

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Health Care Finance



Officer of the Deputy Director

DHCF Transmittal No. 12-11

TO: Home Health Agencies Enrolled in the District of Columbia Medicaid Program

FROM: Linda Elam, PhD, MPH 
Deputy Director - Medicaid

DATE: JUN 6 2012

SUBJECT: Removal of ten percent limit on use of staffing agencies

In District of Columbia (DC) Medicaid Transmittal 12-09, dated April 24, 2012 and entitled, "Reconsideration of ten percent limit on use of staffing agencies," I advised Home Health Agencies enrolled in the DC Medicaid Program that the Department of Health Care Finance (DHCF) was reconsidering the ten percent limit on the use of staffing agencies enacted by new Personal Care Aide (PCA) regulations promulgated on March 2, 2012. These regulatory provisions, in part, state that:

5001 STAFFING AGENCIES

5001.1 A Provider may contract with a licensed staffing agency that will perform personal care services not to exceed a maximum of ten percent (10%) of the units of service provided in any given four (4) month period.

As a result of our reconsideration, DHCF will repeal this provision in forthcoming regulations. In the period between July 2, 2012 and the publication and enactment of additional regulations removing this limit, DHCF will not enforce this limit on use of staff from staffing agencies. Please understand that although we are removing the ten percent limit on the use of PCAs from staffing agencies, we remain concerned about inadequate oversight, supervision, evaluation and management of PCAs supplied to home health agencies from staffing agencies. In the forthcoming additional regulations, we will make clear the accountability of Medicaid enrolled home health agencies for all personnel delivering PCA service under their auspices, regardless of their employment status.

As you know, the remaining parts of the new regulations governing the delivery of PCA services under the authority of the DC Medicaid State Plan will go into effect on July 2, 2012. As my prior two transmittals on these regulations have noted, these regulations contain a number of new requirements that Medicaid providers delivering state plan PCA services must meet. We expect that you have reviewed these regulations carefully and have taken the necessary steps to comply with them.

If you have any questions about this, please contact Ms. Yvonne Iscandari, Manager of DHCF's Division of Long Term Care at 202- 442-5818.