



How CFH Statutes are Changing in 2024



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CERTIFIED
FAMILY HOME PROGRAM



IDAHO DEPARTMENT OF
HEALTH & WELFARE



Statutes can be found online:

[Chapter 35 – Idaho State Legislature](#)

- Purpose of Statute Changes:
 - Update
 - Clarify
 - Improve the law



How Were These Statutes Developed?

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- The Department worked with 134 stakeholders in 7 sessions.
- Each stakeholder was polled about proposed changes on a section-by-section basis.
- There was over 50% agreement in every section, an average of less than 6% in opposition or unsure.
- **New Changes went into effect July 1, 2024.**



Purpose: Strengthens resident's right by bolstering the admission agreement, thus allowing them to maintain their CFH residence in the event they are receiving temporary care elsewhere, such as a hospital.

Admission Agreement remains in full effect (excluding providing meals and care) when the resident is temporarily transferred to another care setting on an emergency basis.

Example: Resident is admitted to the hospital.





- At or before the time of admission, the care provider shall negotiate an admission agreement.
- Admission agreement should include:
 - Monthly room and board (including three meals per day)
 - Separate charge for private pay'
 - The Admission Agreement shall include protections that address eviction and appeals.
- If applicable, the provider will prorate or refund charges for any day the resident did not receive certified family home services during the month.
- A written notice is required prior to changing the terms of the admission agreement.
- The Admission Agreement signed by both parties will remain in affect until properly terminated with Idaho landlord tenet law; or the care provider is no longer certified by the department.



Purpose: Improve care by adding standards for development of the resident's plan of service.

Examples: Service Agreement, Individual Support Plan, Support and Spending Plan, etc.

Purpose of the Plan of Service:

- Provides for coordination of services and guidance to the care provider in delivering services to the resident.
- Clearly identifies the resident and describes the services to be provided and how such services are to be delivered.

The Plan of Service is about the Resident–

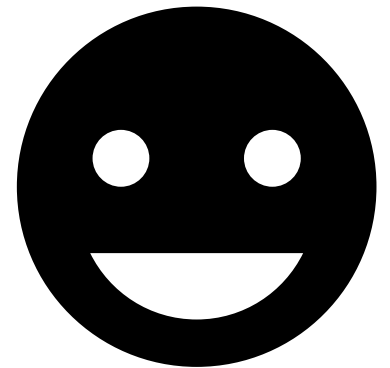
- The resident or resident representative shall participate in the development.





A Plan of Service shall be based on:

- The resident's desires
- The resident's assessment
- Information from the resident's healthcare professionals
- The resident's supportive services
- The residents needs in the following areas:
 - Supervision
 - ADLs
 - Assistance with Medications
 - Behavior Management





The Plan of Service shall include:

- Identification of each care need
- A care plan for each need describing how the care provider is to deliver services
- Frequency of delivery for each services

The Care Plan identifies what services the care provider shall provide to the resident and the frequency.



Purpose: Add clarity about what residents may expect for a safe, sanitary, and comfortable living environment.

- Suitable for residential use
- Sanitary to prevent the spread of disease
- Fire and life safety





Purpose: Enhance resident rights in the areas of privacy, humane care, management of resident funds, visitation rights, freedom from harm, refusal to perform labor for the home, and control of services.

Privacy

- Including private correspondence, unless the resident's plan of service specifically calls for the care provider to monitor correspondence.

Humane Care

- Including the right to refuse assistance with bathing, continence, toileting, or dressing from any person the resident is uncomfortable receiving such care.
- A living environment free from illicit drug use or possession or other criminal activities
- Freedom from intimidation, manipulation, or coercion.
- Freedom from discrimination.
- The right to determine personal dress and hairstyle.



Personal Possessions

- Retain personal property so long as storage or use of these items do not present a fire or safety hazard.

Personal Funds

- Have use of their personal funds.
- Deposit personal funds into the resident's own financial account.
- Review financial accounting if the care provider or another individual under the care provider's influence will manage the resident's personal funds.

Access and Visitation Rights

- Immediate access by the resident's representative, department staff, resident's healthcare professionals.
- Immediate access by the resident's relatives
- Immediate access by others, subject to reasonable restrictions



Labor

- Each resident shall have the right to refuse to perform services for the certified family home.

Confidentiality

- Care Provider will obtain written consent prior to disclosing any records.

Freedom from harm

- Physical, mental, or sexual abuse, neglect, exploitation, corporal punishment, involuntary seclusion, physical restraints, and chemical restraints

Freedom of religion

Control and receipt of health-related services

- Each resident shall have the right to choose their own healthcare professionals and pharmacy
- The right to confidentiality regarding condition and treatment
- The right to decline treatment for any medical condition



Grievances

- Voice a grievance without discrimination or reprisal.
- Prompt efforts by the certified family home to resolve the grievances, including a written response from the care provider.
- Grievances may include:
 - Quality of services or care provided
 - Failure to provide services or care
 - The behavior of other residents

Participation in other activities

- Unless otherwise restricted by lawful order from a government unit or interfere with the rights of other residents in the home.

Examination of home inspection reports

Alternate care

Advance directives

Other rights established by law.



Purpose: Protects providers from certificate revocation in non-emergency situations by stipulating that the department will first allow an opportunity to make corrections.

Revocation may occur when a preponderance of evidence that such conditions exist as to endanger the health or safety of any resident, or when the provider fails to correct violations and remain in compliance after having been notified by the department of such violations and given opportunities to make corrections.





Purpose: Remove the limitation that the department can issue a care provider only one (1) provisional certificate in a 12-month period.

Provisionals are issued when a care provider is unable or unwilling to meet a standard because of one or more conditions or acts that do not immediately jeopardize the health and safety of the resident.

Provisional certificates may be granted for up to six (6) months.

The department, at its discretions, may impose conditions on the certified family home to ensure the care provider achieves compliance with the standard or to aid the department in monitoring the care provider's performance during the provisional certification period.





Purpose: Creating different resident assessment criteria for different Medicaid programs.

Publicly funded:

- According to the criteria developed to assess all participants within that respective program.

Private Pay:

- Uniform assessment criteria.





Purpose: Permitting termination of an application when the applicant does not complete the application process in a timely manner.



- Application fee payment within six (6) months of the date of invoice.
- Complete application including materials and information in the form requested by the department within twelve (12) months of paying the application fee.



Purpose: Sanctioning the certifying agent's ability to decide the activities of a compliant investigation to arrive at a conclusion informed by a thorough and objective exploration of relevant evidence.

Anyone that believes any statute or rule has been violated may file a complaint.

The certifying agent has the discretion to decide the activities of investigation while considering the nature of each allegation and arriving at a conclusion informed by a thorough and objective exploration of the known evidence.



Eliminated conflicts and inconsistencies throughout the chapter.

Two resident limit

Replaced outdated verbiage to allow providers who rent their home to exceed the two-resident limit.

Room and board

Clarifies that providers may charge room and board not only to residents, but also to other family members and full-time staff who live in the home

Corrects a miscalculation of the amount they are entitled to charge the resident.



Region	Phone Number
1: Coeur d'Alene Area	208-665-8807
2: Lewiston Area	208-779-4438
3: Nampa Area	208-455-7120
4: Boise Area	208-334-0700
5: Twin Falls Area	208-732-1515
6: Pocatello Area	208-239-6249
7: Idaho Falls Area	208-528-5721