



**Public Hearing Testimony of
Sharon Palmer, Commissioner
Department of Labor
Labor and Public Employees Committee
February 26, 2013**

Good Afternoon Senator Osten, Representative Tercyak, Senator Markley, Representative Smith and members of the Labor and Public Employees Committee. Thank you for the opportunity to provide you with testimony regarding *House Bill #6432: AAC Concerning the Employers of Individuals Providing Homemaker Services, Companion Services and Homemaker-Health Aide Services*. My name is Sharon M. Palmer and I am the Labor Commissioner.

I am here to speak in support of this bill that concerns a major issue for individuals who receive in home care from homemaker and companions services. Last year, Senator Prague heard from many constituents that individuals who receive in-home care from homemakers and companions were deemed to be the employer of the in-home workers by state agencies. At her direction, my Deputy Commissioner met with representatives from state agencies to see what if anything could be done about this situation. This proposal was the outcome of those meetings. Without this bill, the individual to whom the services of a homemaker/companion are provided would most likely be deemed the employer of the homemaker and companion for wage payment laws and under the Unemployment Compensation Act and the Workers' Compensation Act.

This bill seeks to ensure that homemaker-companion agencies, homemaker-home health aide agencies and registries providing homemaker and companion services shall be deemed to be the employer of the individual supplied or referred to a consumer to provide homemaker or companion services and shall be responsible for the payment of wages, unemployment and workers' compensation insurance payments which will protect the consumer from liability for such payments. This bill will also remove liability from the consumer for the individual's personal injuries that may arise out of and in the course of employment from the consumer.

Thank you for this opportunity to provide testimony here today. I am available to answer any questions you may have.