



## Health Facility Licensing and Certification

800 NE Oregon Street, Suite 465

Portland, Oregon 97232

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# In-Home Care (IHC) Agency Frequently Asked Questions

## **1. What is an In-Home Care Agency?**

An in-home care agency is an agency primarily engaged in providing in-home care services (including personal grooming, mobility assistance, nutrition/hydration assistance and others) for compensation to an individual in that individual's place of residence. In-home care agencies are not home health agencies; they do not provide home health services as defined in the Oregon Revised Statutes ([ORS 443.005](#)).

## **2. Who must be licensed?**

You must become licensed as an in-home care agency if you are providing in-home care services and doing one or more of the following: 1) scheduling caregivers, assigning work, 2) assigning compensation rates, 3) defining working conditions, 4) negotiating for a caregiver or client for the provision of services, or 5) placing a caregiver with a client. To determine if your future business qualifies as an in-home care agency, please see our determination form online at [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

You do not need to be licensed, if your business is **only** providing housekeeping and supportive services such as laundry or shopping and errands.

## **3. What type of services do In-Home Care Agencies provide?**

Types of services that in-home care agencies provide include but are not limited to: bathing, personal grooming and hygiene, dressing, toileting and elimination, mobility and movement, nutrition/hydration and feeding, housekeeping tasks, laundry tasks, shopping and errands, transportation, and arranging for medical appointments. Inhome care agencies may also provide medication and nursing services, but these services require additional conditions for approval. These conditions include additional policies and procedures and a nurse on staff.

#### **4. Where can I find the Statutes and Rules for In-Home Care Agencies?**

The Oregon Revised Statutes (ORS) (Chapter 443) can be found online [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

The Oregon Administrative Rules (OAR) (Chapter 333, Division 536) can be found online [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

#### **5. What do I need to do to apply for an In-home Care Agency License?**

\_\_\_ Read and understand all the Oregon Administrative Rules found online at [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

\_\_\_ Fill out an in-home care application, found online [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

\_\_\_ Include a check or money order for the correct fee amount (see application) payable to the "Oregon Health Authority" Please note: the fee is non-refundable; make sure you are absolutely certain you are prepared to be a licensed IHC before sending in the application and fee.

\_\_\_ Include an administrator application and resume for your administrator. The resume:

- Must be current
- Must show evidence of at least two years of professional\* or management\*
- experience in a health-related field or program
- Must include:
  - the employer's name and location
  - the dates of employment including month and year
  - the title of the position held
  - the detailed description of duties performed
- Must show evidence of high school diploma or equivalent

\*These terms are defined in rule: OAR 333-536-0005(13) & (21)

\_\_\_ HCRQI Background Check Request Form. Any owners or administrator that have direct contact with clients must submit this form. The form is online at [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

\_\_\_ Develop **ALL** policies and procedures (including associated forms such as the service plan form, disclosure form etc.), but **only** include the following sampling of policies and procedures, and applicable forms with your application:

- Organization, Administration, and Personnel (333-536-0050)
- Disclosure, Screening, and Acceptance of Clients (333-536-0055)
- Service Plan (333-536-0065)

\_\_\_ Send application, fee, resume, background check request forms and the three sample policies, procedures and associated forms to:

## **HFLC**

IHC Survey Team  
PO Box 14260  
Portland OR 97293

Incomplete applications will not be processed until complete.

### **6. When does the survey happen and what will it entail?**

When the agency has successfully completed all steps in the initial licensure process, an initial onsite survey will be scheduled. The survey will be scheduled for a date and time which is agreed upon by yourself and the surveyor who will conduct the survey.

During the initial survey you will need to have all your policies and procedures identified in Oregon Administrative Rules, Division 536, ready for review by the surveyor. All policies and procedures should be well-organized and easily identifiable for the surveyor to review. Please ensure that you have created all required policies and procedures by IHC rules found online [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc).

A **policy** is a principle or a predetermined course of action to guide decision making.

A **procedure** describes a method to carry out a policy and often includes a series of steps.

A **form** may be part of a procedure that will be used to carry out a procedure.

During the survey the following should be ready for review:

A. The agency's policies and procedures for operating and providing services as an n-Home Care Agency in Oregon, which includes the policies and procedures identified by the Oregon Administrative Rules Division 536, Chapter 333, Section 0045-0093. Please use the IHC OARs to ensure that you have developed policies and procedures for all of the rules.

For example, the agency may have a policy that requires all caregivers be trained to do medication administration. Procedures are then developed which reflect how that training requirement will be carried out with details of content,

frequency, competency testing, etc. Forms are created to provide documented evidence that the training requirements as specified in the procedures have been met for each caregiver.

B. A Quality Improvement Program Plan which demonstrates an assurance of compliance with the Oregon Administrative Rules for In-Home Care Agencies and the agency's own policies and procedures.

