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March 10, 2008

Home Care Association of Colorado Management Report

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New updates added weekly to www.hcaonline.org! Check it out!

DORA Clarifies Use of Social Workers in Home Health

The Colorado Dept. of Regulatory Agencies (DORA) has recently issued a clarification stating that social workers in the home health setting must be licensed.

Members Only State Legislative Bulletin Board



Don't miss out!
Keep in tune through your trade association's State Legislative Bulletin Board!
The web page can be accessed by members via this year's ["Members Only" link!](#)

Responding to an inquiry about whether social workers in the home health setting are exempt from the law that requires social workers to be licensed in Colorado. Shelley Hitt, DORA's Allied Health & Mental Health Section Director, said **social workers who are working in the home health setting must be licensed by the state's Division of Registrations.** According to Hitt, there is only one exemption in the social worker licensure law and that is for social workers employed in Skilled Nursing Facilities (nursing homes).

State law requires regulation and licensure of Mental Health Professionals including psychologists, psychologist candidates, social workers, marriage and family therapists, and professional counselors

[Click here](#) to visit the Social Worker Examiners Board and Licensee / Application Services web site.

Quick Links...

- [Register for HCAC's Annual Convention in Vail: May 8-9, 2008](#)
- [Register for OASIS Under New PPS seminar: March 13-14](#)
- [Register for Getting Referrals audio-conference: March 27](#)

[Click here](#) for the Colorado Mental Health Statute (Colorado Revised Statutes 12- 43-101.) The Social Worker statute begins on page 25.

[Click here](#) to read the Social Worker Board Rules.

According to HCAC Executive Director Ellen Caruso, when the Mental Health Licensure law was overhauled a dozen years ago, HCAC requested exemption for social workers in home health during the Rules Hearing, but were refused the exemption. "This was because the statute did not exempt home health agencies and because home health agencies provide Medical Social Work services to Medicare beneficiaries," she said.

- [Click here for Members Only State Legislative Bulletin](#)
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HCAC has asked the Dept. of Health Facilities Division to publish this clarification in the division's provider newsletter.

Home Care Licensure Passes First Committee

SB 08-153 concerning the licensure of home care agencies in Colorado passed its first committee hearing by a vote of 4 to 1. HCAC testified with "guarded support" of the licensure proposal and the subsequent rule making process. HCAC Executive Director Ellen Caruso led off the testimony by telling the Health and Human Services Committee that the home care industry provides three million visits to more than 60,000 Coloradans each year and employ more than 10,000 nurses, therapists, and aides. She said the association had four goals for the licensure bill and all have been met by the bill as amended. Those goals are:

- The bill should include all entities that provide skilled and personal care services in the home.
- The bill should ensure the least amount of regulatory burden and cost to home care agencies, most of which would be considered small businesses.
- There will be reduced licensure fees for those agencies that are Medicare / Medicaid certified.
- Duplicate surveys and reporting requirements will be prohibited for Medicare / Medicaid certified agencies.

HCAC President-Elect and Legislative Council Chair Sonya Neumann answered several contentious questions about quality of care in home care and long- time HCAC member Bob Page cautioned the legislative panel that additional regulatory burdens are especially harmful to agencies operating in the rural communities of our state.

HCAC members are reminded to visit the association's 24/7 State Legislative Bulletin Board for weekly updates on SB 153 as well as other legislation affecting home care including efforts to increase Medicaid rates. Health care, insurance, and other business related issues are being debated daily at the Colorado statehouse through the middle of May.

Don't miss out! Keep in tune through your

association's Legislative reporting bulletin board.
The web page can be accessed by members via this year's "Members Only" link:
<http://www.hcaonline.org/state2008>

[Click Here for HCAC Members Only Legislative Bulletin](#)

"OASIS Under New PPS" plus COS-C Exam, March 13-14

Presenter: **Lisa Selman-Holman**, JD, BSN, RN, HCS-D, COS-C, Selman-Holman & Associates, LLC, Denton, Texas

OASIS education is essential and with interpretations and additional clarification changing on a quarterly basis, it has become compulsory. Ensure that you and your staff are up-to-date on all the OASIS intricacies, including pressure ulcers (more new guidelines), surgical wounds and new PPS case mix scores.

MO 110, MO 246 and MO 826 are new and understanding is essential to your payment. Are you working hard on your outcomes, but not making any headway? Perhaps the "other" OASIS data items are hindering your progress.

This OASIS training is an in-depth analysis of the OASIS data items in regards to payment and outcomes, as well as common sense application to agency operations. The key to accurate payment and to accurate outcomes and risk adjustment depends on answering the MO questions accurately and according to CMS instructions.

[Click Here for Seminar Details and to Register](#)

"How to Get Referrals" by Elizabeth Hogue

**Don't Delay! Register Today For March 27 Session!
A lunch & learn audio-conference series...**

Presenter: **Elizabeth E. Hogue**, Esq., Health Care Attorney & Consultant, Burtonsville, MD

New materials will be presented in three sessions to focus on the following marketing strategies and

potential legal pitfalls and solutions associated with them.

Session 2:

March 27, 2008

11:00 a.m. to 12:30 p.m.

"How to Get Referrals from Hospitals and Stay Within the Law"

Both hospital based and free standing home health agencies continue to struggle with legal issues related to getting referrals from hospitals. Issues encountered by home health agencies in relationships with hospitals will be covered in this conference:

- Responsibility for discharge process;
- Physician order for a specific agency;
- Visiting patients in the hospital, and
- Right to freedom of choice of providers.

Session 3:

April 24, 2008

11:00 a.m. to 12:30 p.m.

"How to Obey the Law and Get Referrals from Skilled Nursing Facilities, Assisted Living Facilities, Personal Care Homes and Independent Retirement Communities"

Save time and travel costs and include all staff members who will benefit from this timely topic! Register for more than one session and save!

[Click Here for Details and to Register](#)

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