

**New York State Department of Health  
Office of Primary Care and Health Systems Management  
Division of Home and Community Based Services**

FINAL: December 2016

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**Guidance for Developing Policies and Procedures for a  
Licensed Home Care Services Agency (LHCSA)**

The purpose of this guidance is two-fold. The first is to serve as a resource to assist the LHCSA governing authority, operator and administrator with understanding the basic principles of written policies and procedures. The second is to assist with applying these principles when developing policies and procedures for each area of operation in the agency.

**ALL MATERIALS MUST BE SUBMITTED TO THE DEPARTMENT IN HARD COPY.**

**Background:**

The LHCSA applicant must submit a complete and comprehensive Policy and Procedure Manual explaining the management and operation of the home care services agency and provision of home care services after Public Health and Health Planning Council approval. The policies and procedures must be consistent and ensure compliance with applicable rules and regulations and Department of Health directives.

The applicable regulatory requirements found in Title 10 of New York Code Rules and Regulations (NYCRR) Parts 765, 766, 402 and 403. Guidance and policy directives issued by the Department supplement the regulatory requirements and also must be incorporated into the agency's policies and procedures. The pertinent documents that must be incorporated should be accessed at [http://www.health.ny.gov/facilities/home\\_care/](http://www.health.ny.gov/facilities/home_care/) as listed in Attachment A.

**Health Commerce System:**

All LHCSAs are required to obtain a Health Commerce System (HCS) account once they receive approval to operate. The HCS is the primary means that the Department communicates with health care providers for both routine communication and during emergencies. Additional information as to how to obtain a HCS account after licensure has been completed can be obtained at 518-408-1638.

**Governing Authority:**

The governing authority or operator of a LHCSA is responsible for the management and operation of the agency. The governing authority is the policy making entity; the board of directors or trustees of a for profit or not for profit corporation; the proprietor or proprietors of a proprietary agency (i.e. members of a Limited Liability Company); to which the Department has issued or is in the process of issuing a license.

**Policy**

A policy is a predetermined course of action that is stated clearly and simply. A policy is used to set direction in an organization and assist in guiding decisions.

**Procedure**

A procedure describes step by step instructions to accomplish the policy, and identifies the agency staff responsible for implementing and monitoring the procedure. The procedure should have sufficient detail that end users will easily understand how to comply with the policy.

## Writing a Policy

Information should be stated in an easy to read format. Language should be to the point and easily understood. The goal is to understand the information provided so it will be retained and used.

The structure of the policy should not be lengthy and should not require complex information. Short statements clearly identifying the need or objective should be used. Preciseness in language should reflect the policy's intent in such a way there is no misinterpretation.

Attachment D is a template to be used in guiding the formatting of the policy.

The following information **must** be included for each policy:

- **Agency Name:** The agency name must be written as it appears on the application approved by the Public Health and Health Planning Council.
- **Policy number:** Each policy must be discretely numbered. Policies may be organized into discrete sections within the same subject matter. Such as the different activities associated with Criminal History Record Checks requirements.
- **Title:** The title should be clear and concise. For example: "*Criminal History Record Checks*"
- **Policy Statement/Purpose:** Each policy should include a purpose which indicates the intent or objective of the policy.
- **Date:** Policy date and revision date should be clearly indicated.
- **Page Number:** Each page of the policy should be discretely numbered, e.g. 1 of 4 pages.
- **Authority:** Reference must be made to the guidance which governs the policy i.e., statute, regulation and policy.
- **Application:** Who or what the policy applies to should be distinctly identified, e.g. new employees or Criminal History Record Check (CHRC).
- **Responsible Party:** Identify the Title, Position or Department including contact information for the responsible individual e.g. Director of Patient Services at XXX-XXXX).
- **Terminology:** All terminology unique to the policy should be defined so that it is easily understood in context of the policy, e.g. authorized person or temporary employee are two terms that must be defined in the CHRC policy
- **Cross reference other agency policies on similar subjects.** At the end of the policy, cross reference other policies that may pertain to the subject matter. For example: *Aide Care Plan* may be a cross reference with *Aide Supervision*.

