

Home Care Association of Florida 37th Annual Conference & Tradeshow –2026 HomeCareCon

Policy Under the Flame: Agency for Healthcare Administration Update

July 24th, 2026
9:00 AM – 10:20 AM



Objectives

- Licensure Data and Federal Moratorium
- Legislative and Agency Updates
 - HB 1353 – Home Health Care Services
 - SB 1156 - Aide for Medically Fragile Children (AMFC) Program
- Discuss Home Health Agency (HHA) Data:
 - Surveys
 - Complaints
 - Overview of the Top HHA Tags
- Health Information Exchange Updates
- Background Screening

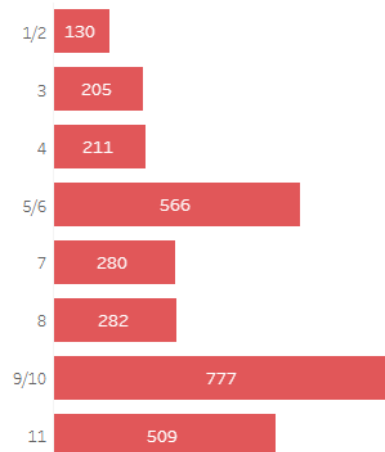




Licensure Data

- As of 07/16/2026, there are 2,960 active licensed Home Health Agencies statewide.
- Of those, 682 are Medicaid-enrolled.

Facilities by Field Office



Home Health Enrollment Moratorium

- CMS QSO-26-11-HHA & Hospice
 - Six-Month National Moratoria on Hospice and Home Health Enrollment
- Effective Date & Duration:
 - Effective May 13, 2026
 - Nationwide, 6-month freeze on new Medicare enrollments for Home Health Agencies
- Purpose & Authority:
 - Implemented to combat fraud, waste, and abuse
 - Authorized by Social Security Act §1866(j)(7) and 42 CFR §424.570



Scope of Moratorium

- Applies to initial Medicare enrollment applications
- Applies to CHOWs requiring new enrollment
- Applies to new HHA branches practice locations
- What's Not Affected:
 - Existing Medicare-certified providers continue normal operations
 - Routine Change of Information (CHOI) updates allowed





[This Photo](#) by Unknown Author is licensed under [CC BY-SA](#)

The Florida Health Information Exchange (HIE)

The Florida Health Information Exchange (Florida HIE) provides a statewide encounter notification system that delivers real-time alerts when patients receive care at participating health facilities.

- **Real-time encounter alerts**

Receive near-real-time notifications when patients are admitted or discharged from inpatient or emergency departments at network hospitals.

- **Affiliation awareness**

The system identifies all known affiliations a patient may have—such as ACOs, hospitals, or payers—to help support care coordination and follow-up.

- **Home Health information sharing**

Home Health agencies can share admission and discharge information with other participating organizations, including ACOs and hospitals, helping reduce gaps in care and improve transitions.

Florida HIE Transition

- The Florida HIE has transitioned to CRISP Shared Services (CSS) as our technology and operations vendor
- Visit www.flhie.org for onboarding resources and updates
- Please contact www.info@flhie.org for any questions



9

Emergency Patient Look-Up System (E-PLUS)

- Supports emergency preparedness and response efforts for displaced individuals
- Utilizes existing health information exchange networks to provide clinical data and locate missing individuals during declared disasters
- Offers three applications: Patient Search, Emergency Census and Missing Persons
- Provided as a no-cost service by the Agency



10

Background Screening & The Clearinghouse



11

Initiating Screenings: What Providers Need to Know

Statutory Requirement

Required per s. 435.12(2)(c), F.S.

What's Required to Enter

- Level 2 fingerprint screening retained by FDLE
- Photograph taken at time of screening
- Signed FBI privacy policy
- SSN or ITIN required by law

Employer Obligations

- Report employment status changes within 5 business days
- Remove employees from vulnerable populations if arrested for a disqualifying offense

Benefits of Initiating Through Clearinghouse

- Enter applicant information ONCE, no duplicate data entry
- Reduce duplicative and unnecessary screening costs
- Access Florida criminal history reports
- Receive subsequent arrest (Rap Back) notifications
- Get fingerprint retention expiration alerts
- Seamlessly connect with approved Livescan providers
- Results and in-process screenings on your dashboard



Home Health Aide: Clearinghouse Initiated Screenings

Care Provider Background Screening Clearinghouse | State Fiscal Year 26 | Monthly volume, July through June

