

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 1 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H0000 - Initial Comments

Title Initial Comments

Rule

Type Rule

Regulation Definition

Interpretive Guideline

ST - H100 - Background Check

Title Background Check

Rule 7 AAC 10.900(b)

Type Rule

Regulation Definition

Interpretive Guideline

(b) The provisions of 7 AAC 10.900 - 7 AAC 10.990 apply to an entity or individual service provider seeking licensure, certification, approval, or a finding of eligibility to receive payments from the department. Each individual who is to be associated with the entity or provider in a manner described in this subsection must have a valid criminal history check conducted under 7 AAC 10.900 - 7 AAC 10.990 if that individual is 16 years of age or older and will be associated with the entity or provider as

- (1) an administrator or operator;
- (2) an individual service provider;
- (3) an employee, an independent contractor, an unsupervised volunteer, or a board member if that individual has
 - (A) regular contact with recipients of services;
 - (B) access to personal or financial records maintained by the entity or provider regarding recipients of services; or
 - (C) control over or impact on the financial well-being of

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 2 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

recipients of services, unless the only recipient whose financial well-being is affected is a

- (i) relative of the individual who has authorized that individual to make financial decisions for that relative;
 - (ii) recipient who has executed a power of attorney for that individual to make financial decisions for that recipient; or
 - (iii) recipient for whom a court has authorized that individual to make financial decisions;
- (4) an officer, director, partner, member, or principal of the business organization that owns an entity, if that individual has
- (A) regular contact with recipients of services;
 - (B) access to personal or financial records maintained by the entity or provider regarding recipients of services; or
 - (C) control over or impact on the financial well-being of recipients of services, unless the only recipient whose financial well-being is affected is a
- (i) relative of the individual who has authorized that individual to make financial decisions for that relative;
 - (ii) recipient who has executed a power of attorney for that individual to make financial decisions for that recipient; or
 - (iii) recipient for whom a court has authorized that individual to make financial decisions;
- (5) except as provided in (c) and (d)(10) of this section, an individual who resides in a part of an entity, including a residence if services are provided in the residence, if the individual remains, or intends to remain, in the entity for 45 days or more, in total, in a 12-month period; or
- (6) except as provided in (c) and (d) of this section, any other individual who is present in the entity and would have regular contact with recipients of services.

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 3 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H101 - Background Check

Title Background Check

Rule 7 AAC 10.900(c)

Type Rule

Regulation Definition

Background Check - (c) A criminal history check under 7 AAC 10.900 - 7 AAC 10.990 is not required for a recipient of services, unless that individual is also associated with the entity or individual service provider in any manner described in (b)(1) - (4) of this section.

Interpretive Guideline

ST - H102 - Background Check

Title Background Check

Rule 7 AAC 10.900(d)

Type Rule

Regulation Definition

Background Check - (d) A criminal history check under 7 AAC 10.900 - 7 AAC 10.990 is not required for the following individuals, if supervised access is provided in accordance with (e) of this section:

- (1) a relative of a recipient of services, unless that relative is also associated with the entity or provider in any manner described in (b)(1) - (5) of this section;
- (2) a visitor of a recipient of services, unless that visitor is also associated with the entity or provider in any manner described in (b)(1) - (4) of this section;
- (3) an individual for whom the entity or provider submits evidence to the department of a fingerprint-based background check

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 4 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

(A) conducted and implemented under a process that meets or exceeds the standards of 7 AAC 10.900 - 7 AAC 10.990; and

(B) that is required

(i) as a condition for obtaining a professional license or certification under AS 08;

(ii) by federal law for an entity or individual service provider described in AS 47.05.300; or

(iii) as a condition of employment or association that is imposed by an entity or individual service provider described in AS 47.05.300;

(4) an employee, independent contractor, unsupervised volunteer, board member, officer, director, partner, member, or principal of the business organization that owns an entity if that individual is not associated with the entity or an individual service provider in any manner described in (b)(1) - (4) of this section;

(5) an approved relative provider under 7 AAC 41.200(e);

(6) a personal physician, an infant learning teacher, an attendant for a child with special needs as described in 7 AAC 57.940, a licenser, a fire marshal, a food services sponsor, or another similar individual who

(A) is not associated with the entity or provider under (b) of this section; and

(B) provides support services to the entity or provider or to a recipient of services;

(7) an individual who is a vendor or an industry representative, or who provides delivery, installation, maintenance, or repair services;

(8) an individual who resides in any part of an entity, including a residence if services are provided in the residence, if the individual remains in the entity or residence for less than 45 days, in total, in a 12-month period;

(9) a parent's designee to drop off and pick up a child in care, unless the designee is also associated in a manner described in

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 5 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

- (b) of this section with the entity providing child care;
- (10) a parent who receives money from the department for purposes of paying an approved in-home child care provider under 7 AAC 41.370, and any other individual who resides in that parent's household; however, the exemption in this paragraph does not apply to an approved in-home child care provider who resides in the household;
- (11) an occasional guest of the administrator or operator of an entity or of a provider.

ST - H103 - Background Check

Title Background Check

Rule 7 AAC 10.900(e)

Type Rule

Regulation Definition

Background Check - (e) An entity or individual service provider must provide supervised access for an individual exempted under (d) of this section if the individual is present in the entity during hours of operation. Supervised access is not required in a residence where in-home child care is provided under 7 AAC 41.370.

(f) For purposes of (b)(5) and (d)(8) of this section, "individual who resides in any part of an entity" means an individual who dwells continuously in, or legally occupies, the premises housing the entity or provider, as evidenced by

- (1) the individual's address on the individual's permanent fund dividend received under AS 43.23, driver's license, fishing or hunting license, or other official record; or
- (2) observation by another individual of the individual occupying the premises. (Eff. 2/9/2007, Register 181)

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 6 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H104 - Background Check

Title Background Check

Rule 7 AAC 10.910(a)

Type Rule

Regulation Definition

Background Check - Request for criminal History Check. (a) An entity or individual service provider that is subject to AS 47.05.300 - 47.05.390 and 7 AAC 10.900 - 7 AAC 10.990 must request a criminal history check under this section, or provide proof of a valid fingerprint-based criminal history check, for each individual to be associated, or to remain associated, with the entity or provider in a manner described in 7 AAC 10.900(b). An entity or individual must request a criminal history check.

