
OLR Bill Analysis

sSB 1025

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE HOMEMAKER-COMPANION AGENCY TASK FORCE.

SUMMARY

This bill implements various recommendations from the Homemaker-Companion Task Force on how the state regulates homemaker-companion agencies. Among other things, the bill requires the Department of Consumer Protection (DCP) commissioner to (1) revoke a homemaker-companion agency's registration if it violates certain statutory requirements three times in a calendar year, (2) develop training standards for the agencies' employees, (3) identify training programs that teach these standards, and (4) develop a plan to implement mandatory training standards.

The bill requires the written contracts or service plans that the agencies must give consumers (i.e., the people receiving services or their authorized representatives) to include certain information on how the agency oversees its employees. It also requires the DCP commissioner to develop (1) a model written contract and service plan and (2) a guide on how consumers can file a complaint against a homemaker-companion agency, which must be given to consumers with the contracts or service plans.

The bill requires the Office of Policy and Management secretary to develop a plan to transfer, by July 1, 2024, homemaker-companion agency registration and oversight responsibilities from DCP to the Department of Public Health (DPH). He must do this in consultation with the DCP and DPH commissioners and report on the plan to the Aging, General Law, and Public Health committees by February 1, 2024.

The bill also requires every homemaker-companion agency, by January 1, 2024, to create a printed consumer brochure and maintain a

website detailing the services it provides. An agency must provide the brochure or website address when a consumer requests it (§ 7).

Lastly, the bill (1) allows a homemaker-companion agency to use (a) the term “care” in its business name and advertising to describe the services it provides and (b) any words deemed appropriate by the DCP commissioner to describe having employees trained to provide services to people with memory difficulties and (2) specifies that the homemaker services provided by the agencies are in-home services (§§ 8-9).

EFFECTIVE DATE: Upon passage, except for the requirement that DCP post a guide on filing complaints, which is effective October 1, 2023.

§ 2 — REGISTRATION REVOCATION

The law generally allows the DCP commissioner to revoke, suspend, or refuse to issue or renew a homemaker-companion agency’s registration for (1) conduct that misleads or defrauds the public or commissioner, (2) engaging in misleading advertising, (3) failing to give a consumer a notice of legal liabilities under certain circumstances, or (4) failing to complete background checks on prospective employees and maintain the materials from them.

The bill requires the DCP commissioner to revoke a homemaker-companion agency’s registration if the agency violates any of these provisions three times in a calendar year.

§§ 3 & 4 — TRAINING STANDARDS

The bill requires the DCP commissioner to develop training standards for homemaker-companion agency employees and identify training programs that instruct on these standards. She must do this in consultation with the DPH commissioner and with guidance from relevant training organizations by January 1, 2024. The standards must (1) show the best practices for providing homemaker-companion services, (2) have instruction and training benchmarks for caring for people with memory disorders, and (3) ensure high quality care for clients.

The bill requires the DCP commissioner to post the training standards and identified training programs on DCP's website, and it allows homemaker-companion agencies to adopt the standards and train employees using the posted training programs. The bill also requires the commissioner to develop a plan to implement mandatory training standards for homemaker-companion agency employees and report this plan to the Aging Committee by February 1, 2024.

§ 5 — CONTRACTS & SERVICE PLANS

Current law requires homemaker-companion agencies to give consumers a written contract or service plan detailing the anticipated scope, type, frequency, duration, and cost of services provided by the agency within seven days of beginning services.

The bill additionally requires the agencies to develop this plan or contract in consultation with the consumer and expands the information that must be in it to include:

1. a person-centered plan of care and services;
2. the anticipated scope, type, and frequency of oversight by the agency over the employee assigned to the consumer; and
3. how often the person who oversees the agency's employee and the consumer will meet.

The bill requires the DCP commissioner to develop a model service plan and written contract and post them on DCP's website by January 1, 2024. By law, a service plan or contract between a homemaker-companion agency and a consumer is not enforceable unless it contains all required information.

§§ 5 & 6 — COMPLAINTS

The bill requires the DCP commissioner, by October 1, 2023, to post on DCP's website a guide detailing the process for homemaker-companion agency consumers to file complaints against an agency. It requires the agencies to also give consumers a printed copy of this guide when they give them the written contract or service plan as described

above.

COMMITTEE ACTION

Aging Committee

Joint Favorable Substitute

Yea 15 Nay 0 (02/28/2023)