



## **House Bill 6767, An Act Concerning the Department of Consumer Protection's Recommendations Regarding Licensing and Enforcement**

General Law Committee

March 1, 2022

Home Care Association of America Connecticut represents more than one hundred home care agencies that employ thousands of caregivers who provide essential, quality and affordable in-home care to seniors, veterans and persons with disabilities across the state. To ensure quality care, HCAOA Connecticut advocates for employer-based agencies that screen, employ, train and supervise caregivers; create a plan of care for the client; and work toward a safe and secure environment for the person at home. HCAOA Connecticut supports industry standards that improve the delivery of in-home care to clients.

HCAOA Connecticut is submitting these comments to the committee concerning House Bill 6767, specifically the sections of the bill that pertain to homemakers and companions and the home care industry. Sections 18 and 19 require, in summary, and the comments about several of the provisions follow:

- Caregiver's name to be provided to the client in writing prior to entering the client's home.
- Written notice 60 days prior to a change in rates.
- Background checks for new owners.
- Written notice to the Department of Consumer Protection and clients 10 days prior to ceasing operations.

**Caregiver's name provided in writing.** This would be onerous and impractical. Clients typically call home care agencies to add visits on the same day or next day. Caregivers call out when sick and due to COVID, agencies are extra cautious and doesn't want to place a caregiver in a home with vulnerable clients. A requirement to provide the name in writing prior to any visit may mean canceled visits. It would not be practical and most people hire agencies because they know they are going to send a screened and qualified person. Also, it would be challenging if clients don't use email or text messaging, which is not uncommon. How would this be managed with fill-in caregivers or last-minute changes? Most agencies call to notify when a

substitute is covering and provide their name, so verbal notice should be adequate and work in practice. Perhaps the provision can specify, 'upon request'.

**Written notice 60 days prior to a change in rates.** This period is too long and would not work in practice. Changes in rates can occur for various reasons: additional costs such as minimum wage, inflation, staffing changes, care needs and changes in client conditions. Rates might fluctuate or change from agency to agency. When a clients' level of need changes, an immediate change in service rate may be needed. Agencies need to pay staff more as they take on an increased level of care needs. Thirty days' notice would be more practical and reasonable and it should specify, "for same level or type of service". Thirty days' notice is sufficient time for families to explore and find alternative services for pricing increases.

**Written notice prior to ceasing operations.** A written notice may be acceptable, but a ten-day notice prior to ceasing operations is not practical. If an agency needs to end services with a client, it's often as a result of very challenging, unmanageable situations, such as the condition of the home, safety, client behavior, family expectations or level of need that far exceeds home care services. Also, a client's condition may deteriorate and require a higher level of care or an agency discovers after several visits new information that wasn't disclosed at an assessment, such as a non-compliant client or safety issues and the agency owner decides it should not be providing services. Perhaps there can be a standard of best efforts by the agency to provide the notice or there can be exceptions to the requirement based on these situations or conditions. Also, the phrase, "unilaterally ceases providing homemaker services or companion services in this state" may not apply to terminating one individual client's services.

Please contact Marlene Chickerella, Chair of HCAOA Connecticut, (860) 690-3673, with any questions or visit [www.hcaoa.org](http://www.hcaoa.org) for additional information about Home Care Association of America.