- (1) when the entity or provider submits an initial application for a license, certification, approval, or finding of eligibility to receive payments from the department;
- (2) for a new owner, officer, director, partner, member, or principal of the business organization if there is a change in ownership of the business organization, or if an officer, director, partner, member, or principal of the business organization is replaced; the criminal history check must be completed before the individual begins association unless the department issues notice of a provisional valid criminal history check under 7 AAC 10.920;
- (3) except as provided otherwise in this section, if the entity or provider wishes to hire or retain an employee, independent contractor, or unsupervised volunteer described in 7 AAC 10.900(b)(3); the criminal history check must be completed before hiring unless the department issues notice of a provisional valid criminal history check under 7 AAC 10.920;
- (4) for an individual 16 years of age or older who is not a recipient of services, and who wishes to reside in the entity or

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 7 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

to be present as described in 7 AAC 10.900(b)(5) or (6); the criminal history check must be completed before the individual begins association unless

(A) the department issues notice of a provisional valid criminal history check under 7 AAC 10.920; or

(B) the individual is residing in the entity before that individual's 16th birthday; for an individual described in this subparagraph, the entity or provider must submit the information required under (b) of this section within 30 days before the individual's 16th birthday;

(5) at any time requested by the department

(A) to show compliance with 7 AAC 10.900 - 7 AAC 10.990 during inspection, monitoring, or investigation; or

(B) for an individual if the department has good cause to believe that the individual's criminal history has changed; or

(6) on or before April 10, 2007, for each individual who is associated with an entity or provider operating under a current license, certification, approval, or finding of eligibility to receive payments, and who

(A) does not have a valid criminal history check; or

(B) passed a criminal history check conducted before February 9, 2007 that

(i) was not fingerprint-based; or

(ii) was fingerprint-based and conducted more than six years before February 9, 2007.

ST - H105 - Background Check

Title Background Check

Rule 7 AAC 10.910(c)

Type Rule

Regulation Definition

Background Check - Request for criminal History Check. (c) Unless a more frequent fingerprint-based criminal history check is required under federal law, or for certain entities and

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 8 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

providers under (f) of this section, a fingerprint-based criminal history check is valid for six years from the date the check became valid under (h) of this section for an individual who

- (1) remains associated with an entity or provider in a manner described in 7 AAC 10.900(b), subject to verification under (d) of this section;
- (2) becomes re-associated with the same entity or provider in a manner described in 7 AAC 10.900(b) within 100 days after terminating association with that entity or provider, subject to verification under (e) of this section; or
- (3) becomes associated with another entity or provider in a manner described in 7 AAC 10.900(b) within 100 days after terminating association with a previous entity or provider, subject to verification under (e) of this section.

ST - H106 - Background Check

Title Background Check

Rule 7 AAC 10.910(d)

Type Rule

Regulation Definition

Background Check - Request for criminal History Check. (d) Upon renewal of a license, certification, or approval, or when a finding is made for continued eligibility to receive payments, an entity or individual service provider must provide to the department proof that an individual described in (c)(1) of this section has a valid criminal history check. If the department determines that the criminal history check is not valid, the department will notify the entity or provider that a request for a new criminal history check must be submitted under this section.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 9 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H107 - Criminal History Check

Title Criminal History Check

Rule 7 AAC 10.910(f)

Type Rule

Regulation Definition

Criminal history checks - (f) Except as provided otherwise in this subsection, and unless the department granted a variance under 7 AAC 10.935, a new criminal history check is not required if a person associated with an entity or provider in a manner described in 7 AAC 10.900(b) is transferred from one site operated by the entity or provider to another site operated by that entity or provider, if all sites are identified in the request for a criminal history check. Before October 1, 2007, an entity or provider must submit the items required under (b) of this section for an individual described in the following list, each time that individual changes employment, regardless of what entities or providers were listed on the request for a criminal history check:

(1) an individual associated with

(A) a nursing facility;

(B) a hospital that provides swing-bed services or that is reimbursed under 7 AAC 140 - 7 AAC 150 for treatment described in the definition of "swing-bed day" set out in 7 AAC 150.990; for purposes of this subparagraph,

(i) "hospital that provides swing-bed services" has the meaning given "swing-bed hospital" in 42 C.F.R. 413.114(b); and

(ii) the definition of "swing-bed hospital" in 42 C.F.R. 413.114(b), as revised as of October 1, 2006, is adopted by reference;

(C) an intermediate care facility for the mentally retarded or persons with related conditions;

(D) an assisted living home;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 10 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

- (E) a hospice agency;
 - (F) a home and community-based waiver services provider as defined in 7 AAC 160.990;
 - (G) a home health agency; or
 - (H) a personal care agency enrolled under 7 AAC 125.130 or 7 AAC 125.150;
- (2) an individual providing care coordination, case management, adult day services, or respite care services.

ST - H108 - Criminal History Check

Title Criminal History Check

Rule 7 AAC 10.915(f) - (h)

Type Rule

Regulation Definition

- (f) Except as provided otherwise in this subsection, an entity or provider must, within 24 hours after receiving notification under (d) or (e) of this section, terminate association with the individual in accordance with 7 AAC 10.960. If the entity or provider requests a variance under 7 AAC 10.930, or if the individual requests reconsideration under 7 AAC 10.950, the individual may remain associated with the entity or provider, pending a decision on the request, if
- (1) the individual is removed from direct contact with recipients of services; and
 - (2) the entity or provider ensures that the individual is provided with direct supervision if the individual is present in any area where services are provided, during hours of operation.
- (g) If an individual remains out of association with an entity or provider for 100 days or longer, the department will revoke a valid criminal history check without prior notice. A new criminal history check is required if the individual wishes to become associated with any entity or provider in a manner described in 7 AAC 10.900(b).

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 11 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

(h) If an individual with a valid criminal history check ceases to be associated with an entity or provider, and wishes to have the individual's name unmarked in APSIN, the individual shall submit a written request to the department that the valid criminal history check be rescinded. The department will send a written acknowledgment of the rescission to the individual and to the entity or provider with whom the individual was most recently associated. (Eff. 2/9/2007, Register 181)

ST - H109 - Monitoring and Notification

Title Monitoring and Notification

Rule 7 AAC 10.925

Type Rule

Regulation Definition

Monitoring and notification requirements. (a) An entity or provider shall monitor to ensure that all individuals associated with the entity or provider in a manner described in 7 AAC 10.900(b) continue to meet the applicable requirements of AS 47.05.300 - 47.05.390 and 7 AAC 10.900 - 7 AAC 10.990. The entity or provider shall require each individual for whom a criminal history check is required to report to the entity or provider within 24 hours, or the next business day if the individual is

(1) charged with, convicted of, found not guilty by reason of insanity for, or adjudicated as a delinquent for, a barrier crime listed in 7 AAC 10.905; or
(2) is the subject of a matter that must be reported under 7 AAC 10.955(c) for the centralized registry.

