

# John Bel Edwards

## GOVERNOR

## Rebekah E. Gee MD, MPH

## SECRETARY

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### State of Louisiana

Louisiana Department of Health

Health Standards Section

June 16, 2016

Memo to DHH-HSS Licensed and/or Certified Health Care Providers:

The Final Rule which amended the provisions governing the Direct Service Worker (DSW) Registry will be published in the **June 20, 2016** edition of the *Louisiana Register.* These provisions will affect nursing facilities, hospice providers, hospitals, intermediate care facilities, adult residential care providers, adult day health care centers, home health agencies, behavioral health providers, adult brain injury providers, forensic supervised transitional residential and aftercare facilities, ambulatory surgical centers, dialysis units, pediatric day health care facilities, therapeutic group homes, psychiatric residential treatment facilities, and home and community based services providers.

DSWs are patient care technician, hospital aides, unlicensed assistive personnel (UAPs), home health aides, hospice aides, direct care workers, mental health technicians, mental health aides, mental health orderlies, nursing aides or hospital orderlies, nursing assistants, patient care aides, and/or any persons hired as **unlicensed** direct care staff that meet the provisions of LAC 48:I, Chapter 92.

*Note: Those persons who are listed on the Certified Nurse Aide Registry and who are employed as certified nurse aides in a licensed and/or certified nursing facility and/or a skilled nursing facility within a hospital are not included under the provisions of LAC 48:I, Chapter 92 as a direct service worker. A finding can be placed against a CNA on the DSW Registry when the CNA is employed by a non-NF/SNF when determined to have been abusive, neglectful, etc. while employed in another licensed health care setting.*

**Effective June 20, 2016, providers shall be required to access the DSW Registry to determine if a finding has been placed against a prospective hire or currently employed or contracted direct service worker.** If so, the prospective employee shall not be hired nor shall a current employee have continued employment with the licensed and/or certified health care provider.

The following links are provided as resources for further information:

<http://new.dhh.louisiana.gov/index.cfm/directory/detail/713>

<http://new.dhh.louisiana.gov/index.cfm/directory/category/154/n/378>

<http://www.doa.la.gov/Pages/osr/reg/register.aspx>

If you have anyquestions regarding the requirements related to the DSW Registry Rule, please contact the DHH-HSS Program Desk for your provider type at (225) 342-0138 or 1(800) 798-8675.