



General Assembly

January Session, 2023

**Raised Bill No. 1025**

LCO No. 4208



Referred to Committee on AGING

Introduced by:  
(AGE)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
HOMEMAKER-COMPANION AGENCY TASK FORCE.***

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

1 Section 1. (*Effective from passage*) The Secretary of the Office of Policy  
2 and Management, in consultation with the Commissioners of Consumer  
3 Protection and Public Health, shall develop a plan to transfer the  
4 responsibility for registration and oversight of homemaker-companion  
5 agencies, as defined in section 20-670 of the general statutes, from the  
6 Department of Consumer Protection to the Department of Public Health  
7 by July 1, 2024. Not later than February 1, 2024, the secretary shall report  
8 on such plan to the joint standing committees of the General Assembly  
9 having cognizance of matters relating to aging, general law and public  
10 health, in accordance with section 11-4a of the general statutes.

11 Sec. 2. Section 20-675 of the general statutes is repealed and the  
12 following is substituted in lieu thereof (*Effective from passage*):

13 (a) The Commissioner of Consumer Protection may revoke, suspend  
14 or refuse to issue or renew any certificate of registration as a  
15 homemaker-companion agency or place an agency on probation or issue

16 a letter of reprimand for: (1) Conduct by the agency, or by an employee  
17 of the agency while in the course of employment, of a character likely to  
18 mislead, deceive or defraud the public or the commissioner; (2)  
19 engaging in any untruthful or misleading advertising; (3) failure of such  
20 agency that acts as a registry to comply with the notice requirements of  
21 section 20-679a; or (4) failing to perform a comprehensive background  
22 check of a prospective employee or maintain a copy of materials  
23 obtained during a comprehensive background check, as required by  
24 section 20-678.

25 (b) The commissioner shall revoke a certificate of registration if a  
26 homemaker-companion agency violates any of the provisions of  
27 subdivisions (1) to (4), inclusive, of subsection (a) of this section three  
28 times in one calendar year.

29 [(b)] (c) The commissioner shall not revoke or suspend any certificate  
30 of registration except upon notice and hearing in accordance with  
31 chapter 54.

32 Sec. 3. (NEW) (*Effective from passage*) (a) Not later than January 1, 2024,  
33 the Commissioner of Consumer Protection, in consultation with the  
34 Commissioner of Public Health, and with the advice and guidance of  
35 relevant training organizations, shall (1) develop training standards for  
36 homemaker-companion agency employees, as defined in section 20-670  
37 of the general statutes, that (A) exemplify best practices for providing  
38 homemaker and companion services, as defined in section 20-670 of the  
39 general statutes, (B) provide instruction and specialized training  
40 benchmarks for the care of clients with Alzheimer's disease, dementia  
41 and other related conditions, and (C) ensure a high quality of care for  
42 homemaker-companion agency clients, and (2) identify training  
43 programs that provide instruction in the standards identified pursuant  
44 to subdivision (1) of this subsection. The Commissioner of Consumer  
45 Protection shall post such training standards and a list of such training  
46 programs on the Department of Consumer Protection's Internet web  
47 site.

48 (b) Homemaker-companion agencies may adopt the training  
49 standards and train employees using the training programs posted on  
50 the department's Internet web site pursuant to subsection (a) of this  
51 section.

52 Sec. 4. (*Effective from passage*) The Commissioner of Consumer  
53 Protection shall develop a plan to implement mandatory training  
54 standards for employees of homemaker-companion agencies, as  
55 defined in section 20-670 of the general statutes. Not later than February  
56 1, 2024, the commissioner shall report, in accordance with the provisions  
57 of section 11-4a of the general statutes, on such plan to the joint standing  
58 committee of the General Assembly having cognizance of matters  
59 relating to aging.

60 Sec. 5. Section 20-679 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective October 1, 2023*):

62 (a) Not later than seven calendar days after the date on which a  
63 homemaker-companion agency commences providing homemaker  
64 services or companion services, such agency shall provide the person  
65 who receives the services, or the authorized representative of such  
66 person, with a written contract or service plan. The written contract or  
67 service plan shall be developed in consultation with such person or  
68 authorized representative and include (1) a person-centered plan of care  
69 and services that prescribes the anticipated scope, type, frequency,  
70 duration and cost of the services provided by the agency, (2) the  
71 anticipated scope, type and frequency of oversight of an employee  
72 assigned to such person by the homemaker-companion agency, and (3)  
73 a predetermined frequency of meetings between the person who  
74 oversees such employee and the person who receives the services, or the  
75 authorized representative of such person. In addition, any contract or  
76 service plan provided by a homemaker-companion agency to a person  
77 receiving services shall also provide conspicuous notice, in boldface  
78 type [(1)] (A) of the person's right to request changes to, or review of the  
79 contract or service plan, [(2)] (B) of the employees of such agency who,  
80 pursuant to section 20-678 are required to submit to a comprehensive

