



General Assembly

Amendment

February Session, 2006

LCO No. 5063

SB0004405063SD0

Offered by:

SEN. HARRIS, 5th Dist.

SEN. PRAGUE, 19th Dist.

REP. WINKLER, 41st Dist.

To: Senate Bill No. 44

File No. 96

Cal. No. 113

"AN ACT CONCERNING REGISTRATION OF HOMEMAKER-COMPANION AGENCIES WITH THE DEPARTMENT OF CONSUMER PROTECTION."

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- 1 Change the effective date of sections 1 to 8, inclusive, to "October 1,
2 2006"
- 3 In lines 30 and 50, before "scope" insert "anticipated"
- 4 In line 46, strike "state" and insert "comprehensive background" in
5 lieu thereof
- 6 In line 47, strike "criminal history records"
- 7 In line 51, strike "and (3)" and insert "(3) such agency maintains a
8 surety bond, and (4)" in lieu thereof
- 9 Strike sections 9, 10 and 11 in their entirety and substitute the
10 following in lieu thereof:

11 "Sec. 9. (NEW) (*Effective October 1, 2006*) Each homemaker-
12 companion agency shall require that any employee of such agency
13 hired on or after October 1, 2006, submit to a comprehensive
14 background check. In addition, each homemaker-companion agency
15 shall require that any employee of such agency hired on or after
16 October 1, 2006, complete and sign a form which contains questions as
17 to whether the current or prospective employee was convicted of a
18 crime involving violence or dishonesty in a state court or federal court
19 in any state; or was subject to any decision imposing disciplinary
20 action by a licensing agency in any state, the District of Columbia, a
21 United States possession or territory or a foreign jurisdiction. Any
22 employee of a homemaker-companion agency hired on or after
23 October 1, 2006, who makes a false written statement regarding such
24 prior criminal convictions or disciplinary action shall be guilty of a
25 class A misdemeanor.

26 Sec. 10. (NEW) (*Effective October 1, 2006*) Not later than seven
27 calendar days after the date on which a homemaker-companion
28 agency commences providing homemaker services or companion
29 services, such agency shall provide the person who receives the
30 services, or the authorized representative of such person, with a
31 written contract or service plan that prescribes the anticipated scope,
32 type, frequency, duration and cost of the services provided by the
33 agency. In addition, any contract or service plan provided by a
34 homemaker-companion agency to a person receiving services shall
35 also provide notice (1) of the person's right to request changes to, or
36 review of the contract or service plan, (2) of the employees of such
37 agency who, pursuant to section 9 of this act are required to submit to
38 a comprehensive background check, and (3) that such agency's records
39 are available for inspection or audit by the Department of Consumer
40 Protection. No contract or service plan for the provision of homemaker
41 or companion services shall be valid against the person who receives
42 the services or the authorized representative of such person, unless the
43 contract or service plan has been signed by a duly authorized
44 representative of the homemaker-companion agency and the person

45 who receives the services or the authorized representative of such
46 person. The requirements of this section shall not apply to homemaker
47 services or companion services provided under the Connecticut home-
48 care program for the elderly administered by the Department of Social
49 Services in accordance with section 17b-342 of the 2006 supplement to
50 the general statutes.

51 Sec. 11. (NEW) (*Effective October 1, 2006*) (a) The Commissioner of
52 Consumer Protection shall adopt regulations, in accordance with
53 chapter 54 of the general statutes, to carry out the provisions of
54 sections 1 to 10, inclusive, of this act. The Commissioner of Consumer
55 Protection may implement policies and procedures necessary to
56 administer the provisions of this section while in the process of
57 adopting such policies and procedures as regulations, provided the
58 commissioner prints notice of the intent to adopt the regulations in the
59 Connecticut Law Journal not later than twenty days after the date of
60 implementation. Such policies and procedures shall be valid until the
61 time final regulations are adopted.

62 (b) Not later than January 1, 2008, the Commissioner of Consumer
63 Protection shall report, in accordance with section 11-4a of the general
64 statutes, on the implementation of the provisions of sections 1 to 10,
65 inclusive, of this act to the select committee of the General Assembly
66 having cognizance of matters relating to aging and to the office of the
67 Governor. Such report may include recommended revisions to the
68 general statutes or other changes that the commissioner deems
69 necessary or advisable to enhance the implementation of the
70 provisions of sections 1 to 10, inclusive, of this act."