

TESTIMONY OF KEVIN DONOHUE, OWNER OF DANBURY NURSES REGISTRY
IN OPPOSITION OF RAISED BILL 6432

Senator Osten, Representative Tercyak and members of the Labor and Public Employees Committee, My name is Kevin Donohue, and I live in Newtown, CT. I own the Danbury Nurses Registry a family owned Homecare Registry in operation since 1930. I am also a founding member of the CT Association of Home Care Registries as well as a member of the Private Care Association, a national association of home care registries. Both organizations are committed to maintaining quality standards in the registry segment of the homecare industry and to promote cooperation and provide education to lawmakers at the State and Federal levels.

I am here to oppose RB 6432 "An Act Concerning Homemaker Services and Homemaker Companion Agencies."

Raised Bill 6432 limits the choices of consumers who are looking to hire an independent contractor to provide home care services for themselves or their loved ones. The proposed legislation is also a manifestation of an ongoing turf war facilitated by employee-based agencies against homecare registries simply because these agencies can't compete against the prices offered by independent contractors. Although this Bill is against registries, employee-based agencies have an even greater problem trying to compete against independent contractors that sell their services directly by advertising in internet sites, Craigslist and local newspapers. I just took an informal count of ads posted in my town for providing care or looking for care and found 23. These ads were in local papers, Craigslist and care.com. Not one of these forums pre-screen and check credentials of the persons placing the ad.

Home care registries provide a safer choice for consumers, who would otherwise be hiring caregivers directly from the aforementioned sources. Registries also provide caregivers' access to these consumers but only after a thorough vetting process. These consumers choose this option either by preference or in my experience mostly for economic reasons. Homecare registries provide an invaluable service in protecting consumers by properly screening and vetting these independent caregivers. Home care registries must register as Homemaker-Companion Agencies under the Department of Consumer Protection and are held to the same standards as employee-based agencies.

RB 6432 seeks to establish that the outlet by which the independent contractor presents their services to the public, aka the registry, must be their employer. If so, then one could reasonably conclude that because a caregivers offer their services through craigslist, then craigslist should be held responsible for payment of wages and become their employer. Or perhaps the supermarket in which the caregiver left their advertisement.

Registries DO NOT offer homecare services; they merely offer consumers access to a pool of prescreened, properly vetted caregivers available for immediate consideration by the consumer. This consumer would otherwise look elsewhere for that caregiver potentially at their own peril.

We ask that the committee set aside RB 6432 in favor of SB 518 "AN ACT CREATING A TASK FORCE TO STUDY EMPLOYMENT ISSUES CONCERNING REGISTRIES IN THE HOMEMAKER AND COMPANION SERVICES INDUSTRY. SB 518 passed the Aging Committee (11 yay- 1 abstention). It creates a balanced task force that will address this very issue in depth. The task force will have adequate time, resources, and perspectives to properly review this issue and make the appropriate recommendations. The Independent Contractor v Employee issue is complex and cannot be articulated here in 3 minutes of testimony by either proponents or opponents of SB 6432.

Thank you for your time and the opportunity to address the committee. I will gladly answer any questions you may have to the best of my ability.