



STATE OF DELAWARE  
STATE COUNCIL FOR PERSONS WITH DISABILITIES  
MARGARET M. O'NEILL BUILDING  
410 FEDERAL STREET, SUITE 1  
DOVER, DE 19901

VOICE: (302) 739-3620  
TTY/TDD: (302) 739-3699  
FAX: (302) 739-6704

MEMORANDUM

DATE: May 29, 2014

TO: Ms. Deborah Harvey  
Division of Public Health

FROM: Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: 17 DE Reg. 1037 [DPH Proposed Skilled Home Health Agency Director  
Qualifications Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Public Health's (DPH's) proposal to amend its regulations covering skilled home health agencies. The proposed regulation was published as 17 DE Reg. 1037 in the May 1, 2014 issue of the Register of Regulations.

The current regulation requires a director of a skilled home health agency to "have a Baccalaureate Degree in health or a related field". The Division proposes to require more robust credentials. A director would be required to meet the following standards:

- (1) Have a Baccalaureate Degree with five years healthcare experience and at least one year supervisory experience (full-time or equivalent in home health care); or
- (2) Be a registered nurse with five years health care experience and at least one year of supervisory experience (full-time or equivalent) in home health care.

SCPD endorses the proposed regulation. However, the Council recommends that the Division clarify whether existing directors are "grandfathered" or if the regulation will be applied to disqualify existing directors who do not meet the new standards.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position or observations on the proposed regulation.

cc: Dr. Karyl Rattay  
Mr. Brian Hartman, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council