



General Assembly

**Substitute Bill No. 1025**

January Session, 2023



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) The Secretary of the Office of Policy  
2 and Management, in consultation with the Commissioners of Consumer  
3 Protection and Public Health, shall develop a plan to transfer the  
4 responsibility for registration and oversight of homemaker-companion  
5 agencies, as defined in section 20-670 of the general statutes, as amended  
6 by this act, from the Department of Consumer Protection to the  
7 Department of Public Health by July 1, 2024. Not later than February 1,  
8 2024, the secretary shall report, in accordance with section 11-4a of the  
9 general statutes, on such plan to the joint standing committees of the  
10 General Assembly having cognizance of matters relating to aging,  
11 general law and public health.

12 Sec. 2. Section 20-675 of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective from passage*):

14 (a) The Commissioner of Consumer Protection may revoke, suspend  
15 or refuse to issue or renew any certificate of registration as a  
16 homemaker-companion agency or place an agency on probation or issue  
17 a letter of reprimand for: (1) Conduct by the agency, or by an employee  
18 of the agency while in the course of employment, of a character likely to

19 mislead, deceive or defraud the public or the commissioner; (2)  
20 engaging in any untruthful or misleading advertising; (3) failure of such  
21 agency that acts as a registry to comply with the notice requirements of  
22 section 20-679a; or (4) failing to perform a comprehensive background  
23 check of a prospective employee or maintain a copy of materials  
24 obtained during a comprehensive background check, as required by  
25 section 20-678.

26 (b) The commissioner shall revoke a certificate of registration if a  
27 homemaker-companion agency violates any of the provisions of  
28 subdivisions (1) to (4), inclusive, of subsection (a) of this section three  
29 times in one calendar year.

30 [(b)] (c) The commissioner shall not revoke or suspend any certificate  
31 of registration except upon notice and hearing in accordance with  
32 chapter 54.

33 Sec. 3. (NEW) (*Effective from passage*) (a) Not later than January 1, 2024,  
34 the Commissioner of Consumer Protection, in consultation with the  
35 Commissioner of Public Health, and with the advice and guidance of  
36 relevant training organizations, shall (1) develop training standards for  
37 homemaker-companion agency employees, as defined in section 20-670  
38 of the general statutes, as amended by this act, that (A) exemplify best  
39 practices for providing homemaker and companion services, as defined  
40 in section 20-670 of the general statutes, as amended by this act, (B)  
41 provide instruction and specialized training benchmarks for the care of  
42 clients with Alzheimer's disease, dementia and other related conditions,  
43 and (C) ensure a high quality of care for homemaker-companion agency  
44 clients, and (2) identify training programs that provide instruction in the  
45 standards identified pursuant to subdivision (1) of this subsection. The  
46 Commissioner of Consumer Protection shall post such training  
47 standards and a list of such training programs on the Department of  
48 Consumer Protection's Internet web site.

49 (b) Homemaker-companion agencies may adopt the training  
50 standards and train employees using the training programs posted on

51 the department's Internet web site pursuant to subsection (a) of this  
52 section.

53 Sec. 4. (*Effective from passage*) The Commissioner of Consumer  
54 Protection shall develop a plan to implement mandatory training  
55 standards for employees of homemaker-companion agencies, as  
56 defined in section 20-670 of the general statutes, as amended by this act.  
57 Not later than February 1, 2024, the commissioner shall report, in  
58 accordance with the provisions of section 11-4a of the general statutes,  
59 on such plan to the joint standing committee of the General Assembly  
60 having cognizance of matters relating to aging.

61 Sec. 5. Section 20-679 of the general statutes is repealed and the  
62 following is substituted in lieu thereof (*Effective October 1, 2023*):

63 (a) Not later than seven calendar days after the date on which a  
64 homemaker-companion agency commences providing homemaker  
65 services or companion services, such agency shall provide the person  
66 who receives the services, or the authorized representative of such  
67 person, with a written contract or service plan. The written contract or  
68 service plan shall be developed in consultation with such person or  
69 authorized representative and include (1) a person-centered plan of care  
70 and services that prescribes the anticipated scope, type, frequency,  
71 duration and cost of the services provided by the agency, (2) the  
72 anticipated scope, type and frequency of oversight of an employee  
73 assigned to such person by the homemaker-companion agency, and (3)  
74 a predetermined frequency of meetings between the person who  
75 oversees such employee and the person who receives the services, or the  
76 authorized representative of such person. In addition, any contract or  
77 service plan provided by a homemaker-companion agency to a person  
78 receiving services shall also provide conspicuous notice, in boldface  
79 type [(1)] (A) of the person's right to request changes to, or review of the  
80 contract or service plan, [(2)] (B) of the employees of such agency who,  
81 pursuant to section 20-678 are required to submit to a comprehensive  
82 background check, [(3)] (C) that upon the request of such person or an  
83 authorized representative of such person, such agency shall provide

