

Aging Committee JOINT FAVORABLE REPORT

Bill No.: SB-1025
AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE HOMEMAKER-
Title: COMPANION AGENCY TASK FORCE.
Vote Date: 2/28/2023
Vote Action: Joint Favorable Substitute
PH Date: 2/21/2023
File No.:

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SPONSORS OF BILL:

Aging Committee

REASONS FOR BILL:

The bill specifies that OPM in consultation with the Commissioners of Consumer Protection and the Dept. of Public Health shall develop a plan to transfer the responsibility for registration and oversight of homemaker/companion agencies from Consumer Protection to the Dept of Public Health by 7/1/24.

JFS language (LCO 5084) adds Sections 8 – which includes a definition of home care services and Section 9 – which allows homemaker service agencies to include the word "care" in their business name.

RESPONSE FROM ADMINISTRATION/AGENCY:

Dept. of Social Services, Ms. Andrea Barton Reeves, Commissioner: The Dept. submitted testimony in **support** of this proposal and indicated that they looked forward to working with the Dept of Public Health and the Dept. of Consumer Protection to accomplish the task. They feel it will strengthen the quality of homemaker-companion agencies and their delivery of care to their clients.

Dept. of Public Health, Dr. Manisha Juthyani, Commissioner: They are **supportive** of this bill but request that because of the amount of work that a shift like this would require that the timeline for this plan be extended by a year. The process that the DPH would use to regulate and monitor the Homemaker Companion Agencies would be different from what the DCP currently monitors. While their focus lies more in monitoring business practices theirs would be for the health and safety of the services provided by the agencies. This would require that

the DPH to build an entirely new regulatory framework to adequately monitor this industry. Finally, we recommend that the date for implementation of the plan be removed because when the plan is presented to the legislature, they will need it to codify the plan in statute and appropriately resource the oversight function in the budget for the DPH to have the authority to build the program.

Dept. of Consumer Protection, Ms. Michelle Seagull, Commissioner: While they did not specify support or opposition in their testimony, they did offer suggestions to better implement provisions of the legislation. Since 2008 the Dept. had regulated homemaker-companion agencies. Over the last decade state and federal policies continued to shift to encourage senior citizens to "age in place" and homemaker-companion agencies have increased by over 900 at the end of 2022. This bill incorporates many of the recommendations of the Task Force concerning a study of Homemaker-Companion Agencies Issues which required OPM to develop a plan to transition the regulation of them from DCP to the DPH. The DCP participated in the Task Force meetings. They note that as currently written could be construed to require DCP to revoke the HCA's credentials. They suggest that language be changed so that if, they discover numerous, repeat violations DCP can work with the agency to get them into compliance and not have to shut down an agency that consumers are relying on to provide services. They also note that they will need additional staff to implement several requirements of the bill. They request that the deadlines for providing training and communication materials that are set forth in Section 3 and 4 are revised so they can hire a temporary subject matter expert who can produce those materials. They don't have a health-based expert in house to produce this training material, so it is not possible to comply with the provisions of those sections within the timeframe set forth.

Commission on Women, Children, Seniors, Equity & Opportunity, Ms. Kiley Pratt, Masters Student, Yale School of Public Health: They are in **support** of this bill and believe that it helps to address accessibility, credibility and the future longevity of this industry. The reduction of confusion about homecare worker details will be made easier by the transfer of oversight responsibility for homemaker-companion agencies to the Dept. of Public Health. This must also be supported by an increase in personnel. In keeping with the recommendations of the HCA Task Force they support not only this transfer of responsibility but also the adequate resourcing of current and future regulatory agencies.

NATURE AND SOURCES OF SUPPORT:

Homemaker-Companion Agency Task Force, Ms. Anne Foley, Chairman: They offered testimony in **support** of this legislation and the three priorities suggested by the task force. Their recommendations are to transfer oversight of Homemaker Companion Agencies from the Dept. of Consumer Protection to the Dept. of Public Health. Through its research and hearings, they found that the state system for providing oversight is confusing and does not serve the industry or its vulnerable clients. Another priority is to provide adequate resources for the regulatory system. They hope that the Aging Committee will advocate with the Appropriations Committee to provide the necessary funding for regulatory oversight and finally the adoption of stricter registration processes and requirements for these agencies.

Ms. Leah Cantor, Advocate: She urges **support** for this bill and the careful consideration of the supplemental language needed to achieve the intent of this proposal. Specific language and suggestions were included in her testimony. She offered detailed testimony including

antidotal evidence concerning her own experiences with the Dept. of Consumer Protection and the timeliness of investigations and their lack of transparency

Alzheimer's Association, Connecticut Chapter,
Ms. Christy Kovel, Director of Public Policy
Ms. Karen Carty, Legislative Ambassador and Community Educator
Ms. Casey McGannon, Volunteer
Ms. Lisa Marshall, Volunteer
Ms. Erin Mahoney, Volunteer
Ms. Marilyn Kowalski, Volunteer.

