



Department of Health

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Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

October 13, 2016

DAL: DHCBS 16-09

SUBJECT: Regulatory Requirements for
Licensed Home Care Services
Agencies Offering the Nurse-Family
Partnership Program

Dear Administrator:

The purpose of this letter is to clarify the licensure and regulatory requirements that apply to the Nurse-Family Partnership (NFP) Program. The NFP uses the nursing process and nursing assessment to combine preventative services, health education and guidance, care coordination, and case management through regular home visits to first time mothers and their children. Nurses conduct continuous reassessments over the course of several months focused on assessment of a client's physical, mental and social status and need for referral. This includes but is not limited to monitoring of high blood pressure or other complications of pregnancy. A care plan is developed and implemented that is client centered and reflects the needs and goals of the client. According to information provided by the NFP, care plans are updated as needed and coordinated with all involved care providers including the client's health care provider to ensure coordination and continuity of care.

Article 36 of the Public Health Law requires that agencies must be licensed to provide nursing services to individuals in their homes. This includes for purposes of conducting home health visits for the NFP Program. As such, in order to provide the NFP Program, an entity must be licensed as a home care services agency and possess a license issued by the Commissioner of Health.

All licensed home care services agencies (LHCSAs) are obligated to operate according to the requirements found in NYCRR Title 10 Part 766. These requirements are in place to ensure the health and safety of patients and agency staff providing services. All regulatory requirements pertaining to a LHCSA apply to the LHCSA offering the NFP Program. This includes section 766.4 as it relates to physician orders. In recognition of the difficulties that providers have identified in obtaining written authorization within the pre-existing tight time frames, effective May 4, 2016, these regulations were revised to extend the amount of time to 12 months for providers to obtain written authorization for services based on verbal orders.

For questions regarding this clarification, please contact the New York State Department of Health, Division of Home and Community Based Services at homecare@health.ny.gov

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Fuller Gray".

Rebecca Fuller Gray, Director
Division of Home & Community Based Services

cc: Ms. Pirani, Director
Office of Public Health