

Policy Transmittal Aging and People with Disabilities



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Number:
Issue date:

Topic: Long Term Care

Due date:

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Types A and B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (please specify): |
| <input type="checkbox"/> ODDS Children’s Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Updates to OHCC rules/Information about HCW/PSW mandatory training requirements effective 1/1/21.		
Policy/rule number(s):	OAR Chapter 418, Division 20	Release number:	
Effective date:	Rule adoptions: 7/1/19 New training requirements: 1/1/21	Expiration date:	
References:	Senate Bill 1534; SB 1534 Training Workgroup Recommendations Report; rule advisory committee minutes		
Web address:	https://www.oregon.gov/DHS/SENIORS-DISABILITIES/HCC/PSW-HCW/Pages/Rules-Notices.aspx https://www.oregon.gov/DHS/SENIORS-DISABILITIES/HCC/Pages/Senate-Bill-1534-Updates.aspx		

Discussion/interpretation:

The Oregon Home Care Commission (OHCC) has updated Chapter 418, Division 20 Oregon Administrative Rules (Oregon Home Care Commission Functions) to:

- Include mandatory training and testing requirements beginning in January 2021 for homecare (HCW) and personal support workers (PSW), as required by the passage of Senate Bill 1534 during the 2018 Legislative Session;
- Clarify eligibility for HCW/PSW certifications available through OHCC.
- Expand eligibility for voluntary consumer-employer training services, and change the name from STEPS to Employer Resource Connection; and

Local APD/AAA offices, County Developmental Disability Program (CDDP) offices, and Support Services Brokerages need to be aware of the following changes because they impact the HCW/PSW program and voluntary consumer-employer training services available to consumers, authorized representatives, and common-law employers receiving services through Aging and People with Disabilities or the Office of Developmental Disabilities Services:

418-020-0020 Qualifications for Homecare and Personal Support Workers

New qualifications have been added as a result of the passage of Senate Bill 1534 that requires mandatory training and testing for HCWs and PSWs:

- Complete mandated core training within specified timelines;
- Complete and pass mandated core training competency evaluations; and
- Complete mandated continuing education within specified timelines

Changes to HCW/PSW Orientation

Currently, HCWs and PSWs have up to 90 days from provider enrollment to complete orientation. This provision remains in effect through December 31, 2020. Beginning January 1, 2021, applicants must complete orientation before receiving a provider number. OHCC may grant an exception if the health and safety of a specific consumer is at risk due to the delay in an applicant's enrollment.

Mandatory orientation topics beginning January 1, 2021 include:

- Abuse and mandatory reporting
- Confidentiality
- Consumer rights
- Medication safety
- Preventing Medicaid fraud
- Providing person-centered services
- Universal precautions and infection control
- Worker requirements, roles, and responsibilities

418-020-0030 Homecare and Personal Support Worker Training

Rules were updated to clarify the eligibility criteria for HCW/PSW certifications awarded through OHCC—Professional Development, Enhanced HCW, Enhanced PSW, Exceptional PSW, CPR and First Aid, and Community Health Worker.

418-020-0035 Mandatory Training and Competency Evaluations – Effective 1/1/21

This is a new section of rule added based on Senate Bill 1534 requirements.

Core training and competency evaluations effective January 1, 2021

HCWs and PSWs enrolled on or after January 1, 2021 are required to complete eight hours of core training within 120 days of enrolling as a Medicaid provider.

Core training topics include, but are not limited to:

- Safety and emergency measures
- Understanding requirements for providers paid with Medicaid funds
- Providing person-centered services and supports
- Understanding how to support the physical and emotional needs of the individual receiving services
- Managing medications
- Providing personal care

In order to receive training credit, HCWs and PSWs enrolled on or after January 1, 2021 must complete competency evaluations (also known as tests or assessments) after the completion of core training.

Continuing education – Due on or after July 1, 2023

HCWs and PSWs with a credential end date of July 1, 2023 or later, are required to complete 12 hours of continuing education by the end of the worker's 24-month credential. The OHCC's Registry displays credential begin and end dates.

12 hours of continuing education is an on-going requirement due by the worker's 24-month credential end date.

Exception: HCWs and PSWs are exempt from this requirement if they have and maintain an OHCC certification.

Incumbent worker seminar – Effective January 1, 2021

HCWs and PSWs enrolled prior to January 1, 2021 are required to complete 12 hours of training delivered through seminars by June 30, 2021.

Exception: HCWs and PSWs are exempt from this requirement if they have and maintain an OHCC certification.

418-020-0040 Consumer-Employer Training Services

The name of the voluntary training program for consumer-employers has been changed from STEPS to Employer Resource Connection. Eligibility for services has been expanded to include an individual's authorized representative or common-law employer.

APD/AAA offices: Case managers are encouraged to provide individuals and/or their authorized representatives with the guide "What You Need to Know As an Employer of a Homecare Worker ([DHS 2914](#))" available through the forms server and FBOS. Refer to [APD-IM-19-009](#) form more information about the guide and how to order. Employer Resource Connection brochures ([SDS 9687](#)) can be obtained through the local training Employer Resource Connection consultant in their area (includes individualized contact information) or the forms server (general contact information). Case managers are encouraged to inform consumer-employers and/or their authorized representatives that they may be contacted directly by their local Employer Resource Connection consultant to discuss employer training services. Guides and brochures are available in multiple languages.

Case Management Entities: Personal agents and services coordinators are encouraged to provide individuals and/or their common-law employers with the guide "What You Need to Know As an Employer of a Personal Support Worker ([APD 0641](#))" and an Employer Resource Connection brochure ([SDS 9687](#)) available on the forms server. Publications can also be requested by completing a [DHS/OHA 8100 Supplemental-Forms Order Sheet](#) and emailing it to DHS-OHA.distribution@state.or.us. Employer Resource Connection brochures can be obtained through the local training Employer Resource Connection consultant in their area (includes individualized contact information) or the forms server (general contact information). Guides and brochures are available in multiple languages.

All offices: Information about Employer Resource Connection services and resources, and how to make a referral can be found on the OHCC's website at <https://www.oregon.gov/dhs/seniors-disabilities/HCC/pages/steps.aspx>.

Implementation/transition instructions: No action is required at this time.

Training/communication plan: Transmittals will be distributed once policies and procedures are determined. Consumers and workers will be notified at a later time of the new requirements based on the communication plan established by DHS, OHCC, OHA and SEIU, Local 503.

Local/branch action required: No action is required at this time.

Central office action required: No action is required at this time.

Field/stakeholder review: Yes No

If yes, reviewed by: APD Policy; Operations Committee

Filing instructions:

If you have any questions about this policy, contact:

Contact(s): Questions about SB 1534 and Rules: Jenny Cokeley, OHCC Operations and Policy Analyst; Questions about Employer Resource Connection: Nancy Janes, OHCC Operations and Policy Analyst	
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