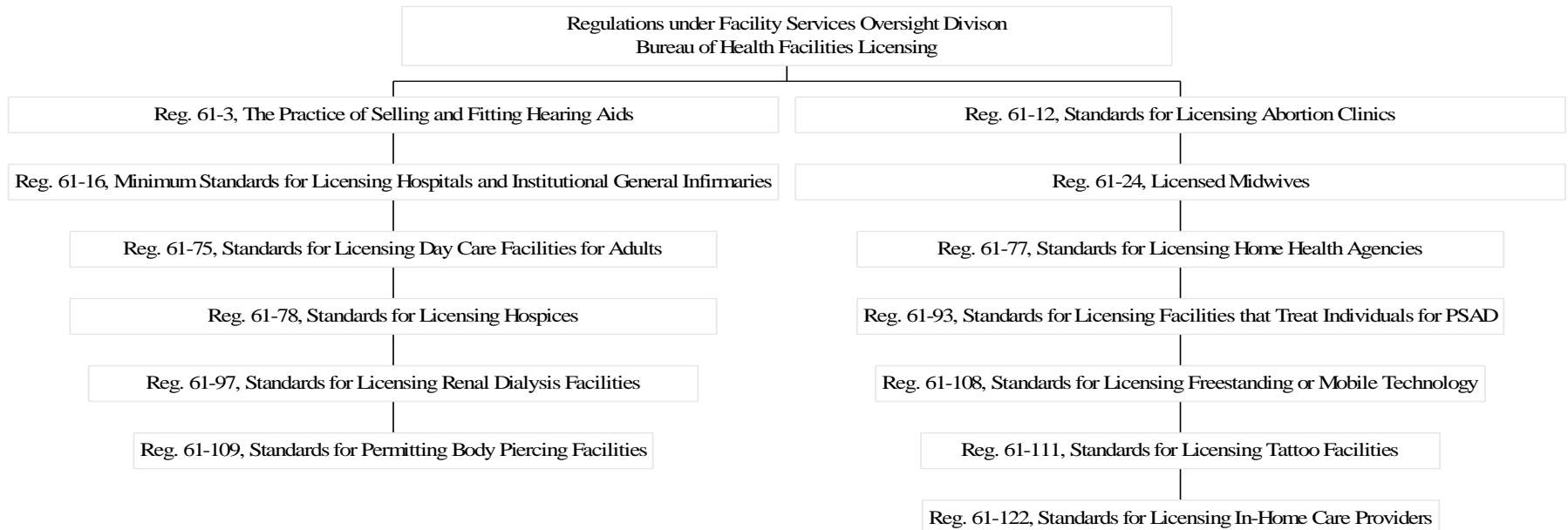




SC In-Home Care Providers Regulation 61-122

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Bureau of Health Facilities Licensing

South Carolina Department of Health and Environmental Control
Healthy People. Healthy Communities.



Regulation 61-122

- ❖ Promulgated pursuant to Section 40-70-10 S.C. Code of Laws 1976.
- ❖ Effective as of June 27, 2014.
- ❖ Initial license fee: one thousand dollars (\$1,000.00).
- ❖ Annual license renewal fee: eight hundred dollars (\$800.00).



Requirements for Licensure

The provider must provide evidence of:

- ❖ Either liability insurance coverage or, in lieu of liability insurance coverage, a surety bond. The provider shall maintain such coverage for the duration of the license period. The minimum amount of coverage is one hundred thousand dollars (\$100,000) per occurrence and three hundred thousand dollars (\$300,000) aggregate;
- ❖ Indemnity coverage to compensate clients for injuries and losses resulting from services provided; and
- ❖ Workers compensation insurance
- ❖ Criminal record checks and drug test results for the prospective licensee; and
- ❖ A random drug testing program pursuant to S.C. Code 44-70-700

Hours of Operation

- ❖ The in-home care provider shall ensure that it is accessible in person, by phone, or page during the hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.
- ❖ Staff shall have access to all records required for inspections/investigations.

