Health Agencies Published

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On January 13, 2017 CMS published a comprehensive final rule revising the conditions of participation (“COPs”) that home health agencies (“HHAs”) must abide by in order to participate in Medicare and Medicaid programs. Through the changes to these rules, CMS seeks to achieve broad-based, measurable improvements in the quality of care, as well as eliminate unnecessary procedural burdens on HHAs.

While this final rule is expansive, the following are a few of the noteworthy additions to the COPs:

- Adding a patient’s right to participate in and be informed about the patient-specific comprehensive assessment, including an assessment of the patient’s goals and care preferences. Additionally, each patient will have the right to participate in and be informed about the care that the HHA plans to furnish based on the needs identified during the comprehensive assessment, establishing and revising that plan, the disciplines that will furnish care, the frequency of visits, identifying expected outcomes of care, and any factors that could impact treatment effectiveness.
- As part of the comprehensive assessment, the patient’s psychosocial, functional, and cognitive status will also be assessed.
- New COP regarding care planning, coordination of services and quality of care, including requiring integration of services and communication with the Physician who is responsible for the HHA plan of care.
- Requirements and expectations for skilled professional services to expand their role in patient care by participating in the coordination of all aspects of care, counseling and educating patients and caregivers, and communicating with the physician who is responsible for the HHA plan of care on the progress of the plan of care.
- Requirement for data-driven quality assessment and performance improvement (QAPI) program to measure improvement and quality indicators.

This final rule is the first update in many years to the HHA requirements, with some sections of the rule being over two decades old. The final rule will be effective on July 13, 2017.

The unpublished version of the final rule is available [here](#).

For any questions regarding this final rule and article, please contact Meghan M. Linvill McNab.