## **Writing a Procedure**

A procedure describes a step by step process and actions needed to comply with a policy. It provides a standard way, with sufficient detail, of performing a task to achieve a consistent outcome, ensure quality, and implement best practices. While policies guide decisions, the procedures show the how-to for completing a task or process.

A well written procedure communicates effectively and should contain the following information:

1. An overview of the procedure, if appropriate
2. Identification of any necessary skills and/or materials needed
3. A logical sequence of steps and sub-steps in the order they should occur. Steps should be clear, concise and easy to follow. Lengthy procedures are difficult to follow.
4. Use of diagrams, illustrations or examples, if appropriate, that may increase the clarity of the steps identified. For example, computer snapshots, flow or organizational charts may be helpful.

**Submission of LHCSA Policies and Procedures to the Department Must Include:**

1. A complete and comprehensive set of policies and procedures for the agency's operation that address regulations and requirements.
2. All materials must be submitted in hard copy to the appropriate Regional Office. Electronic copies will not be accepted.
3. An Index or Table of Contents is required with the Policy and Procedure Manual and with all materials submitted. The table of contents should include a listing of agency policies and include the policy name, policy number, the regulation citation or Department directive which it addresses as well as the date of review and/or revision.
4. A "Crosswalk" must be included with the Index/Table of Contents showing the Policy name and its corresponding regulation or Department directive. A "Crosswalk" is a system, such as an index, used to quickly identify the regulation(s) or Department directive(s) to which a policy relates; a policy may also be agency specific and not reference a regulation. (See Attachment B)
5. Prior to the pre-opening survey of the agency, additional materials must be provided to the Department. (See Attachment C)

**All submissions should:**

- be drafted in Microsoft Word using a minimum of 12 pt. font
- use formalized spellings of words rather than abbreviations for clarity
- use correct punctuation and grammar for clarity
- spell out acronyms with words the first time
- choose words carefully such as *may* or *should* which imply choice rather than *must* which implies no additional options exist
- refer to titles or position and departments rather than specific individuals that can be outdated
- contain page numbering in the following format: Page 1 of X number of pages for each distinct policy.
- be organized in a hard covered binder using dividers to clearly delineate sections

## ATTACHMENT A

### Pertinent Directive Guidance

The purpose of this list is to provide access to the pertinent directives on the Department's website that are needed as a resource for the LHCSA to develop a complete and comprehensive policy and procedure manual.

This is not a complete list of all Dear Administrator Letters (DALs) and directives and is not meant to be the sole source for guidance in development of the agency's policies and procedures. Each agency must develop policies and procedures which address their purpose, administration, staff and circumstances.

<b>DAL #</b>	<b>DATE</b>	<b>SUBJECT</b>
DHCBS 16-11	12/1/2016	Emergency Preparedness Requirements for Home Care and Hospice Providers
DHCBS 16-05	5/4/2016	Regulatory Changes for Home Care Agencies
DHCBS 16-02	03/3/2016	Transportation Assistance Level Classification and Implementation for Home Care and Hospice Providers
DHCBS 16-01	02/3/2016	Health Commerce System Requirements
DHCBS 15-02	3/1/2015	Reminder about Requirements Health Screenings and Training
HCBS 14-03	02/14/2014	Home Health Services in Managed Care Plans
HCBS 14-03 Attachment 2	02/14/2014	Home Health Aide Scope of Tasks
HCBS 14-03 Attachment 3	02/14/2014	Level 1 & 2 Personal Care Aide Scope of Functions and Tasks
Dear CEO/Administrator	12/14/2011	Palliative Care Access Act
HCBS 09-13	9/17/2009	Chapter 594 of the Laws of 2008
HCBS 08-17	9/30/2008	Tuberculosis Screening
HCBC 06-11	08/04/2006	Implementation of the Criminal History Record Check Program
Health Commerce System CHRC Application	Updated Dec. 2015	Criminal History Record Check Program FAQs

## ATTACHMENT B

### Policy and Procedure Index with a Crosswalk

The following is an example of a portion of a Policy and Procedure Index with a Crosswalk (Regulatory Reference). This is an example only and should not be construed to be all inclusive of an agency's Policy and Procedure Index since each agency must develop policies and procedures to address their purpose, administration, staff and services.

