



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

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

February 3, 2016

**DAL: DHCBS 16-01**  
**Subject: Health Commerce System Requirements**

Dear Administrator:

The Health Commerce System (HCS) is the primary mechanism that the New York State Department of Health (Department) uses to communicate with health care providers in New York State. The importance of the HCS as the primary communication vehicle during emergencies, as well as for normal operational issues, regulations require that all licensed home care services agencies, certified home health agencies/long term home health care programs and hospice providers establish and maintain current HCS accounts, including provider contact information. The Department reminds providers that compliance with these regulations is a priority and that noncompliance will be appropriately enforced.

The HCS is used for a multitude of purposes, including targeting communications to providers during emergencies, providing access to applications such as the Criminal History Record Check, the Home Care Worker Registry, the Electronic Plan of Correction, collecting cost and statistical information from providers, and issuing guidance and communications such as Dear Administrator Letters (DALs).

Regulations require that all licensed home care services agencies, certified home health agencies/long term home health care programs and hospice providers obtain accounts for each agency it operates, ensure that sufficient and knowledgeable staff are available to maintain and keep their accounts current. These regulations are as follows:

- For licensed home care services agencies: Title 10 Parts 766.9 (o)(1),(2),(3),(4)
- For certified home health agencies: Title 10 Parts 763.11(f)(1),(2),(3),(4)
- For hospices: Title 10 Parts 793.1(n)(1),(2),(3),(4)

Compliance with these requirements continues to be problematic. Providers are expected to maintain appropriate policies and procedures to maintain HCS accounts consistent with regulations. The minimum procedures described below are necessary to achieve compliance. As stipulated in regulation, each licensed site must have an individual HCS account with sufficient and knowledgeable staff available to maintain and keep the account current.

1. The HCS should be accessed daily. This means the system should be checked at least once every 24 hours and more frequently during an emergency to check for news announcements, alerts and other Department communications.
2. The agency's HCS Communications Directory must be kept current and updated, reflecting changes in general information and staff role changes as soon as they occur.

This information should be reviewed at a minimum, on a monthly basis. An appropriate and applicable policy and procedure regarding this must be in place and reviewed at least annually.

3. Current contact information must be entered for:
  - a. 24 by 7 Facility Contact
  - b. Office of the Administrator
4. One or more appropriate staff members with an active HCS account must be assigned to each of the following roles:
  - a. Administrator
  - b. Director, Home Care Patient Services or Patient Services
  - c. Emergency Response Coordinator
  - d. HPN Coordinator
5. For agencies that employ Home Health Aides or Personal Care Aides, one or more appropriate staff members with an active HCS account must be assigned to each of the following roles:
  - a. Criminal History Record Check Authorized Person (CHRC AP)
  - b. Home Care Registry Agency Updater
  - c. Home Care Registry Agency Viewer
6. For agencies that operate a Home Health Aide Training Program (HHATP), one or more appropriate staff members with an active HCS account must be assigned to each of the Home Care Registry roles:
  - a. Home Care Registry Agency Updater
  - b. Home Care Registry Agency Viewer
  - c. Home Care Registry Certification Form Printer
  - d. Home Care Training Program Certificate Printer
  - e. Home Care Training Program Updater
  - f. Home Care Training Program Viewer

The Department will continually monitor these role assignments. Noncompliance with these regulations could adversely impact patient safety. A Statement of Deficiencies may be issued to agencies which do not meet all of the requirements set out in this letter and subsequent enforcement action may be taken for findings of noncompliance.

If you have any questions about these requirements or need assistance with assigning HCS roles, please call (518) 408-1638 or send an email to [homecare@health.ny.gov](mailto:homecare@health.ny.gov). Thank you in advance for your cooperation in ensuring compliance with these important protections.

Sincerely,



Rebeca Fuller Gray, Director  
Division of Home and Community Based Services