AHCA | Bureau of Background Screening Services

TOTAL SCREENINGS

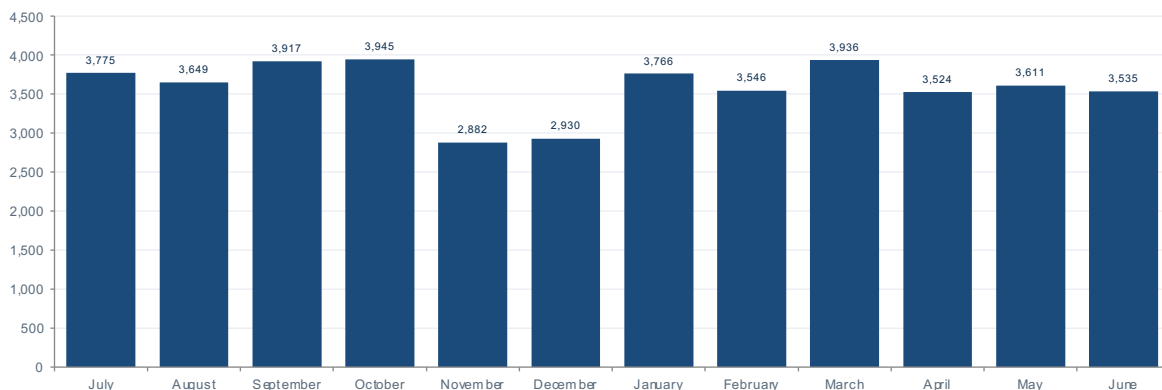
43,016

State FY26

MONTHLY AVERAGE

3,585

Screenings per month



Background Screening Unit – Contact Info

Email

- BGSCREEN@ahca.myflorida.com

Phone

- (850) 412-4503
(Main line – averages 300–400 calls per day)



info.flclearinghouse.com

Helpful Tips

- For general questions or if wait times are long, **email is recommended.**
- Applicants needing to submit documents (e.g., arrest records) can **email or fax** them.



This Photo by Unknown Author is licensed under [CC BY-SA](#)



15

2026 Legislative Session

- Nearly 1,800 bills and amendments proposed
- 234 passed both chambers
- No home health specific bills passed
- Rulemaking AHCA website:
<https://ahca.myflorida.com/health-quality-assurance/bureau-of-health-facility-regulation/rulemaking.html>



16

2025 House Bill 1353

400.476 F.S.
Administrator

- 59A-8.002 – Definitions
- 59A-8.0095 – Personnel

400.487 F.S.
Contract Staff

- 59A-8.008 – Scope of Services

400.52 Home
Health Excellence

- 59A-8.0248 – Excellence in Home Health



17

Rule Updates

Rule **59A-8**, governing Home Health Agency (HHA) licensure and standards, received multiple updates in **2026**:

- Administrative updates removing obsolete terms and aligning with current federal/state standards
- Rule **59A-8.002** (“Definitions”) clarified the definition of case management to include discharge of the patient upon conclusion of services
- Rule **59A-8.008** (“Scope of Services”) amended to allow case management by either employed or contracted staff
- Adopted 04/15/26, **effective on 05/05/2026**



18

Personnel & Administration

59A-8.0095, adopted 05/11/2026 and Effective 05/31/2026

- Eliminates geographic restriction on administrators for commonly owned agencies—one admin may oversee up to 5 locations with no geographical district limitations
- **Alternate administrator** can oversee up to 5 HHAs within same service area/share ownership
 - Locations must be within the same geographical district
- CPR certification program in which the student is required to demonstrate, **in person**, that he or she can perform cardiopulmonary resuscitation



19

Home Health Aide

- 59A-8.0095(5), Home health aide training was updated
- Removed outdated or duplicative training language to align with current **Chapter 400, F.S.** home health statutes
- Clarified that **home health aides must successfully complete competency evaluation** consistent with current federal and state standards
- Strengthened **skills demonstration requirements**, ensuring aides receive updated hands-on training prior to independent assignment
- Revised wording to reflect **recognized HHA training providers** and allowable instructional formats (consistent with federal CMS guidelines)



20

Aide Competency Test

- AHCA 3110-1007, September 2025
- Send request for test to HQAHOMEHEALTH@ahca.myflorida.com
- Competency test may be taken in lieu of the 40-hours of training
- 2 parts: practical portion with direct observation of tasks and written portion
- **Employing Home Health Agency is responsible to validate the aide's competency of training regardless of where training was received**



