

Home Health Agencies, Here we go... Again

Hazardous HCM Hotspots for HHAs in New York

Health Care Worker Bonus Program

Summary

HHAs required to claim and pay bonuses of up to \$3,000 to employees from now until 2024

Scope

Frontline, patient-facing workers (but not home health aides) throughout the state

Important Dates

Deadline for submitting claims for Vesting Periods 1 and 2: **October 31, 2022**

Resources

[FAQ](#) [Blog](#) [Webinar](#)

Wage Parity Annual Compliance Statements (LS300 and LS301)

Summary

HHAs required to submit certification of wage parity hours and expenses (LS300) accompanied by an independent auditor's verification (LS301)

Scope

HHAs throughout the state paying wage parity (Medicaid cases)

Important Dates

LS300 deadline postponed to **December 1, 2022**; form to be revised by DOL
LS301 deadline postponed to **October 1, 2023**

Resources

[DOH extension announcement](#)

Minimum Wage Increase

Summary

Minimum wage for home health care aides throughout the state increases by \$2.00

Scope

Minimum wage for home health aides in New York City and Westchester, Suffolk, and Nassau counties will increase from \$15 per hour to \$17 per hour; minimum wage for home care aides in other parts of New York State will increase from \$13.20 per hour to \$15.20 per hour

Important Dates

Increase effective date: **October 1, 2022**
Additional \$1.00 increase effective date: **October 1, 2023**

Resources

[Webinar – The Maximum on the Minimum](#)

Wage Parity Increase

Summary

Corresponding to the minimum wage increase for HHAs, base wages for wage parity increases by \$2.00

Scope

Home health aides covered under wage parity rules (Medicaid cases in NYC, Westchester, Suffolk, and Nassau counties)

Important Dates

Increase effective date: **October 1, 2022**
Additional \$1.00 increase effective date: **October 1, 2023**

Resources

[Webinar – The Maximum on the Minimum](#)

Spread of Hours Increase

Summary

Since spread payments are based on minimum wage in effect at the time the spread occurs, spread calculations must reflect the \$2.00 increase in minimum wage

Scope

Home health aides throughout the state working a spread of more than 10 hours per day

Important Dates

Increase effective date: **October 1, 2022**
Additional \$1.00 increase effective date: **October 1, 2023**

Resources

[Webinar – The Maximum on the Minimum](#)

7th Day Overtime Increase

Summary

Since 7th day overtime and double time requirements are based on the employee's regular rate, employees earning minimum wage will see an increase in 7th day overtime premiums

Scope

Home health aides throughout the state earning minimum wage and working 7 consecutive days during a calendar week

Important Dates

Increase effective date: **October 1, 2022**
Additional \$1.00 increase effective date: **October 1, 2023**

Resources

[Webinar – The Maximum on the Minimum](#)

Proposed CMS Payment Rate Reduction

Summary

Proposed rule to reduce payments to providers by 4.2%

Scope

HHAs throughout the US with Medicare (not Medicaid) funding

Important Dates

Proposed decrease effective date: **January 1, 2023**
Comment period closed **August 16, 2022**; awaiting final publication

Resources

[Proposed rule](#)

NYC AI Bias Audit

Summary

Employers required to engage an independent auditor annually to evaluate automated employment decision tools for lack of bias and make the results publicly available on their website; notifications must be provided to candidates/employees who are NYC residents

Scope

All New York City employers using AI-type or algorithm-based HR technology screening tools for employee recruitment, hiring, or promotion

Important Dates

January 1, 2023

Resources

[New York City Council Bill](#)

DOH restriction on New HHA Applications

Summary

New HHA applications must include a rebuttal of the "no need" for more agencies presumption and meet financial feasibility requirements

Scope

New HHAs or HHAs undergoing a change of ownership in NYC, Westchester, Suffolk, and Nassau counties and other listed counties where there is a presumption of no need

Important Dates

Original requirements effective **April 1, 2020**, but a moratorium was in effect.
Moratorium was lifted **August 17, 2022**

Resources

[Dear Administrator Letter \(DAL 22-14\)](#)

Proposed NYC End to 24-Hour Shift/Over 50 Hours per Week

Summary

Bill to eliminate home health aide shifts exceeding 12 hours, consecutive 12-hour shifts, shifts more than 12 hours in a 24-hour period, and shifts more than 50 hours per week; currently, aides working 24-hour shifts are paid for only 13 hours (subject to sleep period requirements)

Scope

HHAs in NYC

Important Dates

No effective date yet;
City Council hearing was held first week in September, 2022

Resources

[Bill](#)