



Representative Jeffery Sanchez, Chairman  
Joint Committee on Health Care Financing  
Room 236, State House  
Boston, MA 02133

Senator James Welch, Chairman  
Joint Committee on Health Care Financing  
Room 309, State House  
Boston, MA 02133

**RE: H.2001, An Act Relative to Home Health and Hospice Aides**

Dear Chairman Sanchez and Chairman Welch:

Recently, the Joint Committee on Public Health favorably advanced H.4067, *An Act Relative to Home Health and Hospice Aides*, to your committee for consideration. For the fourth straight legislative session, the Home Care Alliance of Massachusetts is seeking a change that would allow home health nurses to delegate certain, limited medication administration tasks to a trained and certified home health aide and we hope you will continue to move this initiative forward.

H.4067 would loosen restrictive regulation by allowing a home health care nurse to delegate the administration of a specific set of medications to a certified home health aide, hospice aide, or certified nursing assistant (CNA). Such delegation would follow a trusted guideline from the National Council of State Boards of Nursing (NCSBN) and used by healthcare providers nationwide. The legislation also instructs the Department of Public Health to work with the Board of Registration in Nursing to establish regulation outlining documentation and training protocols. These regulations, according to the bill language, "shall specify that delegation of administration of medication does not alter the responsibility of the home health agency or hospice to teach and the patient or family to participate in learning the self-administration of medications, whenever appropriate."

The Home Care Alliance would like to emphasize that H.4067 would allow agencies to participate in a nurse delegation model; however, that is by no means a mandate. The NCSBN guidelines boil down to the so-called "Five Rights of Delegation," which govern the choice of the nurse to delegate a task. In this case, of course, the task consists of the administration of certain medications. Those rights are: 1. The *right* task 2. Under the *right* circumstances 3. To the *right* person 4. With the *right* directions and communication; and 5. Under the *right* supervision and evaluation.

Bearing in mind our aging population, an urgent need to control costs and a drive for greater efficiency, H.4067 presents at least one part of a greater solution. It is time for Massachusetts to join most other states in providing support to family caregivers while supporting the mission of every home health agency to keep people healthy and independent at home.

Thank you again for your consideration of our comments and please do not hesitate to contact me with questions.

Thank you.

James Fuccione  
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Home Care Alliance of Massachusetts