21

Implications for Agencies

Agencies must ensure that HHAs:

- Meet updated competency standards before patient or client visits
- Have documented proof of training completion in personnel files
- Receive retraining when service tasks expand or clinical needs change
- AHCA will review HHA competency documentation during surveys to confirm compliance



22

Aide for Medically Fragile Children (AMFC) Program



[This Photo](#) by Unknown Author is licensed under [CC BY-ND](#)

Senate Bill 1156

- Effective July 2025
- **Increased daily utilization:** From 8 to 12 hours/day
- **Reduced training hours:** From 85 to 76
- **Income disregard:** Earnings excluded from family Medicaid eligibility determination with CMS waiver approval
- **Enhanced data reporting:** Added required adverse incident reporting via the AHCA AIRS portal

Legislative Annual Report 2025

- Medicaid enrollees receiving PDN or AMFC (10/01/2024-09/30/2025)
 - PDN: 3,605
 - AMFC: 460
- 25% of AMFC children had a lower average hospital stay
- 55% of AMFCs are very satisfied with the program
- Caregivers expressed a positive impact on the child's quality of life
- Training helped caregivers better care for their children
- Financial support helps balance household budgets



25

Senate Bill 1156: Adverse Incidents

- 400.54 Florida Statute
- Effective January 2026
- AMFC patients only
- Must report within 48 hours to AHCA and the managed care plan
- Event over which home health agency personnel could exercise control and is associated with medical intervention
- Includes death, permanent disfigurement, major fractures, neurological impairment, or law-enforcement-reported events



26

59A-8.0099 F.A.C.

- Adopted 05/11/2026 and Effective 05/31/2026
- Home Health Agency is responsible for evaluating the AMFC's competency and identifying any learning needs in accordance with the **individualized plan of care**
- Agency must ensure the aide receives sufficient training to address identified learning needs and safely perform all tasks delegated by the RN **under a plan of care**
- Home Health agency **responsible for ensuring** delegated tasks conforms with 464.0156(1) F.S. (DOH-MQA Delegation of task by the RN)



27

Responsibilities

- **Home Health Agencies** must:
 - Implement and document the updated **76-hour training curriculum**
 - Ensure **in-person clinical training and RN-supervised competency validation**
 - Collect and submit adverse incident documentation
- **AHCA oversight:** Monitoring rule compliance through surveys and licensing reviews
- Ensuring documentation of training, RN oversight, and adverse incident reporting is maintained



28

Immediate Jeopardy - Example

- Child with parent AMFC
- Did not receive physician ordered medications for 47 days, including Lasix, Potassium and Spironolactone
- ED visit due to edema and urinary retention
 - Sent home with prescriptions for diuretics and antibiotics with concerns for pneumonia
- Medications were not given, experienced cardiac arrest at home and was hospitalized
 - The child died in the hospital

Immediate Jeopardy Investigation

- Nurse did not report to the physician that there were deviations in the plan of care, including when ordered medications were not available and administered
- Nurse did not notify the physician of a change in condition requiring medical direction
- Director of Nurses failed to provide supervision to all personnel who provide direct patient care to ensure ordered medications were consistently available and administered, and failed to timely escalate issues to the physician
- Agency failed to ensure the AMFC completed the required training and validated competency
- The agency failed to ensure the AMFC completed the required 6 hours of medication administration training

Immediate Jeopardy Citations

- Cited at IJ: CONDITION – G0570- Care Planning, Coordination of Services, and Quality of Care
- Cited at IJ: CONDITION – G0940- Organization and Administration of Services
- Total of 8 Federal citations
- Total of 4 State citations



31

Home Health Deficiencies & Compliance



32

Home Health Agency Regulations

- **Provider-Specific Requirements**
 - **Chapter 400, Part III**, Florida Statutes
 - **Chapter 59A-8**, Florida Administrative Code
- **General Licensure Requirements**
 - **Chapter 408, Part II**, Florida Statutes
 - **Chapter 59A-35**, Florida Administrative Code
 - Understanding both general licensure and provider-specific regulation is essential for maintaining compliance



