

**G982**

*(Rev. 219; Issued: 04-12-24; Effective: 04-12-24; Implementation: 04-12-24)*

***§484.105(f) Standard: Services furnished.***

**(1) Skilled nursing services and at least one other therapeutic service (physical therapy, speech-language pathology, or occupational therapy; medical social services; or home health aide services) are made available on a visiting basis, in a place of residence used as a patient's home. An HHA must provide at least one of the services described in this subsection directly, but may provide the second service and additional services under arrangement with another agency or organization.**

***Interpretive Guidelines §484.105(f)***

The HHA must provide skilled nursing services and at least one other therapeutic service. However, only one service *must* be provided directly by the HHA.

An HHA is considered to provide a service “directly” when the persons providing the service for the HHA are HHA employees. An individual who works for the HHA on an hourly or per-visit basis may be considered an HHA employee if the HHA is required to issue a form W-2 on the individual’s behalf with no intermediaries. An HHA is considered to provide a service “under arrangements” when the HHA provides the service through contractual or affiliation arrangements with other agencies or organizations, or with an individual(s) who is not an HHA employee.

Contracted staffing may supplement, but may not be used in lieu of, HHA staffing for services provided directly by the HHA. In addition, the use of contracted staff in a service provided directly by the HHA may occur only on a temporary basis to provide coverage for unexpected HHA staffing shortages, or to provide a specialized service that HHA employees cannot provide.