



General Assembly

**Substitute Bill No. 5332**

February Session, 2022



**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 (A) imposes a  
6 financial penalty, (B) assesses any charges or fees, including legal fees,  
7 or (C) contains any language that can create grounds for an assertion of  
8 breach of contract or a claim for damages or injunctive relief against the  
9 client for directly hiring an employee of such agency.

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

13 Sec. 2. (NEW) (*Effective from passage*) As used in this section, (1) "home  
14 health agency" has the same meaning as provided in section 19a-490 of  
15 the general statutes, and (2) "no-hire clause" means a provision of a  
16 contract between a home health agency and a client of such agency that  
17 (A) imposes a financial penalty, (B) assesses any charges or fees,  
18 including legal fees, or (C) contains any language that can create

19 grounds for an assertion of breach of contract or a claim for damages or  
20 injunctive relief against the client for directly hiring an employee of such  
21 agency.

22 (b) Any no-hire clause in a contract between a home health agency  
23 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	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

**HS**      *Joint Favorable Subst.*