

# **Legislative Regulation Review Committee**

2009-038

Department of Consumer Protection

**REGISTRATION OF HOMEMAKER  
COMPANION AGENCIES**

**STATE OF CONNECTICUT  
REGULATION  
OF THE  
DEPARTMENT OF CONSUMER PROTECTION  
CONCERNING THE REGISTRATION OF  
HOMEMAKER-COMPANION AGENCIES**

The Regulations of Connecticut State Agencies are amended by adding sections 20-670-1 through 20-670-4, inclusive, as follows:

**Section 1. (NEW) Section 20-670-1. Registration revocation, suspension, or refusal to issue or renew.**

The Commissioner of Consumer Protection may revoke, suspend, refuse to issue or renew any certificate of registration as a homemaker-companion agency, place an agency on probation, or issue a letter of reprimand for:

- (1) Conduct by the agency of a character likely to mislead, deceive or defraud the public or the Commissioner; or
- (2) Engaging in any untruthful or misleading advertising.

**Sec. 2. (NEW) Section 20-670-2. Homemaker companion hiring practices.**

(a) The agency shall conduct a comprehensive background check of all employees and prospective employees. The agency shall require the employee or prospective employee to complete and sign a form which contains questions as to whether the current or prospective employee has been convicted of a crime involving violence or dishonesty in a state court or federal court in any state, or was subject to any decision imposing disciplinary action by a licensing agency in any state, the District of Columbia, a United States possession or territory or a foreign jurisdiction. The certification by each employee or prospective employee shall read:

"I certify that the statements made by me on this application are true and complete to the best of my knowledge and are made in good faith. I understand that if I knowingly make any misstatements of fact, I am subject to disqualification, dismissal, or other action pursuant to employment agency policy and procedure, and subject to criminal penalties as prescribed by law."

(b) The agency shall maintain the form and comprehensive background check for each agency employee during the time of employment and for a period of three years from the date of the end of the employment relationship. The agency shall make the form and comprehensive background check available for inspection by agents of the Department of Consumer Protection during reasonable times.

(c) Applications for employment shall comply with Connecticut General Statutes Section 31-51i.

**Sec. 3. (NEW) Section 20-670-3. Client service agreements**

(a) A written contract or service plan shall be provided by the agency to the client, and a copy shall be kept by the Homemaker-Companion Agency. The agency shall not enforce the written contract or service plan unless it is signed by both the agency and client.

(b) Written contracts or service plans shall:

- (1) provide a list of the anticipated services to be provided by the agency to the client, the term and cost of said services, a clear definition of the employee, provider and client

**CERTIFICATION**

M-39 REV. 1/77

Be it known that the foregoing:

Regulations  Emergency Regulations

Are:

Adopted  Amended as hereinabove stated  Repealed

By the aforesaid agency pursuant to:

Sections **4-168** and **20-680(a)** of the General Statutes and  
 Sections \_\_\_\_\_ of the General Statutes, as amended by Public Act. No. \_\_\_\_\_ of the \_\_\_\_\_ Public Acts.  
 Public Act. No. \_\_\_\_\_ of the Public Acts.

After publication in the Connecticut Law Journal on Oct. 24 2006 of the notice of the proposal to:

Adopt  Amend  Repeal such regulations

(If applicable): And  the holding of an advertised public hearing on 6th day of Dec ~~2006~~ 2006.

WHEREFORE, the foregoing regulations are hereby:

Adopted  Amended as hereinabove stated  Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_\_.

In Witness Whereof:	DATE <u>9/30/08</u>	SIGNED (Head of Board, Agency or Commission) <i>Jerry Farned</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
---------------------	------------------------	---	---

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>William P. A-11</i>	DATE <u>11/4/08</u>	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
---	----------------------------------	------------------------	---

- Approved.
- Disapproved.
- Disapproved in part (Indicate Section Numbers disapproved only).
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
--	------	---

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY
------	---------------------------------	----

**INSTRUCTIONS**

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.