



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

**LISA J. PINO, M.A., J.D.**  
Executive Deputy Commissioner

November 23, 2020

**DAL: DHCBS 20-11**

**Subject: Home Care and Hospice Guidance  
Pertaining to Regulatory Requirements -  
UPDATED**

Dear Administrator:

This guidance is intended for Certified Home Health Agencies (CHHAs), Licensed Home Care Services Agencies (LHCSAs), Long-Term Home Health Care Programs (LTHHCPs), AIDS home care programs and Hospices.

In response to the COVID-19 crisis, questions have been raised by providers regarding health assessments and immunizations. This guidance serves to clarify the Department's expectation in these areas.

### **Health Assessments and Immunizations:**

The *annual* health assessment for all personnel was suspended on April 10, 2020. At this time, the suspension is ended, and personnel are advised to obtain an annual health assessment no later than December 31, 2020.

Pre-employment health assessments for all personnel, **including tuberculosis screening, documentation of immunity to measles, rubeola and influenza vaccination status are required** pursuant to 10 NYCRR §§ 763.13(c) (CHHAs, LTHHCPs, and AIDS home care programs); 766.11(c), (d) (LHCSAs); and 794.3(c), (d) (Hospice). An annual reassessment is required under 10 NYCRR §§ 763.13(d), 766.11(d)(5), and 794.3(d)(7). Flu vaccine or wearing a mask is required under 10 NYCRR §2.59(d). The annual health assessment may be completed by an RN who the agency finds is qualified to carry out the assessment process, and provided that the agency has policies and procedures in place to identify whether an RN is appropriate to complete employee health assessments.

Agency administrators are advised to closely monitor the Health Commerce System and the DOH website for additional guidance as the Commissioner will designate the prevalence of influenza based on Department surveillance data and home care agencies and hospices will be responsible for verifying the immunization status of the personnel providing services in an assisted living facility, nursing home, hospice residence, or private home.

The Department commends each of you for your continued efforts to provide quality services in your communities and appreciates your diligence in assuring the health and safety of home care workers and consumers.

If you have any COVID-19 related questions, please send them to:  
[covidhomecareinfo@health.ny.gov](mailto:covidhomecareinfo@health.ny.gov). Questions regarding immunizations should be directed to  
[immunize@health.ny.gov](mailto:immunize@health.ny.gov).

Sincerely,

A handwritten signature in black ink that reads "Carol A Rodat". The signature is written in a cursive style with a horizontal line at the end.

Carol Rodat, Director  
Division of Home and Community Based Services