C. A sample client record which contains all documents and forms to be used by the agency which demonstrates an assurance of compliance with the Oregon Administrative Rules for In-Home Care Agencies and the agency's own policies and procedures.

D. Personnel records for staff who are hired and ready to provide IHC services which contain evidence of all applicable pre-screening, health, qualifications, training, and orientation required by the Oregon Administrative Rules for In-Home Care Agencies and the agency's own policies and procedures.

## **7. What happens if I pass the survey?**

A license will be issued for your agency or subunit within ten business days. The license is not transferable. The license must be posted in a conspicuous location at your agency. You are not allowed to accept clients until you have received your license.

## **8. What happens if I don't pass the survey?**

If your agency has some deficiencies that need correction before licensure is granted:

- You will receive a list of required corrections to your application
- You must complete the corrections
- Notify this office of the completed corrections
- Your application will be reconsidered and further review will be conducted, in the order that it was received with all other initial applications

If your agency is substantially out of compliance with Division 536 of the OARs your application may be denied.

- The surveyor may arrange for the second initial survey to be conducted with the applicant at the Health Care Regulation and Quality Improvement offices.
- If the request for a new survey is not received within 15 days, or if compliance

is not achieved during the second initial survey, the agency will be required to submit a new application and fee and repeat all steps of the initial licensure process.

### **9. When do I need to report changes to the Division?**

If the ownership, address or administrator of your agency or subunit changes at any time, you must notify this office, in writing, within 30 days of the change. Some changes require a fee.

### **10. Any additional information?**

The policies and procedures sent to this office cannot be sent back to the agency after review. The length of the In-Home Care Agency initial licensure request process varies depending on multiple factors such as whether or not the request is complete, whether or not additional information needs to be submitted, current work load and availability of resources necessary to complete the request review, etc. Therefore, it is not possible to establish specific time frames. Due to the large volume of applications received, this office would prefer to conduct correspondence through email. Please email general inquiries to [mailbox.hclc@state.or.us](mailto:mailbox.hclc@state.or.us). We do not accept walk-ins.

### **11. Where can I get more information?**

#### **State of Oregon Health Facilities Licensing and Certification (HFLC)**

800 NE Oregon St., Suite 465  
Portland, OR 97232  
Phone: 971-673-0540  
Fax: 971-673-0556  
Email: [mailbox.hclc@state.or.us](mailto:mailbox.hclc@state.or.us)

**Organizations that represent community-based care providers:** As an additional resource to assist you, here is a list of trade associations organizations that represent community-based care providers. OHA does not endorse any of the below organizations or the services that they may offer. The below information is provided solely as a resource.

#### **Leading Age**

7340 SW Hunziker, Suite 104  
Tigard, OR 97223  
Phone: 503-684-3788

Fax: 503-624-0870

**Oregon Health Care Association (OHCA)**

11740 SW 68th Parkway, Suite 250

Portland, Oregon 97223

Phone: 503-726-5260

Fax: 503-726-5259

**Oregon Association for Home Care (OAHC)**

1249 Commercial Street SE

Salem, Oregon 97302-4203

Toll Free: 1-800-352-7230

Fax: 503-399-1029

**12. What are the guidelines for abuse and complaint reporting?**

If you have reasonable cause to believe your client is being, or has been abused, you are required to report this information to the appropriate Department of Human Services (DHS) office immediately. See contact information listed below:

Elder Abuse Reporting

You must immediately make an oral report, by telephone or otherwise, to your county DHS office of Aging and Peoples with Physical Disabilities (APD) or local law enforcement agency. If you are unable to locate the APD number for your county you must call the Salem APD office at (503) 945-5811 or 1-800-232-3020, and they will direct you.

Child Abuse Reporting

You must immediately make an oral report, by telephone or otherwise, to your county DHS office of Children, Adults and Family Services (CAF) or local law enforcement agency. If you are unable to locate the CAF number for your county you must call the Salem CAF office at (503) 945-5600, and they will direct you.

Mentally or Developmentally Disabled Persons Abuse Reporting

You must immediately make an oral report, by telephone or otherwise, to your county DHS office of Addictions and Mental Health Division (AMH) or local law enforcement agency. If you are unable to locate the AMH number for your county you must call the Salem AMH office at (503) 945-9495 or 1-866-406-4287, and they will direct you.

Non-Long Term Care Health Care Facility Complaint Reporting

Oregon Health Authority

Public Health Division

Health Facilities Licensing and Certification (HFLC)

800 NE Oregon St. #465

Portland, OR 97232

Phone: (971) 673-0540

Fax: (971) 673-0556

Email: [mailbox.hclc@state.or.us](mailto:mailbox.hclc@state.or.us)

Website: [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc)

\*\*An Elder is defined as any person 65 years of age or older.

\*\*A Child is defined as an unmarried person who is under 18 years of age.

Please visit our website at [www.healthoregon.org/hflc](http://www.healthoregon.org/hflc) for Memos and information on IHC rules and requirements.