(b) In addition to the reporting requirements of 7 AAC 10.955(c) for the centralized registry, the entity or provider shall notify the department by telephone, by electronic mail, by facsimile, by letter, or in person within

(1) 24 hours, or the next business day, after the entity or provider has knowledge that an individual associated with the

Interpretive Guideline

**Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)**

Printed 01/12/2012

Page 12 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

entity or provider has been

(A) arrested for, charged with, convicted of, found not guilty by reason of insanity for, or adjudicated as a delinquent for, a barrier crime listed in 7 AAC 10.905; or

(B) is the subject of a matter that must be reported under 7 AAC 10.955(c) for the centralized registry; or

(2) 14 days after any change in association with the entity or provider for an individual who has a valid criminal history check or is the subject of a provisional valid criminal history check, including a change that involves an individual

(A) whose association described in 7 AAC 10.900(b) has been terminated; or

(B) who has not been associated with the entity or provider for 61 days or more, but becomes re-associated within 100 days.

ST - H110 - Failure to Notify

Title Failure to Notify

Rule 7 AAC 10.925(c)

Type Rule

Regulation Definition

Interpretive Guideline

(c) Failure to notify the department as required under this section may result in an enforcement action, including suspension or revocation of the license, certification, approval, or finding of eligibility to receive payments. (Eff. 2/9/2007, Register 181)

ST - H111 - Request for Variance

Title Request for Variance

Rule 7 AAC 10.930(d)-(e)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 13 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Request for variance - (d) If the department granted a variance for an offense revealed in a fingerprint-based criminal history check conducted six or more years before February 9, 2007, and if the offense for which the variance was granted is not a permanent barrier under 7 AAC 10.905, the entity or provider must submit a new request for a variance, if allowed under this section, at the time of application for renewal of that entity's current license, certification, approval, or finding of eligibility to receive payments. Except as provided in (h) and (i) of this section, if the offense for which the department granted the variance is a permanent barrier under 7 AAC 10.905, the variance is void and the entity must terminate association with the individual in accordance with 7 AAC 10.960.

(e) If the department granted a variance for a barrier condition described in 7 AAC 10.955 six or more years before February 9, 2007, the entity or provider must submit a new request for a variance at the time of application for renewal of that entity's current license, certification, approval, or finding of eligibility to receive payments.

Interpretive Guideline

ST - H112 - Posting of Variance Decision

Title Posting of Variance Decision

Rule 7 AAC 10.940

Type Rule

Regulation Definition

Posting of variance decision required - If the department grants a variance under 7 AAC 10.935, the entity or individual service provider shall post a copy of the variance decision with the copy of the license, certification, approval, or finding of eligibility to receive payments that was issued by the

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 14 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

department, in a conspicuous place where the copy of the variance can be readily viewed by persons interested in obtaining the services offered by the entity or provider. (Eff. 2/9/2007, Register 181)

ST - H113 - Termination of Association

Title Termination of Association

Rule 7 AAC 10.960(a)

Type Rule

Regulation Definition

Termination of Association - (a) Except as provided in (b) and (c) of this section, if an entity or provider is required to terminate association with an individual, the entity or provider shall

(1) notify the individual that the individual's employment, volunteer services, or other association with the entity or provider under 7 AAC 10.900(b) is ended, effective immediately, unless the entity or provider takes immediate action under (2) of this subsection; the entity or provider must notify the individual under this paragraph

(A) immediately, if the individual is present at the entity or premises where the provider is providing services; or

(B) before or upon the individual's next arrival at the entity; or

(2) if the entity or provider intends to request a variance under 7 AAC 10.930, immediately reassign the duties and responsibilities of that individual so that the individual

(A) does not have contact with recipients of services;

(B) cannot access personal or financial records maintained by the entity or provider regarding recipients of services;

(C) has no control over or impact on the financial well-being of a recipient of services, unless the only recipient whose financial well-being is affected is a

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 15 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

(i) relative of the individual who has authorized that individual to make financial decisions for that relative;

(ii) recipient who has executed a power of attorney for that individual to make financial decisions for that recipient;
or

(iii) recipient for whom a court has authorized that individual to make financial decisions; and

(D) is provided with direct supervision if present in the entity or premises where the provider is providing services during hours of operation.

ST - H114 - Termination of Association

Title Termination of Association

Rule 7 AAC 10.960(b)

Type Rule

Regulation Definition

(b) If the entity or provider is required to terminate association with an individual who is subject to a union agreement or employment contract that requires more notice than allowed under (a) of this section, the entity or provider shall, within 24 hours after receiving notice to terminate association, deliver a copy of the relevant language of the agreement or contract to the department. The entity or provider shall cooperate with the department in developing an appropriate termination plan for the individual that includes the measures set out in (a)(2)(A) - (D) of this section during the notice period mandated by the agreement or contract.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 16 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H115 - Termination of Association

Title Termination of Association

Rule 7 AAC 10.960(c)

Type Rule

Regulation Definition

Interpretive Guideline

(c) If the individual for whom termination of association is required is a relative of the operator, administrator, or provider, and resides in the entity or premises where services are provided, termination of association must occur within 24 hours, and the entity or provider shall ensure that the individual

- (1) does not have contact with recipients of services; and
- (2) is provided with direct supervision if, during that 24-hour period, the individual is present in the entity or premises where the provider is providing services during hours of operation. (Eff. 2/9/2007, Register 181)

ST - H116 - Grant or Denial of a General Variance

Title Grant or Denial of a General Variance

Rule 7 AAC 10.9525(b)

Type Rule

Regulation Definition

Interpretive Guideline

Grant or denial of a general variance Subject to (c) of this section, the department may grant a general variance, for a period that does not exceed one year, if the department determines that the entity

- (1) is unable to comply with the requirement from which the variance is sought;
- (2) has an effective plan for achieving compliance during the

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 17 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

term of the variance; and
(3) is able to adequately provide for the health, safety, and welfare of recipients of services during the term of the variance.

ST - H117 - Variance Conditions

Title Variance Conditions

Rule 7 AAC 10.9525(c)

Type Rule

Regulation Definition

The department may grant a general variance for a longer period than allowed under (b) of this section if the department determines

(1) that

(A) strict compliance with the requirement from which the variance is sought cannot be accomplished without a substantial economic, technological, programmatic, legal, or medical hardship; or

(B) the variance will maintain or improve the quality of services for recipients of services; and

(2) that the entity has an effective plan for meeting the goal of the requirement from which the variance is sought, and that the plan adequately protects the health, safety, and welfare of recipients of services and otherwise meets all applicable statutory or regulatory standards.

