



HOME CARE STANDARDS BUREAU

Regulatory Board

CODE OF ETHICS AND STANDARDS

2016/2017

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COMPLIANCE REPORT

Code of Ethics and Standards

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I. Introduction

The Home Care Standards Bureau Regulatory Board created the Code of Ethics and Standards (Code) to provide rules of conduct for all A+ agencies and their employees. The Regulatory Board investigates any formal complaints lodged against an A+ agency, staff, or caregivers for alleged violations of the Code, and disciplines when appropriate. An A+ agency is required to comply with the Standards and Rules set forth in this Code. A+ agencies and their employees must also follow all rules and regulations for their profession that are dictated by state and federal law, licensing boards, state agencies, companies, and industry organizations of which the A+ agency is a member.

II. Purpose

The Home Care Standards Bureau Regulatory Board was created to provide a method of rating non-medical home care agencies. The Regulatory Board grants only an A+ rating to those agencies that are willing to vigilantly uphold the Home Care Standards Bureau Code of Ethics and Standards. By providing a rating for non-medical home care agencies, The Regulatory Board is helping to ensure that the clients, patients and their family members are fully confident in the ability of these agencies and their employees to provide ethical and compassionate service while complying with all applicable laws and regulations.

III. Mission Statement

The Mission of The Home Care Standards Bureau Regulatory Board is to raise the standards for professional caregiving.

IV. The Ethics

The Ethics define the professional conduct to which A+ agencies must adhere while carrying out their business activities.

1. Honesty

All persons representing the agency will adhere to a standard of honesty and integrity. All representatives must accurately and completely communicate to their potential clients, patients, and their family members both orally and in business materials of their qualifications and credentials. All representatives must ensure that their potential clients, patients, and their family members fully comprehend any and all proposed services or products.

2. Competency

All persons representing the agency have an obligation to keep their professional training, skills, and knowledge current and comprehensive in order to competently provide professional services to clients, patients, their family member, and any other individuals in contact with the agency.

3. Safety

All persons representing the agency will ensure their actions are to protect and in no way do harm or foul to any individual in contact with the agency.

4. Kindness

All persons representing the agency will adhere to a standard of kindness, and will treat each patient, client, and their family members with compassion and respect.

V. The A+ Rating Standards

In order to obtain and maintain the prestigious Home Care Standards Bureau A+ Rating, agencies must adhere to the following criteria:

- ✓ The agency must be fully and properly licensed by their states regulatory office for non-medical home care agencies
- ✓ The agency must have someone associated, or on staff, that is a qualified person in the field of aging that meets the HCSB requirements. Examples that meet the HCSB requirements include the following:
 - Gerontologist
 - Registered Nurse
 - Geriatric Care Manager
 - Certified Senior Advisor
- ✓ All caregivers employed or contracted by the agency must have all applicable licenses
- ✓ The caregivers employed or contracted by the agency must be fluent in the language of the clients being served
- ✓ The agency owner or operating manager or an associated person must have been in the paying home care business for at least one year
- ✓ All caregivers employed or contracted by the agency must have passed a multi-tiered background check, including but not limited to a 50 state multi-jurisdictional, criminal, sex offender registry and driving record
- ✓ The agency must have no unresolved complaints with state licensing agencies
- ✓ The agency must agree to sign and abide by the Home Care Standards Bureau Code of Ethics and Standards
- ✓ The agency must agree to both scheduled and unannounced on-site audits by the Home Care Standards Bureau
- ✓ The agency must complete an annual disclosure form verifying they continue to meet the standards of the Home Care Standards Bureau
- ✓ The agency must provide updated and current copies of Insurance, Licensing, and other required documentation
- ✓ All agency caregivers will complete a minimum of 12 classes or hours of caregiver education every twelve months

VI. Rules

The Rules are derived from the Standards

The Rules establish requirements for professional behavior that an A+ agency can readily apply to business situations.

Rule 101: The A+ agency will ensure that its staff members and employees comply with the aforementioned Ethics and Standards.

Rule 102: The A+ agency, its staff and employees, shall hold each client and the client's family members in the highest esteem and will refrain from disrespecting, offending or degrading the client and the client's family members by remarks or actions.

