

The VNAs of Vermont is requesting common sense policy that will enable home health agencies to decline a referral for/visit to someone who has already been discharged for safety reasons. Violence against health care workers is on the rise. Each day home health and hospice workers face uncertainty when they enter unknown environments to care for the Vermonters who depend on them. Home health agencies have examples of serious threats to their staff.

Background:

- Under Vermont's current designated system for home health, agencies must accept all eligible patients.
- Discharging a patient for safety is a regulated process, and a rare occurrence. The discharged patient has the right to seek an external appeal when it happens.
- Under current regulations, home health agencies have no discretion about accepting new referrals or making visits to individuals who have already been discharged for safety issues.

This policy change will give home health agencies the regulatory flexibility to decline to send staff into environments with known safety concerns. Proposed language:

***If an individual has previously been discharged from service to protect the safety of staff using the criteria established by the Regulations for the Designation and Operations of Home Health Agencies pursuant to 33 V.S.A. section 6303(a), the home health agency may:***

- 1. deny a subsequent admission; or***
- 2. decline to send an employee to make a visit if the agency has reason to believe that the person who exhibited the behavior that resulted in the discharge is present in the home.***