



General Assembly

January Session, 2017

***Raised Bill No. 867***

LCO No. 4304



Referred to Committee on GENERAL LAW

Introduced by:  
(GL)

***AN ACT CONCERNING NOTICE REQUIREMENTS FOR HOME HEALTH CARE REGISTRIES.***

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

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 Section 20-679a of the general statutes is repealed and the  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

3 (a) [Not later than four calendar days after the date on which a] A  
4 registry that supplies, refers or places an individual with a consumer [,  
5 the registry] shall provide the consumer with a written notice, to be  
6 signed by the consumer, specifying the legal liabilities of such registry  
7 to the individual supplied or referred to or placed with the consumer.  
8 Such notice shall be given to the consumer before the commencement  
9 of services and such services shall not commence until the registry  
10 receives a signed copy of the notice from the consumer, unless a bona  
11 fide emergency exists and such registry details the specific nature of  
12 the emergency on a form approved by the department and signed by  
13 the consumer or an authorized representative of the consumer. If a  
14 bona fide emergency exists, the registry shall provide such notice not  
15 later than four calendar days after the date on which it supplies, refers

16 or places an individual with a consumer. If the registry maintains an  
17 Internet web site, a sample of the notice shall be posted on such  
18 Internet web site.

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	20-679a

**Statement of Purpose:**

To provide an exception for emergency circumstances that prevent home health care registries from complying with notice requirements at the time a contract is entered into with a consumer.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*