

## **FINAL REGULATORY FLEXIBILITY ANALYSIS AND SUMMARY OF LEGISLATIVE STANDING COMMITTEE COMMENTS**

August 18, 2017

CR 16-077

Department of Health Services

Chapter DHS 133, relating to home health agencies.

### **Final Regulatory Flexibility Analysis or Summary:**

All home health agencies, both publicly and privately owned, are regulated by the department under ch. DHS 133 and ch. 50, Stats. These agencies are commonly referred to as state-only licensed home health agencies. If a home health agency participates as a provider in the Medicaid and Medicare programs, the home health agency is also regulated by the department under 42 CFR 484 and commonly referred to as a state licensed and federally certified home health agency. The department estimates that at least 50% of all licensed agencies may be considered small businesses, as defined in s. 227.114 (1), Stats., with estimated average gross annual revenues of \$4.8 million and annual payroll of 2.5 million per agency.

The proposed changes codify statute enacted in 2012 and clarify existing requirements. None of these proposed changes will have an economic impact on home health agencies. Pursuant to the foregoing analysis, the proposed rules will affect a substantial number of small businesses that are home health agencies, but the proposed rules will not have an economic impact on these businesses.

In addition, pursuant to s. 227.114 (2), Stats., the department considered the methods for reducing the impact of proposed rule revisions on small businesses. The department believes that proposed rule revisions will result in less stringent and simplified compliance requirements.

### **Comments of Legislative Standing Committees:**

No comments were received.