They **support** the priority recommendations mentioned in the Homemaker-Companion Agency Task force especially the transition of oversight of these agencies from the Dept. of Consumer Protection to the Dept. of Public Health. It is pointed out that we are the only state where skilled care and non-skilled care home care agencies report to two different state departments. They also stress the importance for creating specific training standards for homecare agencies. The testimony also included antidotal evidence of the treatment and care given to loved ones with Alzheimer's and dementia.

LeadingAge Connecticut, Ms. Mag Morelli, President: Their testimony was in **support** of this bill although it did not make any observations concerning the transfer of responsibility for homemaker-companion agencies from the Dept. of Consumer Protection to the Dept. of Public Health. They do support any initiative to assist the consumer in understanding the aging services continuum that is available to them in the state. They understand that the homemaker and companion is not a licensed or certified health care professional, but the reality is that they will be working with persons who are experiencing various levels of memory loss and dementia. Training this workforce to understand the disease and to learn the tools and technics available to provide the non-medical long-term services for their clients is important. They do have concerns about the development of mandatory training as required in Section 4. They urge those who will review them to consult with provider, professional and advocacy groups before approving any mandatory course of training.

AgingCT, North Central Area Agency on Aging, Ms. Maureen McIntyre, CEO: They are in **support** of this bill that would implement the recommendations of the Homemaker-Companion Agency Task Force with a focus on the following priorities. The transition of the regulation of Homemaker-Companion Agencies from the DCP to the DPH and for the establishment of minimum training standards for caregivers.

The ARC Connecticut, Ms. Carol Scully, Director of Advocacy: Their testimony **supports** this bill and the requirement that OPM develop a plan to transition registration and oversight responsibilities for homemaker companion agencies from the DCP to the DPH. They also suggest that language be amended in Section 3(b) to include persons with intellectual developmental disabilities in the list to provide training.

AARP Connecticut, Ms. Anna Doroghaze, Associate State Director, Advocacy and Outreach: They are supportive of this legislation which would transfer oversight of Homemaker Companion Agencies from the DCP to the DPH, revoke the certificate of registration of agencies that violate standards, develop training standards, and develop a model written contract and service plan.

**Masonicare at Home, Ms. Samantha Buonanno, Executive Director:
Connecticut Assoc. for Healthcare at Home, Ms. Tracy Wodatch, President and CEO:
Home Care Assoc. of America, Ms. Marlene Chickerella, Chairwoman:
Fairfield Senior Advocates, William Lenahan, Member:**

All offered their testimony in **support** of this bill with the reservation concerning the Dept. of Consumer Protection's prohibition of the use of the word "care" in the names of their agencies and in advertising. It is important to distinguish between medical and non-medical homecare, but non-medical "care" is still "care" and should be identified as such.

**Synergy HomeCare, Ms. Jay Kiley, Owner:
Assisted Living Home Care Services, Mr. Ronald D'Aquila, CEO, Mario D'Aquila, COO:
Seniors Helping Seniors, Ms Lisa Brower, Owner
Always Best Care, Ms. Susan Oderwald, Owner:
Seniors Helping Seniors, MS. Maria Cerino, Owner (member of the Homemaker Companion Agency Task Force):
B&M Homemaking and Companion Services, Ms. Marlene Chicherella, Partner:
Pansy Homecare Service, Mr. Jonah Francis, Co-owner:
Day Kimball Healthcare, Ms. Terri Ducharme RN, Program Manager:
Elder Choice of Connecticut, Mr. John Shulansky:
Care Connection, Ms. Elizabeth Stea, Director:
Always Best Care, Ms. Susan Oderwald, Owner:
Assured Quality Homecare, Mr. Caleb Roseme, COO:
HCP-Lifetime Care at Home, Mr. Guy Tommasi, Manager of Operations:
Always Best Care, Ms. Kristine Lajeunesse, Owner:
Home Instead, Mr. Roger Ross, Owner:
Home Helpers, Inc., Mr. Kurt Glaser, Owner:
Home Instead, Ms. Heather Gately, Owner:
SYNERGY Homecare, Mr. Gordon Wall, President:
Right At Home, Ms Betsy Dietz Mollway:
Pafy Care Management, Ms. Sharon Gauthier, RN/MSN/MPH/CDP, Owner/President:**

All were **supportive** of this bill and the recommendations of the task force. Some included antidotal evidence concerning levels of care including some deficiencies that this bill would help to address. Many included comments concerning the Dept. of Consumer Protection's prohibition of the use of the word "care" in the names of their agencies and in their advertising. They felt that is important to distinguish between medical and non-medical homecare, but non-medical "care" is still "care" and should be identified as such.

NATURE AND SOURCES OF OPPOSITION:

None

Reported by: Richard Ferrari, Assist. Clerk

Date: 3/9/23