NORTHEND

KENTUCKY AGENCY PATH INSIGHT

How to Choose the Right Kentucky Agency Path

Kentucky separates nonmedical Personal Services Agency certification from Home Health and Hospice licensure. Home Health and Hospice planning may also involve Certificate of Need review before licensure, while temporary facility staffing follows a separate registration path.

Personal Services Agency (PSA)

A PSA may provide nonmedical personal services that help a client live safely and independently, including assistance with activities of daily living, ambulation, facilitating medication self-administration, attendant or companion care, sitter services, respite, and homemaker services when offered with other personal services. Ordinary housekeeping, laundry, shopping, or transportation by an entity that offers no other personal services is treated differently under Kentucky law.

The Office of Inspector General (OIG) certifies PSAs under 906 KAR 1:180. The agency needs an identified manager, compliant screening and registry checks, training and competency processes, client service planning and agreements, employee and service records, complaint and incident procedures, and an operational office structure. PSA certification does not authorize skilled home-health services.

Licensed Home Health Agency

A Home Health Agency provides skilled nursing and other clinical services in a patient's residence, such as therapy, medical social services, and home health aide services under the appropriate clinical plan and supervision. Kentucky HHA operations are regulated by OIG under 902 KAR 20:081.

The pathway generally begins with Certificate of Need analysis, followed by state licensure and survey readiness. Owners should plan for qualified governance and administration, nursing supervision, clinical policies, assessments and care plans, personnel files, patient records, quality systems, emergency preparedness, and the physical location. Medicare certification, Kentucky Medicaid enrollment, accreditation, and payer contracts are separate approvals.

Hospice Program

A hospice provides coordinated palliative and supportive services for terminally ill patients and their families. Kentucky's nonresidential hospice rules require an administrative and clinical structure that includes an administrator, medical director, registered-nurse patient-care coordination, an interdisciplinary team, care planning, records, quality oversight, and 24-hour availability.

Hospice planning generally includes Certificate of Need review before OIG licensure. The program must maintain permanent facilities for administration and records. Medicare certification, Medicaid enrollment, accreditation, and payer participation remain separate from the state license.

Residential Hospice Facility

A residential hospice is a physical, state-licensed facility providing hospice care and accommodations under 902 KAR 20:380. It is not simply an office for a community hospice program. Building, life-safety, staffing, clinical, operational, and facility-survey requirements must be addressed before residents are admitted.

Health Care Services Agency

A business that refers temporary direct-care staff to Kentucky assisted-living communities, long-term-care facilities, or hospitals follows the separate Health Care Services Agency registration under 906 KAR 1:210. This staffing model is not a PSA, HHA, or hospice and does not authorize direct services to clients in their homes.

Questions to consider

- Will the agency provide companionship, homemaker support, hands-on personal assistance, skilled nursing or therapy, hospice, residential care, or temporary facility staffing?
- Will any task require a licensed clinician, physician or authorized-practitioner order, clinical assessment, delegation, or plan of care?
- Will the agency be private pay, or seek Medicare, Medicaid, waiver, managed-care, VA, or other payer reimbursement?
- Does the proposed county and service area support the Certificate of Need strategy for Home Health or Hospice?

PSA is not Home Health

The business name, LLC filing, or staffing mix does not determine the pathway. The services actually promised and performed do. A PSA should not market or deliver skilled nursing, therapy, medication administration, or other clinical services that require a licensed-provider structure merely because a caregiver is available to perform them.

Certificate of Need comes first

Kentucky generally requires Certificate of Need approval before establishing covered health facilities or services. The State Health Plan applies county-based need methods to Home Health and Hospice. Confirm current need, application timing, service-area rules, and exceptions before signing a lease, hiring leadership, or building a licensure package.

Medicare enrollment is currently paused

CMS extended the nationwide moratoria on initial Medicare enrollment for HHAs and hospices for six months effective November 13, 2026. New initial applications and certain nonexempt changes in majority ownership are affected. A Kentucky license or CON does not override the federal moratorium. Confirm the current CMS status before making a Medicare-dependent investment.

Build a survey-ready operation

Licensure is more than forms. The location, leadership, policies, personnel files, client or patient records, service agreements, care plans, quality program, emergency processes, and evidence tools should all match the selected pathway and be ready for OIG review or survey.

Licensure and payment are separate

State certification or licensure establishes authority to operate within its scope. It does not automatically enroll the agency with Medicare or Kentucky Medicaid, establish waiver participation, create managed-care contracts, or permit billing. Design the clinical, compliance, technology, and documentation systems around both the regulator and the intended payer.

Build the agency in the right order

Define services, clients, setting, workforce, counties, and payers first. Then confirm the governing agency type, CON position, ownership and location requirements, qualified leadership, policies, forms, screening, training, survey sequence, certification, enrollment, and contracting plan before taking clients.

Official starting points

Kentucky CHFS Office of Inspector General; Kentucky Certificate of Need; 906 KAR 1:180 and 1:210; 902 KAR 20:081, 20:140, and 20:380; CMS provider-enrollment moratoria.

Planning a Kentucky agency?

NorthEnd Consulting helps owners identify the correct Kentucky pathway and build the licensure, certification, documentation, and survey-readiness plan around the services they intend to provide.

Visit northendconsultants.com to discuss your agency plan

Current as of November 2026. Laws, regulations, Certificate of Need determinations, federal moratoria, application forms, fees, survey practices, certification, enrollment, and payer requirements may change. Business registration, state certification or licensure, professional licensure, facility approval, accreditation, Medicare or Medicaid enrollment, and payer contracting are separate decisions. This is a general planning resource, not legal advice. NorthEnd Consulting does not guarantee approval.