General Assembly

Raised Bill No. 5332

February Session, 2022

LCO No. **1727**

Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT PROHIBITING HOME CARE AGENCY CONTRACTS THAT PENALIZE CLIENTS FOR DIRECTLY HIRING AGENCY STAFF.

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

1   Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)
2   "homemaker-companion agency" and "employee" have the same
3   meanings as provided in section 20-670 of the general statutes, and (2)
4   "no-hire clause" means a provision of a contract between a homemaker-
5   companion agency and a client of such agency that imposes a financial
6   penalty on the client for directly hiring an employee of such agency.

7   (b) Any no-hire clause in a contract between a homemaker-
8   companion agency and a client of such agency is against public policy
9   and shall be void.

10   Sec. 2. (NEW) (*Effective from passage*) As used in this section, (1) "home
11   health agency" has the same meaning as provided in section 19a-490 of
12   the general statutes, and (2) "no-hire clause" means a provision of a
13   contract between a home health agency and a client of such agency that
14   imposes a financial penalty on the client for directly hiring an employee
15   of such agency.

16   (b) Any no-hire clause in a contract between a home health agency
17   and a client of such agency is against public policy and shall be void.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	New section
Sec. 2	*from passage*	New section

Statement of Purpose:

To prohibit home care contracts that impose financial penalties on clients for directly hiring home care agency staff.

[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.]