

**TESTIMONY IN SUPPORT OF RAISED BILL 853**  
**AN ACT LIMITING LIABILITY FOR HOMEMAKERS AND COMPANIONS WHO**  
**TRANSPORT HOME CARE RECIPIENTS.**

My name is Nancy Trawick-Smith and I am the Director of Community Companion and Homemaking Services, a non-profit Companion-Homemaker agency that has operated in Willimantic since 1992. My agency has contracted to provide homemaker and companion services to the older adults who receive services under the Connecticut Home Care Program for Elders since the program's beginning over a decade ago. I am also a member of the Board of Directors of the Connecticut Homemakers and Companions Association, a grass roots association representing some 40 Companion-Homemaker associations in Connecticut.

I am testifying in support of SB 853, *An Act Limiting the Liability for Homemakers and Companions who Transport Home Care Recipients* although I would like to see some modifications to this bill. Just a little background, for over a decade there has been the expectation that homemakers and companions who provide non-medical services to older adults under the Connecticut Home Care Program for Elders also provide transportation for their clients to medical appointments, to stores, and on errands. Under the official definition of a homemaker or a companion there is no mention of the word "transportation" or "livery." Officially, they are people who prepare meals, clean the home of the older person, shop, provide medication reminder, or supervise the frail older person while their caregiver is away. Yet they provide a great deal of the transportation services for their clients in their own vehicles. Case managers want only what's best for their clients and sometimes find the medical livery services that are funded by the state incapable of giving the client the personal attention they need. Therefore, over the years the practice of case managers asking homemaker-companion agencies for transportation services has mushroomed. One agency that serves the Northeastern part of the state provides 120 trips per month to medical appointments, grocery stores, and hair appointments. However, because transportation is not a part of the job description in our contract, the companion-homemaker agency is not compensated for mileage or for the liability the companion-homemaker and the agency incur rendering this service. The agency is paid the same hourly amount for transporting an older adult ten miles to the doctor as they are for having their homemaker do the older individual's laundry. It is truly an unfair system.

This bill tries to address the liability issue. We have become a society of people who are terrified to carry any non-family member in our cars for fear something will happen and we will be sued. Volunteer transportation programs are springing up nationally and many states have worked to deal with this liability issue. This legislation is a start but if we are to continue to ask companion, homemakers, and the companion-homemaker agencies to continue this valuable service then we need to limit their liability. I would advocate for rewording this bill so that it is clear that both the agency and the employee have limited liability. It is not fair that agencies that are expected to provide this service could lose everything because of one accident.

I would like to thank you for allowing me to speak and encourage any of you to contact me at any time.

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