
NOTICES
CONSUMER NOTICE OF DIRECT CARE WORKER STATUS

[40 Pa.B. 1267]
[Saturday, March 6, 2010]

Form to be completed by every consumer utilizing the services of a Home Care Agency or Home Care Registry which is licensed under 28 Pa. Code Chapter 611, Home Care Agencies and Home Care Registries

The regulations governing licensure for home care agencies (HCAs) and home care registries (HCRs) were published in the *Pennsylvania Bulletin* at Volume 39, Number 49, page 6958, effective December 12, 2009.

HCAs and HCRs, as defined in the regulations, must now be licensed by the Department of Health (Department) to provide home care services to individuals in their homes or other independent living environments.

611.57, requires a HCA or HCR, The licensure regulations, at 28 Pa. Code § prior to the commencement of home care services, to provide to the consumer, the consumer's legal representative or responsible family member an information packet containing, among other items, a disclosure in the format to be provided by the Department, addressing the employee or independent contractor status of the direct care worker providing services to the consumer, and the resultant respective tax and insurance obligations and other responsibilities of the consumer and the HCA or HCR.

The Department published the Consumer Notice of Direct Care Worker Status in the *Pennsylvania Bulletin* at Volume 40, Number 6, page 757, on February 6, 2010. The form as published contains errors. This notice is to advise that interested persons may access the correct version of the form at <http://www.health.state.pa.us> by clicking on "Home Care Agency Application Form" under "What's Hot" on the right side of the page, or by contacting the Division of Home Health at (717) 783-1379.

All entities or organizations applying for licensure as a HCR or HCA shall begin using the Consumer Notice of Direct Care Worker Status upon receipt of a license to operate a HCR or HCA. 611.2(c), Existing HCAs and HCRs, currently operating under 28 Pa. Code § shall begin using the Consumer Notice of Direct Care Worker Status within 60 days of the date of this notice.

Persons with a disability who require an alternative format of this Notice (for example, large print, audiotope, Braille) should contact Janice Staloski, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.