Interpretive Guideline

ST - H118 - Posting of a General Variance

Title Posting of a General Variance

Rule 7 AAC 10.9530(a)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 18 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Posting of a general variance. (a) If the department grants a request for a general variance, the entity shall post a copy of the general variance decision in a conspicuous place, with the entity's license as required by AS 47.32.080 , during the period the variance is in effect, and shall make it available to any person who wishes to review it. A general variance remains in effect for the duration stated, unless the department revokes the variance under (b) of this section.

Interpretive Guideline

ST - H119 - Revocation of a General Variance

Title Revocation of a General Variance

Rule 7 AAC 10.9530(b)

Type Rule

Regulation Definition

(b) The department will revoke a general variance if the department finds that the entity is not following its plan for achieving compliance, or is no longer able to adequately provide for the health, safety, and welfare of recipients of services during the term of the variance. If the department decides to revoke a variance, it will provide written notice of revocation to the entity, setting out the reasons for the department's decision. The department will advise the entity of its right to request reconsideration under 7 AAC 10.9535. A notice of revocation issued under this subsection is effective 30 days after it is received by the entity unless a request for reconsideration is submitted. Nothing in this subsection precludes the department from issuing a notice of immediate revocation if the department finds that the life, health, safety, or welfare of recipients of services is threatened.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 19 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H123 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 10.9610(a)(1)-(4)

Type Rule

Regulation Definition

Interpretive Guideline

Plan of correction - (a) The plan of correction required under AS 47.32.140 (b) must contain the following information for each violation identified in the report issued under AS 47.32.120 (a):

(1) each action that will be taken to correct the violation (2) each measure that will be taken or change that will be made to ensure the violation does not recur; (3) how the entity will monitor each corrective action to ensure the violation is cured and will not recur; (4) the date on or before which the violation will be cured.

ST - H124 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 0.9610(b)

Type Rule

Regulation Definition

Interpretive Guideline

Plan of correction - (b) The plan of correction must be signed by the administrator or another person responsible for operation of the entity.

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 20 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H125 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 10.9610(c)(1)-(2)

Type Rule

Regulation Definition

Plan of correction - (c) If the department determines that any recipients of services were affected by a violation, the department may also require the entity to describe (1) each corrective action that will be taken with regard to those recipients; and (2) how the entity will identify other recipients of services who might be affected by the violation, and what corrective action will be taken.

Interpretive Guideline

ST - H126 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 10.9610(d)

Type Rule

Regulation Definition

Plan of correction - (d) The entity may request that the plan of correction also act as the allegation of compliance required under 7 AAC 10.9615 if each violation listed in the report has been corrected before submission of the plan of correction.

Interpretive Guideline

ST - H127 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 10.9610(e)

Type Rule

**Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)**

Printed 01/12/2012

Page 21 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Plan of correction - (e) The department will review a plan of correction submitted under (a) - (d) of this section to determine whether the plan is acceptable. If the department determines that the plan is unacceptable, the department may

- (1) request additional information regarding one or more corrective actions described in the plan;
- (2) require the entity to amend the plan as directed by the department;
- (3) require the entity to comply with a plan of correction developed by the department under (g) of this section.

Interpretive Guideline

ST - H128 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 10.9610(f)

Type Rule

Regulation Definition

Plan of correction - (f) If the department finds that an entity has failed to correct a violation of an applicable statute or regulation within the time specified by the department under AS 47.32.140 (a), has failed to submit a plan of correction for department approval under AS 47.32.140 (b), or has submitted an unacceptable plan, the department may require the entity to participate in a plan of correction developed by the department under (g) of this section.

Interpretive Guideline

ST - H129 - Plan of Correction

Title Plan of Correction

Rule 7 AAC 10.9610(i)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 22 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Plan of correction - (i) The entity shall keep on the premises a copy of each inspection document described in AS 47.32.180 (b) for at least three years from the date of inspection and shall make each document available to any interested person upon request.

Interpretive Guideline

ST - H131 - Allegation of Compliance

Title Allegation of Compliance

Rule 7 AAC 10.9615

Type Rule

Regulation Definition

Allegation of compliance - An allegation of compliance required under AS 47.32.140 (c) must describe each action that was taken by the entity to correct each violation, and must include the date the violation was corrected. The allegation must be signed by the administrator or another person responsible for operation of the entity. The department will review the allegation to determine whether it provides enough detail to establish that each violation was corrected by any applicable deadline. The department may also conduct a follow-up inspection to validate the allegation of compliance.

Interpretive Guideline

ST - H132 - Criminal History Check Requirements

Title Criminal History Check Requirements

Rule 7 AAC 12.605

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 23 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Criminal history check requirements - An entity listed in AS 47.32.010(b) that is required to be licensed under AS 47.32 and this chapter must also comply with the applicable requirements of AS 47.05.300 - 47.05.390 and 7 AAC 10.900 - 7 AAC 10.990 (Barrier Crimes, Criminal History Checks, and Centralized Registry).

Interpretive Guideline

ST - H135 - Scope of Service

Title Scope of Service

Rule 7 AAC 12.316(a)

Type Rule

Regulation Definition

Scope of Service - (a) Subject to (b) of this section, a volunteer hospice agency shall provide each of, and only, the following services:

- (1) direct service volunteers;
- (2) spiritual and emotional support services to the client, the client's family, and caregivers if these services are desired during the time the client is receiving hospice care;
- (3) supervision, orientation, and training to direct service volunteers and other hospice staff;
- (4) bereavement counseling services to assist the client's family and caregivers in coping with grief experienced after the client's death; and
- (5) volunteer services in accordance with 7 AAC 12.336.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 24 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H136 - Scope of Service

Title Scope of Service

Rule 7 AAC 12.317(b)

Type Rule

Regulation Definition

Scope of Service - (b) A volunteer hospice agency may provide short-term respite care to the client ' s family for the relief of the client's daily care.

Interpretive Guideline

ST - H137 - Scope of Service

Title Scope of Service

Rule 7 AAC 12.317(c)

Type Rule

Regulation Definition

Scope of Service - (c) A volunteer hospice agency shall investigate, analyze, and respond to client grievances related to client care.

Interpretive Guideline

ST - H138 - Scope of Service

Title Scope of Service

Rule 7 AAC 12.317(d)

Type Rule

Regulation Definition

Scope of Service - (d) A volunteer hospice agency shall ensure that each client has a plan of care approved by the

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 25 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

attending physician or advanced nurse practitioner, and by the program manager.

