



General Assembly

Substitute Bill No. 1025

January Session, 2023



**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, as amended
6 by this act, from the Department of Consumer Protection to the
7 Department of Public Health by July 1, 2024. Not later than February 1,
8 2024, the secretary shall report, in accordance with section 11-4a of the
9 general statutes, on such plan to the joint standing committees of the
10 General Assembly having cognizance of matters relating to aging,
11 general law and public health.

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 Section 20-675 of the general statutes is repealed and the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

14 (a) The Commissioner of Consumer Protection may revoke, suspend
15 or refuse to issue or renew any certificate of registration as a
16 homemaker-companion agency or place an agency on probation or issue
17 a letter of reprimand for: (1) Conduct by the agency, or by an employee
18 of the agency while in the course of employment, of a character likely to

19 mislead, deceive or defraud the public or the commissioner; (2)
20 engaging in any untruthful or misleading advertising; (3) failure of such
21 agency that acts as a registry to comply with the notice requirements of
22 section 20-679a; or (4) failing to perform a comprehensive background
23 check of a prospective employee or maintain a copy of materials
24 obtained during a comprehensive background check, as required by
25 section 20-678.

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

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

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

49 (b) Homemaker-companion agencies may adopt the training
50 standards and train employees using the training programs posted on

51 the department's Internet web site pursuant to subsection (a) of this
52 section.

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

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

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

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

114 (b) Nothing in this section shall preclude a homemaker-companion
115 agency that has complied with [subdivisions (1) to (6)] subparagraphs
116 (A) to (F), inclusive, of subsection (a) of this section from the recovery of
117 payment for work performed based on the reasonable value of services

118 which were requested by the person receiving services, provided the
119 court determines that it would be inequitable to deny such recovery.

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

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

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

140 Sec. 8. Subdivision (8) of section 20-670 of the general statutes is
141 repealed and the following is substituted in lieu thereof (*Effective from*
142 *passage*):

143 (8) "Homemaker services" means nonmedical and supportive in-
144 home care services, including, but not limited to, assistance with
145 cooking, household cleaning, laundry, personal hygiene and other
146 household chores, that ensure a healthy and safe environment for a
147 person in the person's home.

148 Sec. 9. Section 20-677 of the general statutes is amended by adding

149 subsection (g) as follows (*Effective from passage*):

150 (NEW) (g) A homemaker-companion agency may include in its
151 business name and advertising (1) the term "care" if such term is used in
152 reference to such agency's provision of homemaker services, and (2) any
153 words that accurately describe, as determined by the commissioner, that
154 such agency has employees who are trained to provide homemaker
155 services to individuals experiencing memory difficulties.

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
Sec. 8	<i>from passage</i>	20-670(8)
Sec. 9	<i>from passage</i>	20-677(g)

Statement of Legislative Commissioners:

Throughout the bill, "as amended by this act" was added for consistency with standard drafting conventions, and in Section 1, the phrase ", in accordance with section 11-4a of the general statutes" was moved to after "the secretary shall report" for clarity.

AGE *Joint Favorable Subst.*