

# UPDATES IN THE HOME CARE INDUSTRY

*Home Care Alert*  
August 8, 2018

## **EVV Delayed**

President Donald J. Trump has signed legislation that will delay the electronic visit verification (“EVV”) requirement for Medicaid personal care services providers until January 1, 2020. The legislation extends the deadline by which NYS will be required to implement EVV for CDPAP Fiscal Intermediaries. We are continuing to monitor developments in this area and will provide more updates as they become available.

## **PHHPC Approves New Agencies**

Home care agencies that were in the process of receiving their license when the NYS budget bill – and the moratorium – was passed have been watching the New York State Public Health and Health Planning Council (“PHHPC”) closely since the budget bill to see how new licenses will be approved. On Thursday, August 2, 2018, PHHPC approved two home care applications for LHCSAs associated with Assisted Living Programs, and one change of ownership application under the consolidation exception.

## **PHHPC Approves the Advanced Home Health Aide Program**

Also on August 2, 2018, PHHPC approved the DOH’s proposed regulations to implement the Advanced Home Health Aide (“AHHA”) program. The proposed regulations were discussed in a previous Client Alert that was issued by our Home Care Group. Additional regulations for the AHHA program, proposed by the New York State Education Department are still pending adoption by the NYS Board of Regents, which are expected September 2018.

If you have any questions on these or other matters, please do not hesitate to contact any member of the Hodgson Russ Home Care team.

## **Attorneys**

Jane Bello Burke  
Reetuparna Dutta  
Robert Fluskey, Jr.  
Peter Godfrey  
John Godwin  
Stephen Kelkenberg  
Michelle Merola  
Sarah Miller  
Kinsey O’Brien  
Matthew Parker  
David Stark  
Margot Watt  
Sujata Yalamanchili

## **Practices & Industries**

Home Care