OLR Bill Analysis  
SB 1051  

AN ACT STRENGTHENING HOME CARE SERVICES.  

SUMMARY  

This bill requires the Department of Consumer Protection (DCP) to establish and maintain a directory of homemaker-companion agency employees and requires homemaker-companion agencies to submit information on each employee. It also requires agencies to submit annual cost reports and audited financial statements to DCP and allows cost reports to be the same as those submitted to the federal Centers for Medicare and Medicaid Services.

The bill requires the DCP commissioner to make certain information from the directory available to the public but otherwise generally prohibits her from disclosing any information that is not a public record under the Freedom of Information Act. It additionally allows her to withhold information in certain circumstances and prohibits her, unless required by law or court order, from providing directory access (1) to federal, state, and local government entities, including U.S. Immigration and Customs Enforcement; or (2) for criminal prosecution purposes.

The bill requires (1) DCP to notify agencies when the commissioner receives a request to inspect or copy information contained in any public record about an employee in the directory and (2) notified agencies to notify concerned employees and their employee organization, if any. Under the bill, employees are not responsible for any costs related to the directory.

The bill also requires homemaker-companion agencies to provide paid trainings to employees in various topics and ensure that trainings are provided by a trainer with experience in workforce training in the home care industry, with preference given to trainers with experience
in both the effective performance of home care duties and home care consumers’ and employees’ rights and responsibilities.

The bill requires DCP to adopt regulations on the homemaker companion directory and training requirements (but not the cost reporting requirement).

It makes a technical change on background check requirements.

EFFECTIVE DATE: July 1, 2019

HOMEMAKER-COMpanion DIRECTORY

Required Information

The bill requires DCP to assign a unique identification number to each paid, unpaid, part-time, full-time, temporary, or permanent employee of a homemaker-companion agency and, for each one, collect and maintain the following information:

1. full name, self-identified gender, home and mailing address, telephone number, and email address;

2. job title, date of hire, and full legal name of agency employing the employee; and

3. a list of home care trainings offered by the agency or its designee and dates the employee completed the trainings.

The bill requires homemaker-companion agencies to (1) collect the information described above and submit it to DCP within five business days of hiring an employee and (2) submit updated information on a quarterly basis.

Information Disclosure and Public Access

The bill requires the DCP commissioner to make information on the employee’s name, identification number, agency where employed, and list of completed trainings available to the public and prohibits the other information in the directory from being deemed a public record. Under the bill, if a homemaker-companion agency or employee organization requests reported information, DCP must provide it,
including contact information.

Except as described above or otherwise required by law, the bill prohibits DCP from disclosing information that is not a public record and allows the DCP commissioner to withhold from disclosure information in the public record about an employee if he has reasonable cause to believe that disclosure would place the employee in imminent danger.

**Notification Requirements**

Under the bill, within one business day of receiving a request to inspect or copy information contained in any public record about an employee in the directory, the department must notify the homemaker-companion agency that provided the information. Within one business day of such notice, the bill requires homemaker-companion agencies to notify, in writing, each employee concerned and his or her employee organization, if any. Under the bill, an employee organization is any lawful association, labor organization, federation, or council with a primary purpose of improving worker wages, hours, and employment conditions (e.g., a union). The bill allows the agency notice to employees to be in another format if providing written notice is impractical due to the large number of employees concerned.

**TRAINING REQUIREMENTS**

The bill requires homemaker-companion agencies to provide each employee with (1) a minimum of 16 hours of paid training within 60 days of hiring and (2) 8 hours of paid continuing education each year. Under the bill, training topics must include:

1. services to assist consumers with personal hygiene;
2. cooking and household cleaning;
3. laundry and other activities of daily living; and
4. a minimum of one hour of training in federal and state workplace safety, fair wage and antidiscrimination laws,
regulations related to the employee’s job duties, and the rules of any applicable collective bargaining agreement.

COMMITTEE ACTION

Human Services Committee

Joint Favorable
Yea  11  Nay  7   (03/21/2019)