

74749 Issuance, Denial, Revocation or Suspension of Home Health Aide Certificate

(a)

The Department shall issue a home health aide certificate to all persons who submit evidence of satisfactory qualifications as determined by the Department.

(b)

Notwithstanding the above, a home health aide certificate may be denied, revoked or suspended on any of the following grounds: (1) Failure to submit an application which sets forth information as the Department may deem necessary. (2) Conviction of a felony, or any crime which evidences an unfitness to provide home health services, unless such person presents evidence satisfactory to the Department that such person has been rehabilitated and presently is of such good character as to justify the issuance or continuance of the home health aide certificate. (3) Failure to submit evidence of satisfactory qualifications.

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Failure to submit an application which sets forth information as the Department may deem necessary.

(2)

Conviction of a felony, or any crime which evidences an unfitness to provide home health services, unless such person presents evidence satisfactory to the Department that such person has been rehabilitated and presently is of such good character as to

justify the issuance or continuance of the home health aide certificate.

(3)

Failure to submit evidence of satisfactory qualifications.

(c)

If the certificate is denied, the Department shall notify the applicant in writing.

Within 20 days of receipt of the Department's notice, the applicant may present his written petition for a hearing to the Department. The Department shall set the matter for hearing within 30 days after receipt of the petition in proper form. The proceedings shall be conducted in accordance with Chapter 5 of Part I of Division 3 of Title 2 of the Government Code beginning with Section 11500.

(d)

If a certificate is considered for revocation or suspension, the Department shall proceed in accordance with Chapter 5 of Part I of Division 3 of Title 2 of the Government Code beginning with Section 11500.