ST - H139 - Scope of Service

Title Scope of Service

Rule 7 AAC 12.317(e)

Type Rule

Regulation Definition

Scope of service - (e) A volunteer hospice agency shall develop and implement written policies and procedures consistent with this chapter that govern each service provided by the agency, including policies relating to confidentiality, training, and admissions. The policies and procedures must accurately describe the agency ' s goals, the methods by which the goals are achieved, and the mechanisms by which basic hospice care services are delivered. The agency must review its policies and procedures at least annually. The program director shall document each review by dating and signing an attestation. The agency shall revise its policies and procedures if determined necessary by the agency or by the department to ensure that each policy and procedure is current and adequate for purposes of carrying out the agency's functions and maintaining consistency with this chapter.

Interpretive Guideline

ST - H140 - Scope of Service

Title Scope of Service

Rule 7 AAC 12.317(f)

Type Rule

Regulation Definition

(f) Volunteer services in a volunteer hospice agency must be

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 26 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

directed by a coordinator of volunteer services who shall

- (1) implement a direct service volunteer program;
- (2) coordinate the orientation, education, support, and supervision of direct service volunteers; and
- (3) coordinate the use of direct service volunteers with other hospice staff and community resources.

ST - H165 - Volunteer Services

Title Volunteer Services

Rule 7 AAC 12.336(a)

Type Rule

Regulation Definition

Volunteer Services - (a) A hospice agency shall ensure that each volunteer provides care and services in accordance with the client's plan of care, and under the supervision of a designated hospice employee.

Interpretive Guideline

ST - H166 - Volunteer Services

Title Volunteer Services

Rule 7 AAC 12.336(b)

Type Rule

Regulation Definition

Volunteer Services - (b) The agency shall develop and maintain policies and procedures that address the following with respect to volunteers in the program:

- (1) recruitment, retention, and dismissal;
- (2) screening;
- (3) orientation;
- (4) scope of function;
- (5) supervision;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 27 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

- (6) ongoing training and support;
- (7) team conferencing;
- (8) records of volunteer activities;
- (9) bereavement services.

ST - H167 - Volunteer Services

Title Volunteer Services

Rule 7 AAC 12.336(c)

Type Rule

Regulation Definition

Interpretive Guideline

Volunteer Services - (c) A volunteer is subject to the applicable requirements of 7 AAC 12.338

ST - H168 - Volunteer Services

Title Volunteer Services

Rule 7 AAC 12.336(d)

Type Rule

Regulation Definition

Interpretive Guideline

Volunteer Services - (d) The hospice agency shall document active and ongoing efforts to recruit and retain volunteers.

ST - H174 - Employee health

Title Employee health

Rule 7 AAC 12.340(a)

Type Rule

**Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)**

Printed 01/12/2012

Page 28 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Employee health - (a) Except as provided in (b) of this section, a hospice agency shall have an employee health program that requires each employee to be tested for pulmonary tuberculosis within the first two weeks of initial employment and annually thereafter. The agency shall require contractors or volunteers performing patient care or services for the agency to have similar standards in place.

Interpretive Guideline

ST - H175 - Employee health

Title Employee health

Rule 7 AAC 12.340(b)

Type Rule

Regulation Definition

Employee health - (b) An employee who has never had a positive tuberculin skin test result must have a tuberculin Mantoux skin test. A further annual tuberculin testing is not necessary if the

- (1) test is negative;
- (2) employee is never required to be in a room where a client might be present; and
- (3) employee does not handle clinical specimens from a client or other material from a client ' s room.

Interpretive Guideline

ST - H215 - Administration

Title Administration

Rule 7 AAC 12.329(b)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 29 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Administration - (b) A full-service or volunteer hospice agency shall have a program director who is responsible for the daily management of the hospice program. The administrator of the agency may act as program director. The program director must have education, experience, and knowledge related to hospice care or related home health program care appropriate to the fulfillment of the responsibilities described in (c) and (d) of this section, as applicable. The agency shall develop written documentation setting out the responsibilities and authority of the program director. If the program director ' s position becomes vacant, the agency shall notify the department within 48 hours and provide, if available, the name of the replacement. The agency shall designate, in writing, a qualified individual to act in the capacity described in this subsection in the program director ' s absence.

Interpretive Guideline

ST - H216 - Administration

Title Administration

Rule 7 AAC 12.329(c)(1) - (5)

Type Rule

Regulation Definition

Administration - (c) The program director for a full-service or volunteer hospice agency shall

- (1) have authority to manage, and responsibility for managing, the business affairs and overall operation of the agency;
- (2) organize and direct the agency ' s ongoing functions;
- (3) implement and regularly evaluate policies and procedures for the management and operation of the hospice and evaluation of the overall program performance of the agency;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 30 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

- (4) establish an organizational structure appropriate for directing the work of hospice employees, contractors, and volunteers in accordance with the agency ' s policies and procedures;
- (5) ensure that employees and ancillary staff receive orientation to their responsibilities and to the hospice program;

ST - H217 - Administration

Title Administration

Rule 7 AAC 12.329(c)(6) - (10)

Type Rule

Regulation Definition

Administration - (c) The program director for a full-service or volunteer hospice agency shall

- (6) evaluate the functions and activities of employees and ancillary staff to assure conformance with applicable state and federal laws, agency policies and procedures, and applicable professional standards;
- (7) maintain a liaison between the governing body, any professional committee, and the employees and volunteers;
- (8) report to the governing body at least annually regarding agency operation;
- (9) ensure adequate continuing education and evaluation of staff; and
- (10) evaluate the recommendations of agency committees and consultants.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 31 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H310 - Governing Body

Title Governing Body

Rule 7 AAC 12.325(1)

Type Rule

Regulation Definition

Interpretive Guideline

Governing Body - A hospice agency must have a governing body that assumes full legal responsibility for determining, implementing, and monitoring the policies that govern operation of the hospice. In addition to meeting the applicable requirements of 7 AAC 12.630, the governing body shall

(1) adopt, and revise as necessary, written bylaws that provide for the

- (A) election or appointment of officers and committees;
- (B) appointment of a local advisory board of individuals who reside in the service area, if the governing body is outside the state; and
- (C) establishment of the frequency of meetings;

ST - H311 - Governing Body

Title Governing Body

Rule 7 AAC 12.325(2)

Type Rule

Regulation Definition

Interpretive Guideline

Governing Body - A hospice agency must have a governing body that assumes full legal responsibility for determining, implementing, and monitoring the policies that govern operation of the hospice. In addition to meeting the applicable requirements of 7 AAC 12.630, the governing body shall

- (2) establish a written mission statement that is consistent

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 32 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

with hospice philosophy;

ST - H312 - Governing Body

Title Governing Body

Rule 7 AAC 12.325(3)