Rule 201: The A+ agency, its staff and employees, shall not solicit clients through false or misleading communications or advertisements, whether written, oral or electronic. This includes misrepresentation via an incomplete description of a product or service.

Rule 202: The A+ agency, its staff and employees, shall not represent the views of the Home Care Standards Bureau or Regulatory Board, or purport to represent such views unless the agency has been expressly authorized by the Home Care Standards Bureau or Regulatory Board to do so in writing.

Rule 301: The A+ Agency, its staff and employees, shall ensure that the safety of the client and the client's family members is maintained, and will be mindful to ensure the client and the client's family members are free from injury, danger or loss at all times.

Rule 401: The A+ agency holding professional licenses or credentials will comply with the rules, regulations, and ethical codes that govern the holders of such licenses or credentials.

Rule 402: The A+ agency shall stay current with governmental, regulatory, administrative, and professional standards or requirements that affect, or have the potential to affect, such agencies skill set and professional competence. These professional development steps include, but are not limited to, completing any Continuing Education (CE) requirements as mandated by such agencies professional licensing authority, credentialing body.

VII. The Disciplinary Procedures

The Home Care Standards Bureau Regulatory Board has original jurisdiction over all such complaints and is solely and exclusively responsible for imposing any sanctions on A+ rated agencies as a result of complaint case review. (Disciplinary actions are listed as part VII of this document).

In addition to all the other powers and authority expressly granted and fairly implied by the other provisions of this Code, The Home Care Standards Bureau and The Home Care Standards Regulatory Board are authorized to:

1. Adopt amendments to the disciplinary procedures as presented in this Code.
2. Adopt such other rules, procedures, and policies, including any changes to The Home Care Standards Bureau Regulatory Board Code of Ethics and Standards, as may be necessary or appropriate to govern the internal operations of The Bureau or to interpret or establish an accepted interpretation of this Code.
3. Impose sanctions against and discipline A+ agencies as provided for in this Code.

VIII. Disciplinary Actions Imposed

The Home Care Standards Regulatory Board (Board) is empowered to impose a range of sanctions, which include:

1. **Administrative Suspension:** The Board may suspend an A+ agency's right to use The Home Care Standards Bureau Credential. The administrative suspension can be put in place prior to notifying the A+ agency that they have been named as the subject of a complaint – and in advance of the complaint hearing. The administrative suspension, suspends an agency's right to use the A+ credential if such agency is named as an associate to the subject of a complaint or investigation by any governmental, licensing, or certifying agency. This may further be applied to any body authorized to instigate such action that charges, alleges, or investigates conduct of the agency, which would, if proven, establish a violation of this Code by the agency.
2. **Private Censure:** The Board may order private censure of an A+ agency. This form of censure shall be an unpublished written approach sent by The Bureau to a censured agency. The Home Care Standards Bureau may publish the case without naming parties involved.
3. **Public Censure:** The Home Care Standards Bureau Regulatory Board may order that public letter of censure be issued against an agency, which letter shall be a publishable written reproach of the agency's behavior.
4. **Suspension:** The Board may order suspension of the right of the agency to use the credential for a specified period of time, not to exceed three (3) years, for the agencies whose violations of the Code are deemed less egregious. The Board may assign these agencies certain educational or other tasks, completion of which is required in order to lift the suspension. The Home Care Standards Bureau reserves the right to publish the fact of suspension together with identification of the agency in a press release or by another method, although the fact of an administrative suspension is not published. After a suspension has been lifted, the agency may be required to reinstate or recertify under terms prescribed by The Home Care Standards Bureau Regulatory Board.
5. **Revocation:** The Home Care Standards Bureau Regulatory Board may order permanent revocation of an A+ agency's right to use the credential. In the event of a permanent revocation, The Bureau reserves the right to publish the fact of the revocation together with identification of the agency on The Home Care Standards Bureau's website, or by another method. Unless otherwise mandated by The Home Care Standards Bureau Regulatory Board, revocation of an agency's right to use the credential shall be permanent.