

**CHAPTER 38: RESIDENTIAL OPTIONS WAIVER****SECTION 38.7: STAFFING REQUIREMENTS****PAGE(S) 2****STAFFING REQUIREMENTS**

The Louisiana Department of Health and Hospitals (DHLDH) has the responsibility ~~to establish~~ of establishing reasonable qualifications for providers to ensure that they are capable of providing services of acceptable quality to ~~recipients~~ beneficiaries. The provider qualifications delineated in this section are dictated by the needs of the population to be served, and by the duties and responsibilities inherent in the provision of services as defined by DHLDH. ~~DHLDH~~ has established these staffing requirements to maintain an adequate level of quality, efficiency, and professionalism in the provision of all services in the Residential Options Waiver (ROW) program.

**Community Living Supports**

The following exclusions apply to Community Living Supports services:

- Reimbursement shall not be paid for services furnished by a legally responsible relative. A legally responsible relative is defined as the parent of a minor child, foster parent, curator, tutor, legal guardian, or the ~~recipient's~~ beneficiary's spouse;
- Service may be provided by a member of the recipient's/beneficiary's family, provided that the recipient/beneficiary does not live in the family member's residence and that the family member is not a the legally responsible relative as defined above;
- Family members who provide residential services must meet the same standards as providers or direct care staff who are unrelated to the individual; and
- Services are not allowed to be provided in the direct service worker's place of residence.

**Host Home (Substitute Family Care)**

Immediate family members, such as a ~~recipient's/beneficiary's~~ mother, father, brother, sister, spouse, or curator, cannot be Substitute Family Care parents.

**Companion Care**

Family members who are not legally responsible relatives can be the companion to an individual receiving Companion Care services. Companions must meet the direct service worker requirements as provided by LDH licensing standards, and the beneficiary and the companion must live in the same household.

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**Adult Day Health Care**

Adult Day Health Care Services (ADHC) staffing requirements are identified in the ADHC licensing standards (LAC 48:I.4266, et seq.). Staff at the ADHC center shall meet the educational and experience requirements of job title and professional services.

**Monitored In-Home Caregiving**

Monitored In-Home Caregiving services (MIHC) staffing requirements are identified in the MIHC licensing standards (LAC 48:I.5101, et seq.). Monitored in-home caregiving providers must be licensed Home and Community Based Services (HCBS) providers with a monitored in-home caregiving module that employ professional staff, including a registered nurse and a care manager, to support principal caregivers in performing the direct care activities performed in the home. The principal caregiver shall be contracted by the licensed HCBS provider having a MIHC service module.