



Homemaker Companion Task Force
Public Hearing
November 4, 2022

Home Care Association of America Connecticut represents more than one hundred home care organizations that employ thousands of caregivers in the state who provide essential in-home services to seniors, individuals with disabilities and veterans. To ensure quality care, HCAOA Connecticut advocates for employer-based agencies that screen, employ, train and supervise caregivers and supports industry standards that improve the delivery of in-home care to clients.

HCAOA Connecticut appreciates the opportunity to provide comments to the task force as it studies various issues related to homemaker-companion agencies. As the voice of the non-medical home care industry in Connecticut, we hope our comments inform members and provide perspective as you deliberate and submit a report of findings and recommendations to the Aging and General Law committees.

HCAOA Connecticut is committed to education of members to help ensure increased compliance with HCA laws and regulations. The Chapter meets regularly with lawmakers and features officials from the Department of Consumer Protection and other state agencies in programs to inform members, learn more about new requirements and collaborate with officials to improve the regulatory environment. Staff publishes newsletters and alerts to members who also participate in committees that regularly deliberate on legislation and policy. However, those efforts become more challenging when laws are enacted without sufficient input and support from the industry and home care providers.

The task force provides a forum in which to consider comments from the public in a deliberative process outside the pressures and deadlines of the legislative session. The findings and recommendations, based on the makeup of the task force, should reflect greater consensus and collaboration among agency officials, lawmakers, consumers, stakeholders, advocacy organizations and home care

providers. Its report may therefore carry additional weight and credibility with lawmakers.

In the 2022 legislative session, legislation banning nonsolicitation ('no-hire' clauses) in home care agreements was adopted in the state budget implementer following significant opposition from home care providers. HCAOA Connecticut had proposed several amendments to the bill considered in committee (House Bill 5332), including a working group to study the legislation. Several amendments were filed that would have limited the duration of the ban or applied it only to contracts with the Department of Social Services under the Connecticut medical assistance program (Medicaid). They were fair and reasonable compromises that would have balanced the interests of supporters and opponents while protecting consumers and caregivers; unfortunately, they weren't adopted. HCAOA Connecticut hopes the task force will revisit the ban approved in Public Act 22-118.

This followed the legislature's ban on noncompete agreements in 2019, also the subject of much debate and opposition from the home care industry and providers. The bill, originally introduced in 2017, never achieved consensus or widespread support; it too was adopted in the state budget implementer (Public Act 19-117) at the end of the 2019 session.

Earlier this year, the Department of Consumer Protection adopted advertising guidelines. Among other things, the guidelines prohibit advertising any type of memory, Alzheimer's or dementia care. While HCAOA Connecticut supports protecting elderly consumers and the guidelines provide some clarity on services agencies may provide, such as medication reminders, significant public policy differences remain concerning the use of certain terms in advertising. The advertising terms were the subject of several bills and significant debate before the General Assembly in past sessions, including this year. Unfortunately, HCAOA Connecticut had only a limited opportunity to comment on the guidelines, which were not subject to a public hearing and input from home care providers. The task force provides an opportunity to clarify what can be stated in HCA advertising and can help improve understanding and compliance of any new requirements.

Please contact Marlene Chickerella, Chairperson of the HCAOA Connecticut Medicaid committee, (860) 690-3673, with any questions or visit www.hcaoa.org for additional information about Home Care Association of America.