


**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
**OFFICE OF HEALTH CARE ASSURANCE**  
601 KAMOKILA BOULEVARD, ROOM 337  
KAPOLEI, HAWAII 96707

In reply, please refer to  
file:

June 23, 2021

**TO:** Hawaii Home Health Agencies

**FROM:** Keith R. Ridley, M.B.A.   
Chief, Office of Health Care Assurance

**SUBJECT:** U.S. Department of Veterans Affairs Referrals

Effective immediately, Hawaii's state licensed and Medicare certified home health agencies may provide home health services to a U.S. Veterans Affairs (VA) beneficiary under the care of a VA physician, VA advance practice registered nurse (APRN), VA physician's assistant (PA), or VA nurse practitioner (NP) practicing within the scope of their VA employment.

Authority is derived from 38 C.F.R. Part 17, Authority of VA Professionals to Practice Health Care. Specifically, 38 C.F.R. §17.419 provides the authority confirming the VA's current practice of allowing VA health care professionals to deliver health care services in a State other than the health care professional's State of licensure, authority to establish national standards of practice for VA health care professionals, and VA's authority to manage its health care professionals. These regulations preempt Hawaii State licensing requirements that may unduly interfere with a VA health care professionals' practice with the VA.

Further, state licensed and Medicare certified home health agencies will not be cited under state licensing or Medicare certification regulations by the Department of Health's Office of Health Care Assurance when providing home health services to VA beneficiaries under the care of VA physicians, APRNs, PAs, or NPs licensed in a State other than Hawaii.

The Department of Health is in the process of amending Chapter 97 Home Health Agencies, Hawaii Administrative Rules, and this will be included in the amended administrative rules.