Type Rule

Regulation Definition

Governing Body - A hospice agency must have a governing body that assumes full legal responsibility for determining, implementing, and monitoring the policies that govern operation of the hospice. In addition to meeting the applicable requirements of 7 AAC 12.630, the governing body shall (3) designate as program director an individual who meets the requirements of 7 AAC 12.329(b);

Interpretive Guideline

ST - H313 - Governing Body

Title Governing Body

Rule 7 AAC 12.325(4)

Type Rule

Regulation Definition

Governing Body - A hospice agency must have a governing body that assumes full legal responsibility for determining, implementing, and monitoring the policies that govern operation of the hospice. In addition to meeting the applicable requirements of 7 AAC 12.630, the governing body shall (4) provide for systematic and effective communication between the community, governing body, and the program director of the hospice agency;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 33 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H314 - Governing Body

Title Governing Body

Rule 7 AAC 12.325(5) - (6)

Type Rule

Regulation Definition

Governing Body - A hospice agency must have a governing body that assumes full legal responsibility for determining, implementing, and monitoring the policies that govern operation of the hospice. In addition to meeting the applicable requirements of 7 AAC 12.630, the governing body shall

- (5) ensure that services provided are consistent with hospice philosophy and the requirements of this chapter; and
- (6) provide sufficient staff, supplies, and equipment to meet client needs.

Interpretive Guideline

ST - H327 - Infection Control

Title Infection Control

Rule 7 AAC 12.341

Type Rule

Regulation Definition

Infection Control - A hospice agency shall develop and implement written policies and procedures applicable to all agency staff that

- (1) minimize the risk of transmitting infection in all client care or services; and
- (2) provide for the safe handling and disposal of pathological, biohazardous, or infectious materials.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 34 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H375 - Clinical and administrative records

Title Clinical and administrative records

Rule 7 AAC 12.339(a)

Type Rule

Regulation Definition

Clinical and administrative records - (a) A hospice agency shall establish and maintain a clinical record for each client receiving care and services. The record must provide for identification, security, confidentiality, control, retrieval, and preservation of client care data and information. Each clinical record must be a comprehensive compilation of information.

The agency shall ensure that entries are

- (1) made for all services provided, whether furnished directly by or indirectly through the agency; and
- (2) made and signed by the staff providing the services.

Interpretive Guideline

ST - H376 - Clinical and administrative records

Title Clinical and administrative records

Rule 7 AAC 12.339(b)

Type Rule

Regulation Definition

Clinical and administrative records - (b) Each client 's clinical record must contain

- (1) appropriate identifying information;
- (2) assessments by appropriate personnel;
- (3) the client 's plan of care;
- (4) the name of the attending physician or advanced nurse practitioner;
- (5) signed and dated progress notes;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 35 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

- (6) copies of summary reports sent to the attending physician or advanced nurse practitioner;
- (7) a signed client release or consent form;
- (8) documentation of informed consent regarding the initiation of care and treatment and changes in the plan of care;
- (9) evidence that the client was informed regarding advance health care directives and client rights as described in 7 AAC 12.320;
- (10) copies of any transfer information sent with the client; and
- (11) a discharge summary, if appropriate.

ST - H377 - Clinical and administrative records

Title Clinical and administrative records

Rule 7 AAC 12.339(c)

Type Rule

Regulation Definition

Clinical and administrative records - (c) Clinical progress notes must be written or dictated on the day that care or service is provided. The clinical progress notes must be incorporated into the client ' s clinical record within seven days.

Interpretive Guideline

ST - H378 - Clinical and administrative records

Title Clinical and administrative records

Rule 7 AAC 12.339(d)

Type Rule

Regulation Definition

Clinical and administrative records - (d) A hospice agency

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 36 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

shall have written policies and procedures to ensure that clinical records are

- (1) legibly written in ink or typed, and suitable for photocopying;
- (2) readily available to authorized personnel during operating hours of the agency;
- (3) protected from damage;
- (4) if electronic, protected by security software designed to ensure confidentiality;
- (5) retained for at least five years after the date of discharge, or in the case of a minor, three years after the client turns 21 years of age; agency policies and procedures must provide for record retention even if the agency discontinues operation;
- (6) disposed of using a method that will prevent retrieval and subsequent use of information; and
- (7) transferred with the client if the client transfers to another agency or health facility; the transferred record may be
 - (A) a copy; or
 - (B) an abstract and a summary report.

ST - H379 - Clinical and administrative records

Title Clinical and administrative records

Rule 7 AAC 12.339(e)

Type Rule

Regulation Definition

Clinical and administrative records - (e) In addition to maintaining clinical records as described in this section, a hospice agency shall maintain administrative records that, at a minimum, include

- (1) minutes of governing body meetings;
- (2) all receipts and expenditures; and
- (3) training provided to paid staff and volunteers.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 37 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H418 - Contracts

Title Contracts

Rule 7 AAC 12.344(1) - (3)

Type Rule

Regulation Definition

Interpretive Guideline

Contracts - If a hospice agency contracts with another entity or agent to perform services for or provide resources to the agency, the agency shall monitor and control those services and resources. In addition to meeting the requirements of 7 AAC 12.910, the agency shall ensure that the contract

- (1) provides that clients are accepted for care or services only by the contracting agency;
- (2) requires the contractor to conform to all applicable agency policies, including personnel qualifications;
- (3) delineates the role of the hospice and of the contractor in the admission process, patient and family assessment, and the interdisciplinary team care conferences;

ST - H419 - Contracts

Title Contracts

Rule 7 AAC 12.344(4) - (7)

Type Rule

Regulation Definition

Interpretive Guideline

Contracts - If a hospice agency contracts with another entity or agent to perform services for or provide resources to the agency, the agency shall monitor and control those services and resources. In addition to meeting the requirements of 7 AAC 12.910, the agency shall ensure that the contract

- (4) specifies the contractor ' s responsibility for participating

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 38 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

in developing a plan of care; this paragraph does not apply to a volunteer hospice agency;

(5) specifies that the contracted services may be provided only with the express authorization of the agency;

(6) specifies the manner in which the agency will control, coordinate, and evaluate the care or services; and

(7) identifies the procedures for payment for services furnished under the contract.

ST - H420 - Contracts

Title Contracts

Rule 7 AAC 12.910(a)

Type Rule

Regulation Definition

Interpretive Guideline

Contracts - A facility may contract with another facility or agent to perform services or provide resources to the facility.

ST - H421 - Contracts

Title Contracts

Rule 7 AAC 12.910(b)

Type Rule

Regulation Definition

Interpretive Guideline

Contracts - Services regulated under this chapter which are provided by contract must meet the requirements of this chapter.