84 such person or representative of such person with written notice that a  
85 comprehensive background check, as required pursuant to section 20-  
86 678, was performed for all employees of such agency performing  
87 services for such person, [(4)] (D) that such agency's records are  
88 available for inspection or audit by the Department of Consumer  
89 Protection, [(5)] (E) that the agency is not able to guarantee the extent to  
90 which its services will be covered under any insurance plan, and [(6)]  
91 (F) that such contract or service plan may be cancelled at any time by  
92 the client if such contract or service plan does not contain a specific  
93 period of duration. On the date that a homemaker-companion agency  
94 provides such contract or service plan to such person, the agency shall  
95 also provide a printed copy of the guide that details the process by  
96 which such person, or such person's authorized representative, may file  
97 a complaint against such agency, posted on the Department of  
98 Consumer Protection's Internet web site pursuant to section 6 of this act.  
99 No contract or service plan for the provision of homemaker or  
100 companion services shall be valid against the person who receives the  
101 services or the authorized representative of such person, unless the  
102 contract or service plan has been signed by a duly authorized  
103 representative of the homemaker-companion agency and the person  
104 who receives the services or the authorized representative of such  
105 person. The requirements of this section shall not apply to homemaker  
106 services or companion services provided under the Connecticut home-  
107 care program for the elderly administered by the Department of Social  
108 Services in accordance with section 17b-342. A written contract or  
109 service plan between a homemaker-companion agency and a person  
110 receiving services or the authorized representative of such person shall  
111 not be enforceable against such person receiving services or authorized  
112 representative unless such written contract or service plan contains all  
113 of the requirements of this section.

114 (b) Nothing in this section shall preclude a homemaker-companion  
115 agency that has complied with [subdivisions (1) to (6)] subparagraphs  
116 (A) to (F), inclusive, of subsection (a) of this section from the recovery of  
117 payment for work performed based on the reasonable value of services

118 which were requested by the person receiving services, provided the  
119 court determines that it would be inequitable to deny such recovery.

120 (c) The Commissioner of Consumer Protection shall develop a model  
121 written contract and model service plan, as described in subsection (a)  
122 of this section. Not later than January 1, 2024, the commissioner shall  
123 post such model written contract and model service plan on the  
124 department's Internet web site.

125 Sec. 6. (NEW) (*Effective from passage*) Not later than October 1, 2023,  
126 the Commissioner of Consumer Protection shall post a guide that details  
127 the process by which a person who receives homemaker services or  
128 companion services, as defined in section 20-670 of the general statutes,  
129 as amended by this act, or the authorized representative of such person,  
130 may file a complaint against a homemaker-companion agency, as  
131 defined in section 20-670 of the general statutes, as amended by this act,  
132 on its Internet web site.

133 Sec. 7. (NEW) (*Effective from passage*) On and after January 1, 2024,  
134 each homemaker-companion agency, as defined in section 20-670 of the  
135 general statutes, as amended by this act, shall have a printed consumer  
136 brochure and maintain an Internet web site detailing the homemaker  
137 and companion services offered by such agency and provide such  
138 brochure or the address of such Internet web site upon the request of  
139 consumers.

140 Sec. 8. Subdivision (8) of section 20-670 of the general statutes is  
141 repealed and the following is substituted in lieu thereof (*Effective from*  
142 *passage*):

143 (8) "Homemaker services" means nonmedical and supportive in-  
144 home care services, including, but not limited to, assistance with  
145 cooking, household cleaning, laundry, personal hygiene and other  
146 household chores, that ensure a healthy and safe environment for a  
147 person in the person's home.

148 Sec. 9. Section 20-677 of the general statutes is amended by adding

149 subsection (g) as follows (*Effective from passage*):

150 (NEW) (g) A homemaker-companion agency may include in its  
151 business name and advertising (1) the term "care" if such term is used in  
152 reference to such agency's provision of homemaker services, and (2) any  
153 words that accurately describe, as determined by the commissioner, that  
154 such agency has employees who are trained to provide homemaker  
155 services to individuals experiencing memory difficulties.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	20-675
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>October 1, 2023</i>	20-679
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	20-670(8)
Sec. 9	<i>from passage</i>	20-677(g)

**AGE**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*