

Direct Care Workforce initiative

Draft Legislation for Implementation of Board of Direct Care Professionals New Chapter (152F), and amendments to Chapter 272C and 147

Updated December 12, 2011

CHAPTER 152F Direct Care

152F.1 Definitions

As used in this chapter unless the context otherwise requires:

1. *Board* means the board of direct care established in chapter 147.
2. *Direct care services* are provided to people experiencing illnesses or disabilities. Services include Home and Community Living, Instrumental Activities of Daily Living, Personal Activities of Daily Living, Personal Support and Health Monitoring and Maintenance.
3. *Direct care professional* is an individual who provides direct care services and is compensated for the services.
4. *Direct care professional instructor* means someone who is approved by the board to provide direct instruction to direct care professionals.
5. *Direct care professional trainer* means someone who is approved by the board to provide direct instruction to direct care professionals and train additional instructors.
6. *Transition provisions* are provisions that allow the current direct care workforce to transition into direct care credentials outlined in this chapter.
7. *Home and Community Living Services* are services to enhance or maintain independence of individuals and include such activities as helping individuals develop and meet personal goals, providing direct physical and emotional support and assistance for person(s) with disabilities, utilizing crisis intervention and positive behavior supports, and using and following individual support plans.
8. *Instrumental Activities of Daily Living Services* are services to assist individuals with daily living tasks to allow them to function independently in a home or community setting. Services include assistance with managing money, transportation, light housekeeping, and shopping and cooking.
9. *Personal Activities of Daily Living Services* are services to assist individuals in meeting their basic needs. Services include providing baths, back rubs and skincare; performing grooming activities; assisting with dressing and undressing; assistance with eating and feeding; assistance with toileting; and assistance with mobility, including transfers, walking, and turning in bed.
10. *Personal Support Services* provide support to individuals as they perform personal activities of daily living. Services include coaching and prompting, and teaching skills and behaviors.
11. *Health Monitoring and Maintenance Services* are medically-oriented services that assist an individual in maintaining their health. Services include measuring intake and output, providing catheter and ostomy care, collecting specimens, checking vitals, including temperature, pulse, respiration and blood pressure, measuring height and weight,

performing range of motion exercises, assistance with urinary care, and application of TED hose and hot and cold packs.

12. *Direct Care Associate* is a direct care professional who is credentialed to provide direct care services in Iowa. A person providing direct care or otherwise representing him/herself to the public as direct care professionals shall be credentialed as a direct care associate.
13. *Community Living Professional* is a direct care professional who is credentialed to provide home and community living, instrumental activities of daily living, and personal support services.
14. *Personal Support Professional* is a direct care professional who is credentialed to provide instrumental activities of daily living, personal activities of daily living and personal support services.
15. *Health Support Professional* is a direct care professional who is credentialed to provide personal activities of daily living and health monitoring and maintenance services.

152F.2 Credential Required – Exceptions – Use of Title

1. A person shall not engage in direct care unless credentialed as a Direct Care Associate.
2. A person who is not credentialed pursuant to this chapter shall not use words or titles which imply or represent that the person is a credentialed Direct Care Associate, credentialed Community Living Professional, credentialed Personal Support Professional, or credentialed Health Support Professional.
3. Notwithstanding subsection 1, persons trained as Community Living Professionals, Personal Support Professionals or Health Support Professionals are not required to be credentialed at these levels but shall be credentialed as Direct Care Associates.
4. Section 147.83 does not apply to a person who is not credentialed as a Community Living Professional, Personal Support Professional or Health Support Professional and does not hold him/herself out as those credentialed titles.

152F.3. Requirements to Obtain Credential – Renewal - Continuing Education - Reciprocal Credential

1. An applicant for a credential as a direct care associate shall meet the following requirements in addition to paying all fees required by the board:
 - a. Successfully complete the required education for the credential.
 - b. Receive and successfully complete the required education from a board-approved direct care professional instructor or trainer.
 - c. Will conduct all professional activities as a credentialed direct care professional in accordance with standards for professional conduct established by the board.
2. An applicant for an advanced credential as a community living professional, personal support professional, or a health support professional shall meet the following requirements in addition to paying all fees required by the board:
 - a. Successfully complete the required education for the credential.

- b. Receive the required education from a board-approved direct care professional instructor or trainer.
 - c. Pass a state examination approved by the board.
 - d. Will conduct all professional activities as a credentialed direct care professional in accordance with standards for professional conduct established by the board.
3. Renewal and continuing education. Credentials shall be renewed biennially, and credential holders shall pay a fee for renewal as determined by the board and shall present evidence satisfactory to the board that the credential holders has satisfied continuing education requirements as determined by the board.
4. Reciprocal credential. The board shall issue an appropriate credential to an applicant who demonstrates experience in direct care in another state that meets the requirements set by the board for each credential.

152F.4. Scope of Chapter

The provisions of this chapter do not apply to any of the following:

1. Persons who are providing direct care services to family and are paid through the Medicaid Consumer Choice Option.
2. Persons otherwise licensed by a licensing board who are operating within the scope of that license and do not represent themselves to the public as a direct care professional.

152F.5. Duties of the Board

The board shall:

1. Adopt rules consistent with this chapter, chapter 147 and chapter 272C which are necessary for the performance of its duties.
2. Adopt rules for transition provisions for direct care professionals.
3. Establish standards and guidelines for reciprocity.
4. Establish standards and guidelines for direct care professionals including minimum curriculum requirements.
5. Prepare and conduct, or prescribe, an examination for applicants for a credential.
6. Establish standards and guidelines for instructors and trainers, including minimum curriculum requirements and continuing education requirements.
7. Define educational activities which fulfill continuing education requirements for renewal of credentials.
8. Establish guidelines for inactive credential status and inactive credential reentry.

152F.6. Credential Suspension and Revocation

A credential issued by the board under the provisions of this chapter may be suspended or revoked, or renewal denied by the board, for violation of any provision of this chapter or section 147.55, section 272C.10, or rules adopted by the board.

Chapter 272C Regulation of Licensed Professions and Occupations

272C.1. Definitions

Add "6.ag The board of direct care professionals, created pursuant to chapter 147."

Chapter 147 General Provisions, Health-Related Professions

147.1 Definitions

...3. Licensed or certified, when applied to ...add "direct care professional" to the list.

147.2 License Required

1. A person shall not engage in ... add "or practice as a direct care associate" unless the person has obtained a license for that purpose from the board for the profession.

147.13 Designation of Boards

Add "24. For direct care, the board of direct care professionals."

147.14 Composition of boards – quorum

Add "1.x. for direct care, a total of nine members, five who are credentialed direct care professionals that represent diverse settings and populations served, two members of the public, one registered nurse who serves as a direct care professional instructor, and one human services professional who serves as a direct care professional instructor."