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 39 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H422 - Contracts

Title Contracts

Rule 7 AAC 12.910(c)

Type Rule

Regulation Definition

Interpretive Guideline

Contracts - (c) A contract for resources or services required by regulation and not provided directly by a facility must be in writing, must be dated and signed by both parties, and must

- (1) specify the respective functions and responsibilities of the contractor and the facility, and the frequency of onsite consultation by the contractor;
- (2) identify the type and frequency of services to be furnished;
- (3) specify the qualifications of the personnel providing services;
- (4) require documentation that services are provided in accordance with the agreement;
- (5) specify how and when communication will occur between the facility and the contractor;
- (6) specify the manner in which the care or services will be controlled, coordinated, supervised, and evaluated by the facility;
- (7) identify the procedures for payment for services furnished under the contract; and
- (8) include the current license or registration number of the contractor, if required by state statute or regulation.

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 40 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H461 - Hiring, orientation, and training

Title Hiring, orientation, and training

Rule 7 AAC 12.338(a)(1) - (2)

Type Rule

Regulation Definition

Interpretive Guideline

Hiring, orientation, and training - (a) A full-service or volunteer hospice agency shall require each volunteer and each direct service provider

- (1) to submit a written application;
- (2) to undergo a screening interview and an interview after training;

ST - H462 - Hiring, orientation, and training

Title Hiring, orientation, and training

Rule 7 AAC 12.338(a)(3) - (5)

Type Rule

Regulation Definition

Interpretive Guideline

Hiring, orientation, and training - (a) A full-service or volunteer hospice agency shall require each volunteer and each direct service provider

- (3) to receive the orientation and training required
 - (A) under (b), (c), and (k) of this section, if a volunteer; and
 - (B) under (b) - (k) of this section, if a direct service provider;
- (4) to submit a confidentiality statement, signed by the volunteer or direct service provider, in which the volunteer or direct service provider agrees to follow the program's policy regarding confidentiality; and
- (5) if the volunteer or direct service provider will transport

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 41 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

individuals, to provide proof of

(A) the motor vehicle liability insurance required under AS 28.22.019; and

(B) a valid driver's license issued by this state.

ST - H463 - Hiring, orientation, and training

Title Hiring, orientation, and training

Rule 7 AAC 12.338(b)

Type Rule

Regulation Definition

Hiring, orientation, and training - (b) Before allowing a volunteer or direct service provider to provide a hospice service, a full-service or volunteer hospice agency shall ensure that the individual receives an orientation of at least four hours that is specific to hospice services. The agency shall document this orientation within the first week of employment.

Interpretive Guideline

ST - H464 - Hiring, orientation, and training

Title Hiring, orientation, and training

Rule 7 AAC 12.338(c)(1) - (4)

Type Rule

Regulation Definition

Hiring, orientation, and training - (c) A full-service or volunteer hospice agency shall develop policies and procedures that define the agenda of the orientation. The orientation must include at least the following subjects:

- (1) hospice philosophy;
- (2) personal death awareness;
- (3) communication skills;
- (4) personnel issues;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 42 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H465 - Hiring, orientation, and training

Title Hiring, orientation, and training

Rule 7 AAC 12.338(c)(5) - (9)

Type Rule

Regulation Definition

Hiring, orientation, and training - (c) A full-service or volunteer hospice agency shall develop policies and procedures that define the agenda of the orientation. The orientation must include at least the following subjects:

- (5) identification of hospice resource people;
- (6) stress management;
- (7) ethics and confidentiality;
- (8) stages of dying;
- (9) funeral arrangements.

Interpretive Guideline

ST - H474 - Hiring, orientation, and training

Title Hiring, orientation, and training

Rule 7 AAC 12.338(k)

Type Rule

Regulation Definition

Hiring, orientation, and training - (k) A full-service or volunteer hospice agency shall provide or arrange for a volunteer training and continuing education program that provides, at a minimum,

- (1) orientation and training for new volunteers to acquaint them with the philosophy, organization, services, practices and goals of the hospice program;
- (2) the psychosocial and psychological aspects of terminal disease;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 43 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

- (3) family dynamics and psychosocial issues surrounding terminal disease, death, and bereavement;
- (4) communication skills; and
- (5) initial and continued training needs specific to the duties, responsibilities and competency of each volunteer.

ST - H485 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(a)(1)

Type Rule

Regulation Definition

Advance health care directives; client rights - (a) Before initiation of care or services, a hospice agency shall provide each client who is 18 years of age or older, or the client's legal representative, with forms and information regarding

- (1) the client's right to make health care decisions, including the right to accept or refuse medical or surgical treatment, and the right to execute an advance health care directive and durable health care power of attorney;

Interpretive Guideline

ST - H486 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 aac 12.320(a)(2)

Type Rule

Regulation Definition

Advance health care directives; client rights - (a) Before initiation of care or services, a hospice agency shall provide each client who is 18 years of age or older, or the client's legal representative, with forms and information regarding

- (2) agency policies for implementing the client's right to make

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 44 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

health care decisions;

ST - H487 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(a)(3)

Type Rule

Regulation Definition

Advance health care directives; client rights - (a) Before initiation of care or services, a hospice agency shall provide each client who is 18 years of age or older, or the client ' s legal representative, with forms and information regarding (3) living wills and do-not-resuscitate orders;

Interpretive Guideline

ST - H488 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(a)(4)

Type Rule

Regulation Definition

Advance health care directives; client rights - (a) Before initiation of care or services, a hospice agency shall provide each client who is 18 years of age or older, or the client ' s legal representative, with forms and information regarding (4) persons who can provide additional information concerning advance health care directives and durable health care powers of attorney.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 45 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H489 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(1)

Type Rule

Regulation Definition

Advance health care directives; client rights - (b) The governing body of the hospice agency shall protect and promote the rights of each hospice client, by assuring that (1) before services are provided, the client and the client ' s family are informed orally and in writing, in a language the client and the client's family understand, of the respective rights and obligations of the agency and the client; the agency shall document receipt of the notification of these rights and obligations by the client and the client ' s family;

Interpretive Guideline

ST - H490 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(A)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (A) courteous and respectful treatment of person and property;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 46 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H491 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(B)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (B) be free from physical and mental abuse, neglect, or mistreatment;

Interpretive Guideline

ST - H492 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(C)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (C) care or services from employees or contractors properly trained to perform assigned tasks;

Interpretive Guideline

ST - H493 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(D)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 47 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (D) proper identification by name and title of each employee, contractor, or volunteer who provides hospice care to that client;

Interpretive Guideline

ST - H494 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(E)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (E) the following information in advance of care or services:

- (i) the care and services to be provided;
- (ii) any changes in the care or services to be provided;
- (iii) the frequency of proposed visits for care or services;
- (iv) the agency ' s expectation of the client ' s responsibilities to participate in the client ' s own care or services;
- (v) the name of the person supervising the care or services, and how to contact the agency;

Interpretive Guideline

ST - H495 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(F)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 48 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (F) confidentiality with regard to information about the client ' s health, social life, and activities in the client ' s home;

Interpretive Guideline

ST - H496 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(G)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (G) have the client ' s medical history released only as required by law or as authorized by the client or the client ' s legal representative;

Interpretive Guideline

ST - H497 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(H)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (H) access information in the client ' s medical record within two working days after submitting a written request to the agency;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 49 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H499 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(J)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to
(J) submit a grievance to the agency about the service or lack of service provided by the agency, its employees, its contractors, or its volunteers; the agency shall
(i) investigate and respond to the client or person who submitted the grievance; and
(ii) provide information to the client or person who submitted the grievance about how to contact the department to file a complaint.

