

INITIAL RULE IMPACT STATEMENT

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 662. HOME CARE AGENCIES**

1. DESCRIPTION:

The proposed rule language incorporates changes made during the 2024 Legislative session. The rule change reflects HB3371 language which removes references to supportive home care assistants and amends language related to exemptions for unlicensed/uncertified personnel providing personal services. Changes include amending the frequency for on-site RN supervision from one to three months when certain competency and training requirements are met. The rule change also reflects HB3238 which amends certain definitions and carves out exemptions from Adult Day Care and Home Care Agency licensure for PACE programs as defined by 42 C.F.R. Section 460.6. Proposed language also removes the requirement for home agencies to offer the flu vaccine onsite to employees.

2. DESCRIPTION OF PERSONS AFFECTED AND COST IMPACT RESPONSE:

PACE agencies will be exempt from fees associated with Adult Day Care and Home Care Agency Licensure. Agencies are also expected to see some cost savings with the decrease in onsite RN supervision frequency.

3. DESCRIPTION OF PERSONS BENEFITING, VALUE OF BENEFIT AND EXPECTED HEALTH OUTCOMES:

Agencies will benefit from the decrease in regulatory burden. Decreased regulatory burden may result in an increase access to services which could potentially positively impact health outcomes.

4. ECONOMIC IMPACT, COST OF COMPLIANCE, AND FEE CHANGES: COST OF COMPLIANCE AND FEE CHANGES:

There are no anticipated costs for compliance and no changes to fees.

5. COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:

There are no anticipated costs to the agency for implementation of the rule. The agency will benefit from aligning rule with statutory language.

6. IMPACT ON POLITICAL SUBDIVISIONS:

There are no anticipated impacts on political subdivisions identified due to these changes.

7. ADVERSE EFFECT ON SMALL BUSINESS:

There are no adverse effects on small business anticipated due to these changes.

8. EFFORTS TO MINIMIZE COSTS OF THE RULE:

There are no less costly means available.

9. EFFECT ON PUBLIC HEALTH AND SAFETY:

There are no significant effects to public health and safety anticipated.

10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:

Without adoption, this rule will not align with statute.

11. PREPARATION AND MODIFICATION DATES:

This rule impact statement was prepared on (07/26/2024).