



FINAL RULE: ADMINISTRATOR QUALIFICATIONS

Beginning January 13, 2018, the personnel requirements for home health administrators will change. The new qualifications for administrators **will require an undergraduate degree** and one year supervisory or administrative experience in home health care or a related program.

How could this impact you?

- If you are a home health administrator and don't have an undergraduate degree you will be grandfathered in as it relates to your current administrator position.
- If you are a home health administrator; don't have an undergraduate degree; leave your current position (after January 13, 2018) and try to get a job as an administrator in another Medicare-certified agency you will **not be eligible**.
- If you are a home health administrator with at least one year supervisory or administrative experience and have an undergraduate degree you will meet the qualifications regardless of whether you stay in your current position or change jobs.

Here's the Final Rule regulation:

§484.115 Condition of participation: Personnel qualifications. HHA staff are required to meet the following standards:

Standard: Administrator, home health agency.

(1) For individuals that began employment with a home health agency **prior to** July 13, 2017 (now January 13, 2018), a person who:

- Is a licensed physician;
- Is a registered nurse; or
- Has training and experience in health service administration and at least 1 year of supervisory administrative experience in home health care or a related health care program.

(2) For individuals that begin employment with a home health agency **on or after** July 13, 2017 (now January 13, 2018) a person who:

- Is a licensed physician;
- Is a registered nurse, or
- **Holds an undergraduate degree;** and
- Has experience in health service administration, with at least 1 year of supervisory or administrative experience in home health care or a related health care program.

CMS Comments from the Final Rule

Comment: We received many comments on the personnel qualification of the administrator. A few commenters requested that CMS grandfather in the current administrators, with one commenter stating that there should be an exception policy in place that acknowledges years of experience in the Medicare certified home health field as an appropriate qualification for a home health administrator. One commenter stated that they applaud expanding the standard for eligibility for the administrator. The commenter added that they supported the role of administrator being provided by persons with skill sets that do not require medical or nursing degrees. A few commenters requested that CMS not require a degree and experience, stating that experience all on its own is good enough and requiring both is too burdensome. One commenter stated that an undergraduate degree and 1 year of experience does not seem adequate to fulfill the role of administrator, which requires knowledge in many areas. The commenter suggested that a graduate degree or specialized clinical certification and additional years of experience in management would be appropriate. Another commenter advised that CMS not have any qualification requirements.

Response: It was not our intent to disqualify any currently employed administrator from continuing to perform his or her job duties with his or her current employer. Therefore, we agree that administrators who do not meet these qualifications should be allowed to continue employment in their current position, and we have revised the regulation at §484.115(a) to reflect this policy. In light of the various suggestions from the public regarding the appropriate qualifications for those administrators that begin working for an HHA after the effective date of this final rule (July 13, 2017), we have chosen to finalize the originally proposed requirement. An administrator who begins working for an HHA after the effective date of this final rule, even if he or she was previously employed as an administrator for a different HHA, is required to be a licensed physician, a registered nurse, or hold an undergraduate degree. A registered nurse would include a Nurse Practitioner or other advance practice nurse. Additionally, an administrator who begins working for an HHA after the effective date of this final rule is required to have experience in health service administration, with at least 1 year of supervisory or administrative experience in home health care or a related health care program. We believe that this combination of education and experience requirements strikes an appropriate balance between those commenters who sought to require that an administrator must possess a graduate degree and those who sought to remove all personnel requirements for an administrator. Furthermore, we believe that adding these personnel requirements for all future administrators will serve as a disincentive to the creation of HHAs that are operated with fraudulent intent, as many of these entities are opened by individuals who would not meet these minimum qualifications. Such HHAs pose a significant threat to the health and safety of Medicare beneficiaries in need of HHA services. The personnel requirements set forth in this rule are the minimum requirements. HHA governing bodies may establish more stringent requirements that meet the needs of their organizations.