Interpretive Guideline

ST - H500 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(K)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to
(K) be informed of the reason for impending discharge, transfer to another agency or facility, change in the level of care, ongoing care requirements, and other available services and options, if needed;

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 50 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H501 - Advance health care directives; client rights

Title Advance health care directives; client rights

Rule 7 AAC 12.320(b)(2)(L)

Type Rule

Regulation Definition

Advance health care directives; client rights - (2) each client receiving hospice services has the right to (L) participate in developing the client ' s plan of care and changes in care or treatment.

Interpretive Guideline

ST - H531 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(1)

Type Rule

Regulation Definition

Abuse, neglect, and mistreatment - (a) A hospice agency shall (1) develop and implement written policies and procedures that prohibit abuse, neglect, and mistreatment of clients;

Interpretive Guideline

ST - H532 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(2)

Type Rule

Regulation Definition

Abuse, neglect, and mistreatment - (a) A hospice agency shall

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 51 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

(2) document alleged or suspected incidents of abuse, neglect, or mistreatment by an employee, volunteer, or contractor;

ST - H533 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(3)

Type Rule

Regulation Definition

Interpretive Guideline

Abuse, neglect, and mistreatment - (a) A hospice agency shall
(3) investigate alleged or suspected incidents of abuse, neglect, or mistreatment;

ST - H534 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(4)

Type Rule

Regulation Definition

Interpretive Guideline

Abuse, neglect, and mistreatment - (a) A hospice agency shall
(4) take any necessary action to remove the potential for further abuse, neglect, or mistreatment of a client or further misappropriation of a client ' s property;

ST - H535 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(5)

Type Rule

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 52 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

Regulation Definition

Interpretive Guideline

Abuse, neglect, and mistreatment - (a) A hospice agency shall (5) document the result of the investigation and the corrective action taken within five days after the agency becomes aware of an incident described in (2) and (3) of this subsection;

ST - H536 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(6)

Type Rule

Regulation Definition

Interpretive Guideline

Abuse, neglect, and mistreatment - (a) A hospice agency shall (6) submit the documentation prepared under (5) of this subsection to the department;

ST - H537 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(a)(7)

Type Rule

Regulation Definition

Interpretive Guideline

Abuse, neglect, and mistreatment - (a) A hospice agency shall (7) assure that an employee, volunteer, or contractor does not obtain a client ' s power of attorney in violation of AS 13.26.358

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 53 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H538 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(b)

Type Rule

Regulation Definition

Abuse, neglect, and mistreatment - (b) A hospice agency is subject to the reporting requirements of AS 47.17.020 and AS 47.24.010.

Interpretive Guideline

ST - H539 - Abuse, neglect, and mistreatment

Title Abuse, neglect, and mistreatment

Rule 7 AAC 12.321(c)

Type Rule

Regulation Definition

Abuse, neglect, and mistreatment - (c) A hospice agency shall contact the appropriate licensing authority to verify the disciplinary history of a potential employee or contractor who is required to hold a license to practice.

Interpretive Guideline

ST - H542 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(a)

Type Rule

Regulation Definition

Admission criteria - (a) A hospice agency may accept a client

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 54 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

for hospice care only if the hospice agency has a reasonable expectation that the hospice agency will adequately meet the client ' s needs. At the time an individual is accepted for care, or no later than two days after the day when care is initiated, the agency shall obtain written certification that the client has a terminal illness. If written certification cannot be obtained within two days, the agency shall obtain verbal certification within two days, and obtain written certification as follows:
(1) for a volunteer hospice agency, within 21 days, from the attending physician;

ST - H544 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(c)

Type Rule

Regulation Definition

Admission Criteria - (c) A hospice agency may not reject a client for hospice services based on race, color, national origin, age, sex, religion, or ethnicity.

Interpretive Guideline

ST - H545 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(d)

Type Rule

Regulation Definition

Admission criteria - (d) A hospice agency may not terminate or reduce care provided to a client because of the client ' s inability to pay for the care.

Interpretive Guideline

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 55 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H546 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(e)(1)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(1) the adequacy and suitability of agency staff and resources to provide necessary services;

ST - H547 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.918(e)(2)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(2) assessments of the client's medical, nursing, and social needs pertaining to the benefits derived from hospice care;

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 56 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H548 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(e)(3)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(3) attitudes of the client and the client's family toward hospice care;

ST - H549 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(e)(4)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(4) degree of client and family awareness of their respective rights and responsibilities;

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 57 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H550 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(e)(5)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(5) the agency's ability to manage any medical emergency that is likely to occur, based on an assessment of known risk factors related to the client's condition;

ST - H551 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(e)(6)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(6) the availability, ability, and willingness of others to participate in the client's care;

Health Facilities Certification & Licensing
ASPEN: Regulation Set (RS)

Printed 01/12/2012

Page 58 of 58

Aspen State Regulation Set: H 1.00 Hospice Volunteer

ST - H552 - Admission Criteria

Title Admission Criteria

Rule 7 AAC 12.318(e)(7)

Type Rule

Regulation Definition

Interpretive Guideline

Admission criteria - (e) In addition to meeting the applicable requirements of (a) - (d) of this section, a hospice agency shall consider the following factors before accepting a client for hospice services:

(7) assurance that services can be effectively coordinated through liaison with organizations and individuals also providing care to the client.

ST - H555 - Applicable fed., state, and local laws & Regs

Title Applicable fed., state, and local laws & Regs

Rule 7 AAC 12.920

Type Rule

Regulation Definition

Interpretive Guideline

Applicable federal, state, and local laws and regulations - A facility must comply with all applicable federal, state, and local laws and regulations. If a conflict or inconsistency exists between codes or standards, the more restrictive provision applies.