In-Home Caregivers

- ❖ The provider shall maintain accurate information on all staff members.
- ❖ Caregivers must be at least eighteen (18) years of age.
- ❖ The caregiver must have a valid driver's license and proof of insurance (if transporting clients) and a copy of the driving record must be maintained in the caregiver's file.

Background Checks

- ❖ Before being employed as an in home caregiver, a person shall undergo a criminal background check and submit to a drug test.
- ❖ The caregiver shall have no prior convictions or have pled no contest to crimes related to theft, abuse, neglect, or exploitation of a child or a vulnerable adult as defined in S.C. Code Ann. Section 43-35-10, et seq. for child or adult abuse, neglect or mistreatment, or a criminal offense.
- ❖ The provider shall coordinate with appropriate abuse related registries prior to employment or contracting.

Random Drug Testing

- ❖ Licensed in-home care providers and individual employed as in-home caregivers are subject to and must pass random drug testing.
- ❖ The provider may choose the method of random testing.
- ❖ The provider's policy and procedure must address random testing and describe procedure chosen.

Health Assessment

- ❖ All staff members and caregivers who have contact with clients shall have a health assessment within twelve (12) months prior to initial client contact.
- ❖ The health assessment shall include tuberculosis screening in a manner prescribed in the Center for Disease Control and Prevention's and the Department's most current tuberculosis guidelines.

Tuberculin Skin Test

- ❑ Two-Step Tuberculin Skin Test (TST)
 - ❖ All healthcare workers including staff members and caregivers for in home care providers are required to have a two step Tuberculin Skin Test or a single Blood Assay for Mycobacterium Tuberculosis within 3 months prior to contact with clients.
 - ❖ If a newly employed healthcare worker had a documented negative TST or BAMT within the previous 12 a single TST can be administered in the new setting to serve as baseline.

Tuberculin Skin Test

The Tuberculin (TB) Risk Assessment must be completed annually and include:

- ❖ The individual completing it and the date completed;
- ❖ Incidence of TB in the provider organization;
- ❖ TB Infection Control Procedure; and
- ❖ Assignment of a Risk Classification (risk low, med or high)

<http://www.scdhec.gov/health/disease/tb/docs/SC>

Staff Training

- ❖ Caregivers shall receive or independently obtain training necessary to perform the job duties for which they are responsible.
- ❖ Documentation of all in-service training shall be signed and dated by both the individual providing the training and the individual receiving the training.
- ❖ A signature for the individual providing training may be omitted for computer based training.

Staff Training

- ❖ Basic First aid
- ❖ Medication assistance (if applicable)
- ❖ Special Care
- ❖ Confidentiality of client information and records
- ❖ Documentation and recordkeeping procedures
- ❖ Ethics and interpersonal relationships
- ❖ Proper lifting and transfer techniques (if applicable)
- ❖ Infection control techniques

Incident Reporting

- ❖ Serious incidents shall be reported immediately via telephone to the client's next of kin or responsible party.
- ❖ Notification to Bureau Health Facilities Licensing shall be notified in writing within three days of occurrence.
- ❖ Provider shall report any allegation of abuse, neglect, or exploitation of clients to the Adult Protective Services Program in the Department of Social Services or Child Protective Services.

References

- ❖ CDC Guidelines for Preventing Transmission of Mycobacterium tuberculosis in Health-Care Settings, 2005.MMWR Vol. 54, No. RR-17, December 30, 2005. <http://www.cdc.gov/mmwr/pdf/rr/rr5417.pdf>.
- ❖ <https://www.scdhec.gov/sites/default/files/media/document/R.61-122.pdf>
- South Carolina Department of Health and Environmental Control. (2014) Bureau of Health Facilities Licensing. Retrieved from <https://www.scdhec.gov/sites/default/files/docs/Health/docs/In-Home%20CareProviders%20-%20FAQs%20Final.pdf/>



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