

Technical Advisory – Home Care Agencies and Registries

The Department has received inquiries concerning the implementation of Act 69 of 2006 and the Department’s new home care regulations effective December 12, 2009. The questions pertain to the definition of a home care agency and what entities are considered home care agencies.

The Act defines a home care agency as,

“An organization, exclusive of a home health agency, that supplies, arranges, or schedules employees to provide or perform activities of daily living or instrumental activities of daily living or companionship services or specialized care on an hourly, shift or continual basis to a consumer in the consumer’s place of residence or other independent living environment for which the organization receives a fee, consideration or compensation of any kind.”

The definition does not use the term “and” to separate the four types of services a home care agency may provide. Any organization that provides all, some or even one of the four types of services listed must be a licensed home care agency.

Please note, this definition specifically uses the term “in the consumer’s place of residence or other independent living environment” to be inclusive of the independent living community. Independent living communities that provide any, all or even one of the four types of services in the definition must be licensed as home care agencies.

The Department will work with entities that hold multiple license types, (i.e. nursing home, personal care home, etc.) to minimize redundancies wherever possible.

The Department will extend the March 31, deadline until April 30, 2010 in order for all entities to submit an application.

Questions or comments about this technical advisory may be sent to Cindy Boyne, Director, Division of Home Health, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, telephone (717) 783-1379.