

Licensing, Certification, and other Regulatory Information for Personal Care Providers

The Nevada State Department of Health and Human Services is pleased to provide this information about recent statutory changes that may affect you if you provide personal care services in the home. Recent changes may require that you

- Obtain a license from the Bureau of Licensure and Certification (BLC) as an **Agency to Provide Personal Care Services in the Home (PCA)**, or
- Obtain certification from the Office of Disability Services (ODS) as an **Intermediary Service Organization (ISO)**
- **Or BOTH**

Do I need a License and/or Certification?

The table below is a simple and very general guideline, and it is not intended as a replacement for your reading of NRS 449, NRS 426 and the accompanying regulations that apply to personal care agencies and intermediary service organizations.

Read each statement in the first column below. If you answer “yes” to ANY statement, you will need to be licensed and/or certified, as indicated. Thus, some organizations may need to be BOTH licensed and certified.

Licensing and Certification requirements	I need to be Licensed as a PCA by BLC	I need to be Certified as an ISO by ODS
I provide in-home care, for free or for pay, only for a spouse, family member or relative.	No	No
I have employees or contractors who are paid to provide <u>only</u> non-medical in-home care.	Yes	No
I am licensed as a Home Health Agency in Nevada, and I want to provide personal care attendant services also.	Yes, two licenses required	No
The services provided by my employees or contractors include medical services allowed under NRS 629.091, like injections, bowel care or wound care.	No	Yes
The client(s) served by my employees or contractors want to self-direct their care and act as the “managing employer” of their caregiver (see ISO regulations for definitions).	No	Yes
Some of the above is true, but we are organized as an entity to serve only one person or one family (often called a microboard).	No	No

What is an Agency to Provide Personal Care Services in the Home

Nevada Revised Statutes (NRS) 449.0021 defines an Agency to Provide Personal Care Services in the Home as “any person, other than a natural person, which provides in the home, through its employees or by contractual arrangement with other persons, **non-medical** services related to personal care to elderly persons or persons with disabilities to assist those persons with activities of daily living, including, without limitation:

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| <ul style="list-style-type: none"> • The elimination of wastes from the body • Dressing and undressing • Bathing • Grooming • The preparation and eating of meals | <ul style="list-style-type: none"> • Laundry • Shopping • Cleaning • Transportation; and • Any other minor needs related to the maintenance of personal hygiene. |
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Do I need to be licensed as an Agency to Provide Personal Care Services in the Home?

In Nevada, anyone operating an agency that employs individuals as personal care attendants to provide **non-medical (services not prescribed a physician or other medical practitioner)** activities of daily living to elderly or disabled clients needs to be licensed by the Bureau of Licensure and Certification.

A Home Health Agency already licensed to operate in Nevada also requires a separate license if it wishes to provide personal care attendants.

You do not need to be licensed as an Agency to Provide Personal Care Services in the home if you are any of the following, which are excluded from NRS 449.0021:

- (a) An independent contractor who provides **non-medical** services without the assistance of employees
- (b) An organized group of persons comprised of the family or friends of a person needing personal care services that employs or contracts with persons to provide services specified by subsection 1 for the person if:
 - 1. The organization of the group of persons is set forth in a written document that is made available for review by the Health Division upon request; and
 - 2. The personal care services are provided to only one (1) person or one (1) family who resides in the same residence; or
- (c) An ISO that is certified by the Office of Disabilities (see below).

Where do I get a license?

Application forms are on the BLC website at www.health.nv.gov/BLC. Click on Health Facilities then proceed to application forms for initial licensing. Instructions and a checklist for completing the application are included there.

Be sure to read the web page describing the Criminal History Background Check requirements.

Questions?

Please contact: The Bureau of Licensure and Certification
Carson City (775) 687-4475
Las Vegas (702) 486-6515

What is an Intermediary Service Organization?

Nevada Revised Statutes (NRS) 426.218 defines an intermediary service organization as “a nongovernmental entity that provides services authorized pursuant to [NRS 426.301](#) for a person who has a disability or other responsible person.”

Do I need to be certified as an Intermediary Service Organization?

Passage of AB 576 during the 2007 legislative session amended NRS 426 to provide for the following:

Certification of intermediary service organizations (ISO), which provide certain services relating to personal assistance received by person with disabilities. Certification will be a function of the Office of Disability within the Department of Health and Human Services. If you are providing self-directed in-home care, medical in-home care as defined in NRS 629-091, or are registered as an ISO with Nevada Medicaid, you will need to be certified by the Office of Disability Services.

How do I get certified?

Certification application packets are available on the Office of Disability Services website at:

http://dhhs.nv.gov/ODS_Programs_PersonalAssistanceService.htm

Questions?

Please contact: Office of Disability Services, Paul Haugen, 775-687-4452