33 33

HHA Survey Data

Survey Type	2021	2022	2023	2024	2025	2026
Initial Licensure	124	116	144	162	215	81
Re-licensure Only	318	336	354	241	261	117
Re-licensure Combined with a Complaint	4	17	12	7	3	1
Complaint	181	116	166	161	122	89
Monitor	8	16		1		
Revisit	180	149	142	176	217	114
Total	815	750	818	748	818	402



34

Home Health Complaints							
Calendar Year	2021	2022	2023	2024	2025	2026 (January to June)	Total
Total Number of Complaints Received	380	260	317	249	237	188	1631

AHICA
AGENCY FOR HEALTH CARE ADMINISTRATION

35

Top Home Health Complaint Allegations

2026

- Quality of Care and Neglect
 - Failure to provide services per the Plan of Care or written agreement.
- Administration
 - Failure to provide supervision and oversight of all patient care services and personnel. Unqualified personnel.
- Patient Rights
 - Failure to honor patient right to be free of abuse, including misappropriation of patient property. Failure to address grievances.

2025-2026 – Condition Citations

Deficiency Citation Name	Tag	CFR Regulation
Quality Assessment/Performance Improvement	G0640	416.54
Clinical Records	G1008	484.110
Reporting OASIS Information	G0370	484.45
Comprehensive Assessment of Patients	G0510	484.55
Organization and Administration of Services	G0940	484.105
Establishment of the Emergency Preparedness Program	E0001	416.54
Infection Prevention and Control	G0680	484.70



2025 Top Federal Citations

Deficiency Citation Name	Tag	CFR Regulation
Discharge and Transfer Summaries	G1022	484.100(a)
Encoding and transmitting OASIS	G0372	484.45
Only as ordered by a Physician	G0580	484.60(b)
Provide services in the Plan of Care	G0710	484.75(b)
Infection Prevention	G0682	484.70(a)
Administrator responsible for day-to-day operations	G0948	484.105(b)(1)
Required items in clinical record	G1012	484.110(a)
Promptly Alert Relevant Physician of Changes	G0590	484.60(c)(1)
Emergency Preparedness testing requirements	E0039	484.102(d)(2)
CONDITION- Quality Assessment/Performance Improvement	G0640	484.65



2026 Federal Citations (1/1/2026-5/31/2026)

Deficiency Citation Name	Tag	CFR Regulation
Infection Prevention and Control	G0680, G0682, G0684	484.70
Provide services in the Plan of Care	G0710	484.75(b)
Only as ordered by a Physician	G0580	484.60(b)
Encoding and Transmitting OASIS	G0372	484.45
Be free from abuse	G0430	484.50(c)
Promptly alert relevant physician of changes	G0590	484.60(c)(1)
Discharge plans communication	G0598	484.60(c)(3)(ii)
Administrator responsible for day-to-day	G0948	484.105(b)(1)
Emergency Preparedness Training Program	E0037	484.102(d)(1)
Emergency Preparedness Testing Requirements	E0039	484.102(d)(2)



2025 Top State Citations

Deficiency Citation Name	Tag	Regulation
ADRD Training	Z875	430.5025 F.A.C.
Care Plan & Coordination; Follow Orders	H0920	59A-8.0215(2)F.A.C.
Care Plan Documentation Requirements	H0830	400.491 F.S., 59A-8.022(5)
Background Screening Clearinghouse	Z814	435.12 F.S.
Infection Prevention: Standards	H1200	59A-8.0095(2)(c)F.A.C.
Client Notice; Abuse, Medicaid Fraud, Complaint	Z818	408.810 F.S.
Care Plan & Coordination: Plan of Care	H0820	59A-8.0215(1), 59A-8.002(21) F.A.C.
QA Program	H1100	59A-8.0095
Background Screening- Compliance Attestation	Z816	400.809, 435.05
Reporting requirements; Change of Administrator	Z821	59A-35.110 F.A.C.