#### OFFICIAL AGENCY NAME

#### Policy and Procedure Index

<b>Policy #</b>	<b>Policy Name</b>	<b>Regulatory Reference</b>	<b>Review Date</b>	<b>Revision Date</b>
<b>Section 1</b>	<b>Patient Rights</b>			
1 – 1	Patient Bill of Rights and Responsibilities	766.1(a)(1)	09/05/2016	
1 – 2	Patient Communication	766.1(a)(3)(i, ii)(4)	09/05/2016	
1 – 3	Respect for Patient's Privacy and Property	766.1(a)(10,11)(b)(c)	09/05/2016	
1 – 4	Informed Decision Making	766.1(a)(4, 5, 6)	09/05/2016	
1 – 5	Patient Concerns, Complaints, Grievances	766.1(a)(7, 8, 9)	09/05/2016	
1 – 6	Complaints	766.9(j)(2)(i, ii, iii)(4)	09/05/2016	
1 – 7	Complaint Log	766.9 (j)(1)	09/05/2016	
1 – 8	Code of Ethical Behavior	766.1(a)(10)(b)	09/05/2016	
1 – 9	Ethical Issues	766.1(b)	09/05/2016	
1 – 10	Patient Self Determination/Advanced Directives	766.1 (a)(5, 6, 7)	09/05/2016	
1 – 11	Confidentiality and Release of HIV Information	766.1(a)(11)(b)	09/05/2016	
1 – 12	Agreement and Consent	766.1(a)(1, 2, 3, 4)	09/05/2016	
1 – 13	Cardiopulmonary Resuscitation	Agency specific	09/05/2016	
1 – 14	Do Not Resuscitate	Agency specific	09/05/2016	

## ATTACHMENT C

### **Materials Required Prior to Pre-Opening Survey:**

- Certificate of Assumed Name and Filing Receipt by the Department of State if applicable
- Name and title of person administratively responsible for each site
- Name of registered professional nurse(s) responsible for direction and supervision of patient care and health services, including a copy of current New York State Professional Nurse license(s)
- Names and titles of the members of the Quality Improvement Committee and any other committee(s)
- Federal Tax Identification Number
- Names, addresses and telephone and fax numbers of all offices, including directions to each office

A pre-opening onsite survey is conducted after approval of all required submitted materials and prior to the license being issued.

**ATTACHMENT D**

**POLICY TEMPLATE**

Agency Name: \_\_\_\_\_

Policy # \_\_\_\_\_

Effective Date: \_\_/\_\_/\_\_\_\_

Revised Date: \_\_/\_\_/\_\_\_\_

Page Number: \_\_\_\_\_

**POLICY TITLE**

**Statement/Purpose:**

Statement of purpose for the policy.

**Authority:**

Reference to the regulations, rules and/or policy directives that governs the policy.

**Application:**

Who/What the policy applies to.

**Terminology:**

All terminology unique to the policy should be defined so that it is clear and easily understood.

**Responsible Party:**

Title, Position or Dept. contact

**Cross-reference:**

Other agency policies that may pertain or is similar subject.

**Procedure:**

Overview of procedure if appropriate

- A. Identification of skills and/or materials as needed
- B. Steps and sub-steps in the order they should occur
  - 1. Insert text here
  - 2. Insert text here
    - a) Insert text here
    - b) Insert text here