

(a) The Department shall adopt rules and regulations that set standards for the care, treatment, health, safety, welfare, and comfort of patients of home health agencies.

(b) The rules and regulations shall provide for the licensing of home health agencies and annual license renewal, and shall establish standards that require as a minimum, that all home health agencies:

(1) WITHIN 10 DAYS OF ACCEPTANCE OF A PATIENT FOR SKILLED CARE, MAKE AND RECORD ALL REASONABLE EFFORTS TO CONTACT A PHYSICIAN TO OBTAIN THE SIGNED ORDER REQUIRED UNDER PARAGRAPH (2);

[(1)] (2) That accept patients for skilled care do so only on the signed order of a physician obtained within [10] 28 days after acceptance;

[(2)] (3) Provide skilled nursing services, home health aid services, and at least one other defined service;

[(3)] (4) Adopt procedures for the administration of drugs and biologicals;

[(4)] (5) Maintain clinical records on all patients accepted for skilled care;

[(5)] (6) Establish patient care policies and personnel policies;

[(6)] (7) Have services available at least 8 hours a day, 5 days a week, and available on an emergency basis 24 hours a day, 7 days a week;

[(7)] (8) Make service available to an individual in need within 24 hours of a referral when stipulated by a physician's order;

[(8)] (9) Have a designated supervisor of patient care who is a full-time employee of the agency and is available at all times during operating hours and additionally as needed; and

[(9)] (10) Have as the administrator of the agency a person who has at least 1 year of supervisory experience in hospital management, home health management, or public health program management and who is:

(i) A licensed physician;

(ii) A registered nurse; or