§74713. Medical Social Services
(a) Medical social services shall be provided by a social worker or by a social work assistant under the supervision of a social worker and in accordance with a plan of treatment.
(b) The social worker or the social work assistant’s duties include:
   (1) Assisting the physician and other team members in understanding the significant social and emotional factors related to the health problems.
   (2) Participating in the development of the plan of treatment.
   (3) Observing, recording and reporting information on the patient’s condition to the attending physician and in the patient’s health record.
   (4) Advising, counseling, and when appropriate, instructing family in patient’s social needs.
   (5) Utilizing appropriate community resources.
   (6) Participating in discharge planning.
   (7) Participating in in-service education programs. Participation will be carried out by the social worker.

§74715. Diet Counseling Services
(a) When an agency provides or arranges for diet counseling services, these services shall be given in accordance with the plan of treatment, and by or under the supervision of a dietitian.
(b) Diet counseling personnel duties include:
   (1) Assisting the physician and other agency personnel in evaluating the dietary needs of the patient.
   (2) Assisting the patient and family to understand, accept and follow dietary modifications ordered by the physician.
   (3) Observing, recording and reporting to the physician and the nurse supervisor the patient’s reaction to dietary treatment and any related changes in the patient’s condition.
   (4) Instructing, supervising or counseling other members of the health care team including, when appropriate, home health aides and family members, regarding the dietary care of the patient.
   (5) Participating in in-service education programs.

§484.34 CONDITION OF PARTICIPATION: Medical Social Services
If the agency furnishes medical social services, those services are given by a qualified social worker or by a qualified social work assistant under the supervision of a qualified social worker, and in accordance with the plan of care. The social worker assists the physician and other team members in understanding the significant social and emotional factors related to the health problems, participates in the development of the plan of care, prepares clinical and progress notes, works with the family, uses appropriate community resources, participates in discharge planning and in-service programs, and acts as a consultant to other agency personnel.
| NO TITLE 22 EQUIVALENT | §484.38 CONDITION OF PARTICIPATION: Qualifying to Furnish Outpatient Physical Therapy or Speech Pathology Services  
An HHA that wishes to furnish outpatient physical therapy or speech pathology services must meet all the pertinent conditions of this part and also meet the additional health and safety requirements set forth in §405.711 through §405.713, §405.715, §405.719, §485.723, and §405.727 of this chapter to implement section 1861(p) of the Act. |
### ARTICLE 4 - ADMINISTRATION

#### 74717. Governing Body

(a) Each home health agency shall have a governing body. The governing body shall assume full legal authority and responsibility for the operation of the agency. The governing body shall:

1. Appoint a qualified administrator.
2. Assume responsibility for the management and fiscal affairs of the agency.
3. Ensure that the agency does not refuse service to or employment to or in any way discriminate against any person because of race, color, or national origin.

#### 484.14(b) Standard: Governing Body

A governing body (or designated persons so functioning) assumes full legal authority and responsibility for the operation of the agency. The governing body appoints a qualified administrator, arranges for professional advice as required under §484.16, adopts and periodically reviews written bylaws or an acceptable equivalent, and oversees the management and fiscal affairs of the agency.

#### 74718. Administrator

(a) The administrator shall:

1. Organize and direct the ongoing functions of the agency.
2. Maintain ongoing liaison between the governing body and staff.
3. Be responsible for ongoing oversight of the agency’s quality management system.
4. Employ qualified personnel and ensure adequate staff education and evaluation.
5. Ensure the accuracy of public information materials and activities including advertisements and brochures that the agency uses to represent itself to the community-at-large.
6. Implement an effective budgeting and accounting system.

(b) A supervising physician or Director of Patient Care Services may also be the administrator. An administrator who is neither a physician or a registered nurse shall have training and experience in health service administration and at least one year of supervisory experience in home health care or health related programs.

(c) The administrator shall have a similarly qualified designee available in the administrator’s absence.

(d) The administrator may have responsibilities over more than one parent agency provided that the administrator can demonstrate the

#### 484.14(c) Standard: Administrator

The administrator, who may also be the supervising physician or registered nurse required under paragraph (d) of this section, organizes and directs the agency’s ongoing functions; maintains ongoing liaison among the governing body, the group of professional personnel, and the staff; employs qualified personnel and ensures adequate staff education and evaluations and ensures the accuracy of public information materials and activities and implements an effective budgeting and accounting system. A qualified person is authorized in writing to act in the absence of the administrator.