

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Public Health
Division of Maternal and Child Health
(Amended at ARRS Committee)

902 KAR 4:120. Health Access Nurturing Development Services (HANDS) Program.

RELATES TO: KRS 13B.080-13B.160, 211.180, 211.689

STATUTORY AUTHORITY: KRS 194A.050(1), 211.690

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to operate the programs and fulfill the responsibilities vested in the cabinet. KRS 211.690 authorizes the Cabinet for Health and Family Services to implement a voluntary statewide home visitation program for the purpose of providing assistance to at-risk parents during the prenatal period until the child's third birthday. This administrative regulation establishes the eligibility criteria, services, provider qualifications, and hearing rights for participants of the Health Access Nurturing Development Services (HANDS) Program.

Section 1. Definitions.

- (1) "Department" means the Department for Public Health or its designated representative.
- (2) "Family support worker" means an employee or subcontractor of the local implementing agency who visits participants and performs services.
- (3) "Local implementing agency" means a local health department or a contracted agency that agrees to participate as a HANDS provider and employ or contract with staff that meet the qualifications specified in Section 3 of this administrative regulation.
- (4) "Participant" means the parent and child enrolled in the HANDS program and receiving HANDS services.
- (5) "Tele-service" means a home visitation service provided through video communication with the HANDS provider, parent, and child present in real time.

Section 2. Eligibility Criteria.

- (1) In order to receive a service established in Section 4 of this administrative regulation, an individual shall be:
 - (a) A pregnant individual who is under twenty (20) years old;
 - (b) A pregnant individual who is at least twenty (20) years old and upon assessment is identified as having one or more risk factors for the pregnancy or the infant;
 - (c) The child of an individual identified in paragraph (a) or (b) of this subsection who is less than three (3) years of age and assessed for eligibility within ninety (90) days post-birth; or
 - (d) A father or guardian of a child identified in paragraph (c) of this subsection.
- (2) The local implementing agency shall assess an applicant for eligibility. The assessment shall reflect:
 - (a) The child and parents unique strengths and needs; and
 - (b) The services appropriate to meet those needs.
- (3) All assessments of the child and family shall be:
 - (a) Conducted in a nondiscriminatory manner;
 - (b) Selected and administered so as not to be racially or culturally discriminatory; and
 - (c) Conducted in the native or preferred language of the child or parent.
- (4) Parental consent shall be provided to the local implementing agency before an assessment.

- (5) The assessment shall:
- (a) Be conducted by a family support worker professional who meets the qualifications listed in Section 3(2) of this administrative regulation; and
 - (b) Result in:
 - 1. Eligibility for HANDS services, in which the family shall be referred for the development of a home visiting plan; or
 - 2. Ineligibility for HANDS services, in which the family shall be provided with community resources, referral information, and general parenting information.
- (6) Participation in the HANDS Program is voluntary.
- (7) Participation in the HANDS Program shall be discontinued if:
- (a) The child dies;
 - (b) The family elects to withdraw from the program;
 - (c) The family moves out of state;
 - (d) Contact with the family is lost; or
 - (e) The family repeatedly fails to participate in program activities.

Section 3. Provider Qualifications.

- (1) A family support worker paraprofessional shall be a:
- (a) High school graduate or holder of a general education development credential who is at least eighteen (18) years of age;
 - (b) Has received department training in:
 - 1. Ongoing assessment of family strengths and needs;
 - 2. Service plan development;
 - 3. Evidence-based home visiting model;
 - 4. Coordination of services; and
 - 5. Evaluation; and
 - (c) Is supervised by a registered nurse or licensed social worker.
- (2) A family support worker professional shall be a:
- (a) Licensed nurse who holds a valid Kentucky Board of Nursing license as a registered nurse or advanced practice registered nurse;
 - (b) Licensed social worker who holds a valid Kentucky Board of Social Work license;
 - (c) Graduate with a master's degree in human services or closely related field who shall be supervised by a registered nurse or licensed social worker; or
 - (d) Graduate with a bachelor's degree in early childhood education, human services, or closely related field who shall be supervised by a registered nurse or licensed social worker.
- (3) A HANDS supervisor shall be a:
- (a) Licensed nurse who holds a valid Kentucky Board of Nursing license as a registered nurse or advanced practice registered nurse; or
 - (b) Licensed social worker who holds a valid Kentucky Board of Social Work license.
- (4) A local implementing agency shall meet the requirements to provide HANDS services if:
- (a) It assures that appropriate staff meet the licensure requirements of the department pursuant to subsection (1) or (2) of this section;
 - (b) It assures supervision by licensed personnel pursuant to subsection (3)(a) or (b) of this section; and
 - (c) It reports program data from Section 4(1) of this administrative regulation into the online HANDS database no later than the first Sunday of the month following the date of service.

Section 4. Services.

- (1) Home visitation may take place in the client's home or another community site if justified in the record. A home visit shall include:

- (a) Monitoring the child and family's progress by:
 - 1. Making referrals to community resources;
 - 2. Tracking appointments to ensure they are being kept;
 - 3. Following up on referrals; and
 - 4. Performing periodic evaluations of participant's changing needs;
 - (b) The preparation and maintenance of case records that document contacts, services needed, reports, and progress;
 - (c) Consultations with the family on positive pregnancy outcomes, optimal child growth and development, safe and healthy homes, and family decision making and self-sufficiency; and
 - (d) Crisis assistance.
- (2)
- (a) Service frequency shall be provided in accordance with the level of need of the parent or family.
 - (b) The frequency of visitation shall be lessened as the family meets goals agreed to by the provider and the participant.]

Section 5. Appeal Rights.

- (1) A local implementing agency shall notify an individual who does not meet criteria for admission or continuation in the program or who has had a service discontinued, in writing, within ten (10) days of the denial or discontinuance.
- (2) An individual wishing to appeal an adverse action by the local implementing agency shall notify the department in writing within thirty (30) days of the date of the notice identified in subsection (1) of this section that a hearing is requested.
- (3) Notice of an administrative hearing shall be provided in accordance with KRS 13B.050.
- (4) The administrative hearing process shall be conducted in accordance with KRS 13B.080 through 13B.160.

Section 6. Tele-service Delivery Methods.

- (1)
 - (a) HANDS home visitation services that are otherwise designated as face-to-face in accordance with this administrative regulation may be provided through tele-service delivery methods with informed parental consent.
 - (b) These services shall include those listed in Sections 2(5) and 4 of this administrative regulation.
 - (c) Verbal and written consent shall be provided for each child in a shared household. For example, if the family has twins, verbal and written consent shall be provided for each child.
- (2) Tele-service delivery methods shall be reimbursed at the usual and customary rate. (27 Ky.R. 1407; Am. 1846; 2162; eff. 2-1-2001; 42 Ky.R. 2982; 43 Ky.R. 210; eff. 8-17-2016; TAm eff. 3-20-2020; Cert. eff. 5-9-2023; 50 Ky.R. 952, 1531; eff. 1-11-2024.)

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