

#### **10A NCAC 13J .1107 IN-HOME AIDE SERVICES**

(a) If an agency provides in-home aide services, the services shall be provided in accordance with the client's plan of care. The plan of care shall be signed and dated by the health care practitioner and the client or the client's responsible party. The client shall have access to a copy of the in-home aide plan of care in the home.

(b) The plan of care shall contain the level of assistance required by the client for each ADL. If the client's plan of care requires the in-home aide to provide extensive assistance, the in-home aide shall be listed on the Nurse Aide Registry pursuant to G.S. 131E-255. However, if the client's plan of care requires the in-home aide to provide only limited assistance, the in-home aide is not required to be listed on the Nurse Aide Registry.

(c) In-home aides shall follow instructions for client care written by the health care practitioner. In-home aide duties may include the following:

- (1) help with prescribed exercises that the client and in-home aides have been taught by a health care practitioner;
- (2) provide or assist with ADLs;
- (3) assist client with self-administration of medications that are ordered by a health care practitioner or other person authorized by state law to prescribe;
- (4) perform IADLs that are essential to the client's care at home; and
- (5) record and report changes in the client's condition, family situation, or needs to the health care practitioner.

(d) For agencies providing in-home aide services, the initial assessment shall be conducted in the client's home by the health care practitioner. The initial assessment shall include the client's functional status in the areas of social, mental, physical health, environmental, economic, ADLs, and IADLs.

(e) The initial assessment shall be conducted prior to the development of the plan of care and signed and dated by the health care practitioner.

(f) Agencies providing in-home aide services shall provide availability of the health care practitioner for supervision and consultation.

(g) Agencies participating in the Home and Community Care Block Grant or Social Services Block Grant through the Division of Aging and Adult Services shall comply with the in-home aide service level rules contained in 10A NCAC 06A and 10A NCAC 06X, which are hereby incorporated by reference with all subsequent amendments and editions. Copies of these rules may be accessed at no cost at <http://reports.oah.state.nc.us/ncac.asp?folderName=\\Title 10A - Health and Human Services\\Chapter 06 - AGING - PROGRAMS OPERATIONS>.

(h) In order to assure supervision of services provided by in-home caregivers, geographic service areas for these services shall be limited to the area that includes the county where the agency is located, counties that are contiguous with the county where the agency is located, or within 90 minutes driving time from the site where the agency is located, whichever is greater. Agencies providing services to any client prior to January 1, 2006 who resides in a geographic service area that prior to January 1, 2006 is beyond the counties that are contiguous with the county where the agency is located or greater than 90 minutes driving time from the site where the agency is located, may continue to provide services to the client in these areas until the client is discharged from the agency.

*History Note: Authority G.S. 131E-140;*

*Eff. July 1, 1992;*

*Amended Eff. January 1, 2010; October 1, 2007; October 1, 2006; February 1, 1996;*

*Readopted Eff. June 1, 2018.*