81 background check, [(3)] (C) that upon the request of such person or an  
82 authorized representative of such person, such agency shall provide  
83 such person or representative of such person with written notice that a  
84 comprehensive background check, as required pursuant to section 20-  
85 678, was performed for all employees of such agency performing  
86 services for such person, [(4)] (D) that such agency's records are  
87 available for inspection or audit by the Department of Consumer  
88 Protection, [(5)] (E) that the agency is not able to guarantee the extent to  
89 which its services will be covered under any insurance plan, and [(6)]  
90 (F) that such contract or service plan may be cancelled at any time by  
91 the client if such contract or service plan does not contain a specific  
92 period of duration. On the date that a homemaker-companion agency  
93 provides such contract or service plan to such person, the agency shall  
94 also provide a printed copy of the guide that details the process by  
95 which such person, or such person's authorized representative, may file  
96 a complaint against such agency, posted on the Department of  
97 Consumer Protection's Internet web site pursuant to section 6 of this act.  
98 No contract or service plan for the provision of homemaker or  
99 companion services shall be valid against the person who receives the  
100 services or the authorized representative of such person, unless the  
101 contract or service plan has been signed by a duly authorized  
102 representative of the homemaker-companion agency and the person  
103 who receives the services or the authorized representative of such  
104 person. The requirements of this section shall not apply to homemaker  
105 services or companion services provided under the Connecticut home-  
106 care program for the elderly administered by the Department of Social  
107 Services in accordance with section 17b-342. A written contract or  
108 service plan between a homemaker-companion agency and a person  
109 receiving services or the authorized representative of such person shall  
110 not be enforceable against such person receiving services or authorized  
111 representative unless such written contract or service plan contains all  
112 of the requirements of this section.

113 (b) Nothing in this section shall preclude a homemaker-companion  
114 agency that has complied with [subdivisions (1) to (6)] subparagraphs

115 (A) to (F), inclusive, of subsection (a) of this section from the recovery of  
 116 payment for work performed based on the reasonable value of services  
 117 which were requested by the person receiving services, provided the  
 118 court determines that it would be inequitable to deny such recovery.

119 (c) The Commissioner of Consumer Protection shall develop a model  
 120 written contract and model service plan, as described in subsection (a)  
 121 of this section. Not later than January 1, 2024, the commissioner shall  
 122 post such model written contract and model service plan on the  
 123 department's Internet web site.

124 Sec. 6. (NEW) (*Effective from passage*) Not later than October 1, 2023,  
 125 the Commissioner of Consumer Protection shall post a guide that details  
 126 the process by which a person who receives homemaker services or  
 127 companion services, as defined in section 20-670 of the general statutes,  
 128 or the authorized representative of such person, may file a complaint  
 129 against a homemaker-companion agency, as defined in section 20-670 of  
 130 the general statutes, on its Internet web site.

131 Sec. 7. (NEW) (*Effective from passage*) On and after January 1, 2024,  
 132 each homemaker-companion agency, as defined in section 20-670 of the  
 133 general statutes, shall have a printed consumer brochure and maintain  
 134 an Internet web site detailing the homemaker and companion services  
 135 offered by such agency and provide such brochure or the address of  
 136 such Internet web site upon the request of consumers.

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>	20-675
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>October 1, 2023</i>	20-679
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section

***Statement of Purpose:***

To require (1) the Secretary of the Office of Policy and Management to develop a plan to transition registration and oversight responsibilities for homemaker-companion agencies from the Department of Consumer Protection to the Department of Public Health, (2) the Commissioner of Consumer Protection to revoke a certificate of registration if an agency violates certain provisions three times in one calendar year, (3) the Commissioner of Consumer Protection to (A) develop training standards, identify training programs and develop a model written contract and service plan for homemaker-companion agencies, and (B) develop a guide that details how to file a complaint against a homemaker-companion agency, (4) the Commissioner of Consumer Protection to develop a plan to implement mandatory training standards for agency employees, and (5) homemaker-companion agencies to (A) develop a person-centered plan of care and services for clients, and (B) have consumer brochures and maintain an Internet web site.

*[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.]*