



Senate Bill No. 867

Public Act No. 17-53

AN ACT CONCERNING NOTICE REQUIREMENTS FOR HOME HEALTH CARE REGISTRIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 20-679a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) [Not later than four calendar days after the date on which a] A registry that supplies, refers or places an individual with a consumer [the registry] shall provide the consumer with a written notice, to be signed by the consumer, specifying the legal liabilities of such registry to the individual supplied or referred to or placed with the consumer. Such notice shall be given to the consumer before the commencement of services and such services shall not commence until the registry receives a signed copy of the notice from the consumer, unless a bona fide emergency exists and such registry details the specific nature of the emergency on a form approved by the department and signed by the consumer or an authorized representative of the consumer. If a bona fide emergency exists, the registry shall provide such notice not later than four calendar days after the date on which it supplies, refers or places an individual with a consumer. If the registry maintains an Internet web site, a sample of the notice shall be posted on such Internet web site.

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(b) Each notice provided to a consumer pursuant to subsection (a) of this section shall be written in boldface type and plain language and shall comply with the plain language standard detailed in section 42-152. Such notice shall include a statement identifying the registry as an employer, joint employer, leasing employer or nonemployer, as applicable, along with a statement advising the consumer he or she may be considered an employer under law and, if that is the case, the consumer may be held responsible for the payment of federal and state taxes, Social Security, overtime and minimum wage, unemployment, workers' compensation insurance payments and any other applicable payment required under state or federal law. The notice shall also include a statement that the consumer should consult a tax professional if he or she is uncertain about his or her responsibility for the payment of such taxes or payments.

(c) For purposes of this section, a homemaker-companion agency that supplies, refers or places an independent contractor with a consumer for the provision of companion or homemaker services shall be considered a registry, as defined in section 20-670, and shall be required to provide the consumer with a notice pursuant to subsection (a) of this section.

Approved June 13, 2017