**Section 686.200 Homemaker Service Provider Requirements**

In order to provide Homemaker Services under HSP (see 89 Ill. Adm. Code 676.40), a Homemaker Service Provider must be in compliance with all Medicaid provider requirements for the Illinois Department of Healthcare and Family Services (HFS) and DHS.

a) Only Homemaker Service Providers with an approved Homemaker Agreement may be used to provide Homemaker Services to individuals being served through HSP.

b) In order to be approved by HSP, the Homemaker Service Provider must comply with the following, to the satisfaction of HSP:

1) provide a comprehensive array of services that include, but are not limited to, those services described in Section 686.210;

2) assure HSP that all referrals will be responded to within 48 hours after receipt from HSP;

3) have written billing procedures and provide a copy to HSP as part of the compliance review;

4) have documented procedures to cover unexpected absences and emergencies to ensure services will be provided in an adequate and safe manner to all individuals served by the Homemaker Service Provider;

5) have written procedures to respond to customer and counselor complaints regarding services;

6) maintain comprehensive written job descriptions for, at a minimum, the positions of Executive Director or Administrator, supervisory staff, and Homemakers;

7) have established a local presence to ensure regular and on-going contact with HSP and other appropriate community groups;

8) have procedures for regular and on-going recruitment of Homemakers through local resources;

9) be incorporated or provide HSP with a copy of a written statement of purpose and function;

10) maintain adequate records for planning, budgeting, administration and program evaluation and planning. These records shall be available at all times to HSP and the United States Department of Health and Human Services (HHS), or any entity designated by HSP or HHS, and shall be maintained for a period of at least 5 years, or until advised that all State and federal audits are completed. These records must include, but not be limited to:

A) records of all referrals, including the disposition of each referral;

B) customer records, which include:

i) dates and times services were provided to each individual;

ii) dates and times of supervisor-Homemaker weekly conferences;

iii) semi-annual reports of supervisory visits with each customer served;

iv) monthly service reports for each customer served that document a summary of services, actual or anticipated changes in the customer's condition, recommended changes in the current HSP Service Plan, and all customer contacts;

v) records of all staffings held pertaining to the customer;

vi) records of all financial transactions between the customer and any Homemaker Service Provider employee;

C) administrative records, which include:

i) cumulative service statistics pertaining to any agreement with HSP;

ii) billing and payment records that pertain to HSP;

D) personnel records, which include:

i) attendance records;

ii) schedules for all direct service staff;

iii) documentation regarding each individual's qualification for the position held;

iv) wage rate and effective date for each staff member;

v) job performance evaluations for each staff person that include annual evaluations and at least one probationary evaluation completed within the first six months of employment;

vi) orientation and training attendance information for each staff member, which must include the name of each instructor, the date, the time and the title of each training program attended; and

vii) verification of liability insurance in the amounts of at least $15,000 per person bodily injury, $30,000 minimum per occurrence, and $10,000 in property damage, per occurrence, if the employee will or could be expected to transport customers in the course of his/her work;

11) maintain insurance coverage against any and all liability, loss, damage and/or expense from wrongful or negligent acts of the Homemaker Service Provider or any of its employees and provide HSP with written verification of that coverage;

12) maintain written procedures on reporting loss and damage arising from the wrongful or negligent acts of the Homemaker Service Provider or any of its employees;

13) agree to hold harmless DHS and HSP against any and all liability, loss, damage, cost, or expense arising from wrongful or negligent acts of the Homemaker Service Provider or any of its employees;

14) assist HSP in monitoring and evaluating the Homemaker Service Provider's performance under any agreement with HSP;

15) maintain any and all information regarding individuals referred to the Homemaker Service Provider by HSP as confidential and not for public release without the written consent of HSP and the customer;

16) maintain and have available for review by customers and purchasers of services policies governing:

A) the nature and scope of each service provided by the Homemaker Service Provider;

B) a two-way receipt system for any time an employee of the Homemaker Service Provider handles an individual's money, food stamps or other negotiable items or tender;

C) personnel policies governing salary, leave time, hours of work, employee grievance procedures, and attendance at in and out-service trainings; and

17) have in place an Affirmative Action Plan that is approved by its governing body.

c) At a minimum, each Homemaker Service Provider must employ qualified staff in the positions of:

1) Executive Director or Administrator for each local unit providing services, who is responsible for the administration of the Homemaker Services program and who, at a minimum, has or is making continued progress towards:

A) a Bachelor's degree in health, human services, or a related field;

B) licensure as a Registered Nurse pursuant to the Nurse Practice Act;

C) certification as a home health care administrator, medical clinic administrator, or other health services administrator; or

D) one year of related job experience in social services or in a health agency to replace each year of education required in subsections (c)(1)(A) through (C), provided that at least one year of experience was in a program that provides services to individuals with disabilities.

2) For the purposes of subsections (c)(1)(A) through (C) "continued progress" shall mean current registration and evidence of successful completion of course work in an accredited junior college, college, or university for a minimum of 2 semesters or 3 quarters of each academic year. Successful completion shall mean a grade of at least "C" in undergraduate course work or a grade of "B" in graduate course work;

3) Supervisors, in a ratio of no less than the equivalent of one full-time supervisor to the equivalent of every 20 full-time Homemakers, who are responsible for the supervision of Homemaker staff and who, at a minimum, have:

A) a Bachelor's degree with course work in social science, home economics, or nursing;

B) knowledge and skill equivalent to completion of a Bachelor's degree, as described in subsection (c)(1)(A); or

C) a high school diploma or its equivalent plus health service experience including at least 2 years supervisory experience;

4) Homemakers who have:

A) been determined to be in good health;

B) knowledge and skill equivalent to a high school diploma;

C) experience as a homemaker, either in his or her own home or through employment; and

D) knowledge of:

i) nursing care;

ii) first aid;

iii) personal and environmental hygiene;

iv) household budgeting;

v) housekeeping;

vi) nutrition;

vii) food preparation; and

viii) clothing care.

d) Each supervisor and Homemaker must, at a minimum, participate in the following training programs:

1) Orientation, which shall include:

A) the philosophy and purpose of Homemaker Services; and

B) the functions of Homemaker Services;

2) In-service training, directed at increasing the Homemaker Service Provider's knowledge and skills, of not less than 12 hours each year in areas including:

A) disability awareness; and

B) Acquired Immunodeficiency Syndrome (AIDS).

e) The Homemaker Service Provider shall have a written policy and procedures governing a self-evaluation process to evaluate services and case management with an outcome of written recommendations to the governing body of the Homemaker Service Provider to improve the services provided.

f) The Homemaker Service Provider shall abide by provisions of the following federal and State laws and regulations regarding employment practices and compliance:

 1) Laws and Regulations

 A) Title VI of the Civil Rights Act of 1964 (42 USC 2000d);

B) Section 504 of the Rehabilitation Act of 1973 (29 USC 701);

C) the Americans With Disabilities Act (42 USC 12101);

D) the Illinois Human Rights Act [775 ILCS 5];

E) the Health Care Worker Background Check Act [225 ILCS 46]; and

F) the Health Insurance Portability and Accountability Act (42 USC 1320(d) et seq.).

2) Further, the Homemaker Service Provider shall provide HSP with a letter certifying compliance with the provisions of the laws listed in subsection (f)(1) and a copy of the Affirmative Action Plan for the Homemaker Service Provider.

(Source: Amended at 38 Ill. Reg. 11519, effective May 15, 2014)