2026 State Citations (1/1/2026-5/31/2026)

Deficiency Citation Name	Tag	Regulation
ADRD Training	Z875	430.5025 F.A.C.
Background Screening Clearinghouse	Z814	435.12 F.S.
Background Screening- Compliance Attestation	Z816	400.809, 435.05 F.S.
Care Plan & Coordination; Follow Orders	H0920	59A-8.0215(2)F.A.C.
Background Screening; Prohibited Offenses	Z815	408.815 F.S.
Infection Prevention Standards	H1200	59A-8.0095(2)(c)F.A.C.
Patient Rights; Report abuse, neglect	H0540	39.201 F.S.
Discharge Plan; Discharge Notice	H0730	400.491 F.S. 59A-8.020
Care Plan Documentation Requirements	H0830	400.491 F.S., 59A-8.022(5)
Care Plan & Coordination; RN report changes	H1001	59A-8.0095(3)
Aide: Home Health Aide	H2001	59A-8.0095(5)
Aide; CPR training	H2010	59A-8.0095(5)



Health Quality Assurance Bureau of Field Offices



FIELD OFFICE 1 / 2 - KRYSTAL GAUTHIER
2727 Mahan Drive
Tallahassee, FL 32308
850-412-4540 office phone
850-559-0733 cell
Krystal.Gauthier@ahca.myflorida.com

FIELD OFFICE 3 - ALETA GARNER
14101 NW Hwy 441, Suite 800
Alachua, FL 32615
386-462-6201 office phone
352-474-9872 cell
Aleta.Garner@ahca.myflorida.com

FIELD OFFICE 4 - ROB DICKSON
921 N. Davis St. Bldg. A, Suite 115
Jacksonville, FL 32209
904-798-4201 office phone
904-304-8476 cell
Robert.Dickson@ahca.myflorida.com

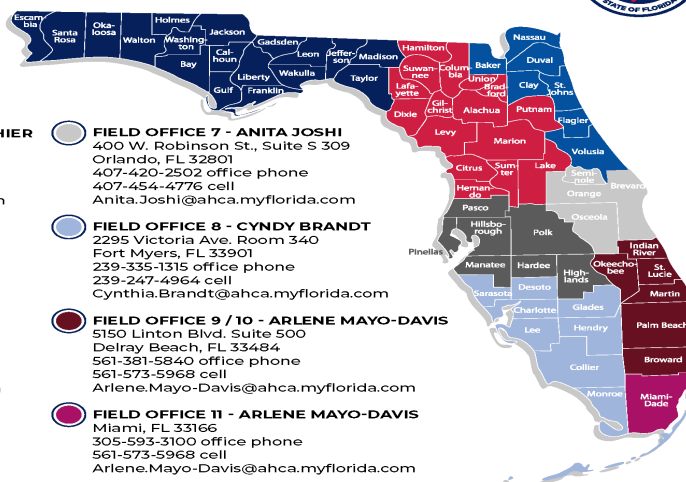
FIELD OFFICE 5 / 6 - DENA COOK
15500 Lightwave Dr. Suite 100
Clearwater, FL 33760
727-552-1956 office phone
727-483-2684 cell
Dena.Cook@ahca.myflorida.com

FIELD OFFICE 7 - ANITA JOSHI
400 W. Robinson St., Suite S 309
Orlando, FL 32801
407-420-2502 office phone
407-454-4776 cell
Anita.Joshi@ahca.myflorida.com

FIELD OFFICE 8 - CYNTHIA BRANDT
2295 Victoria Ave. Room 340
Fort Myers, FL 33901
239-335-1315 office phone
239-247-4964 cell
Cynthia.Brandt@ahca.myflorida.com

FIELD OFFICE 9 / 10 - ARLENE MAYO-DAVIS
5150 Linton Blvd. Suite 500
Delray Beach, FL 33484
561-381-5840 office phone
561-573-5968 cell
Arlene.Mayo-Davis@ahca.myflorida.com

FIELD OFFICE 11 - ARLENE MAYO-DAVIS
Miami, FL 33166
305-593-3100 office phone
561-573-5968 cell
Arlene.Mayo-Davis@ahca.myflorida.com



Kimberly Smoak, MSH, QIDP

Deputy Secretary
State Survey Agency Director
Agency for Health Care Administration
Phone # 850-559-8273 or 850-412-4516
Kimberly.Smoak@ahca.myflorida.com



43

Susan Lowery, RN, BSN

Government Analyst, II
Office of Bureau Chief Field Operations
Agency for Health Care Administration
Phone # 850-228-7237
Susan.Lowery@ahca.myflorida.com



44



Kimberly McIntyre, RN

Senior Management Analyst Supervisor
Survey & Certification Support Branch
Agency for Health Care Administration
Phone # 850-524-9413

Kimberly.McIntyre@ahca.myflorida.com



AHICA
AGENCY FOR HEALTH CARE ADMINISTRATION

45

THANK YOU



AHICA
AGENCY FOR HEALTH CARE ADMINISTRATION