

BILL SUMMARY
1st Session of the 52nd Legislature

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| Bill No.: | HB 1736 |
| Version: | CCR |
| Author: | Rep. Peters/Sen. Ford |
| Date: | May 12, 2009 |
| Impact: | \$0 |

Bill Summary

Research Analyst: Marcia Goff

The Conference Committee Report restores the title.

Engrossed HB 1736 creates a category of home care agency that is not certified by Medicare and establishes conditions for the employment of individuals as personal home care assistants, including the requirement that the individual complete agency-based personal care training and that a criminal history background check be conducted. The measure also requires the agency to develop a written training plan that is approved by the nursing supervisor and provides that the Oklahoma State Department of Health may require changes in the training plan in certain circumstances.

Fiscal Summary

Fiscal Analyst: Mark Newman

The CCR for HB 1736 amends the Home Care Act by adding definitions for a “personal home care assistant” and a “private duty agency.” This legislation provides requirements for the employment or contracting with a personal home care assistant, specifies the training and supervision required, and provides for certain background checks.

Fiscal Analysis

Base on information provided by the Oklahoma State Department of Health (OSDH), the CCR for HB 1736 will have no fiscal impact on appropriated agencies or appropriated funds. The expenses of training and primary supervision of the personal home care assistants shall be borne by the private duty agency and not by the State or a state agency.

Long Term Fiscal Considerations

This legislation will allow “private duty agencies,” non-Medicare certified agencies, to employ persons, “personal home care assistants,” who have not completed the required 75 hours of home health aide training and passed the standardized home health aide certification. Personal home care assistants will be required to complete certain training supervised by a registered nurse and the required training will have to be documented and kept in the personnel file maintained by the private duty agency. The CCR for HB 1736 provides that the OSDH may require changes in the training plan in certain circumstances. This legislation also includes a requirement for a criminal background check for all personal home care assistants and a requirement that supervisory visits be made according to the client needs, at least once every six (6) months.

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director