

HOMEMAKER COMPANION AGENCIES: A GUIDE FOR CONSUMERS

Introduction

Homemakers and companions provide non-medical care to support the well-being of a person in their home. Homemakers and companions may provide support by helping prepare meals and assisting with routine tasks.

You may hire a homemaker or companion directly, but the vast majority of people will work with a homemaker companion agency that provides some additional protections for the consumer.

This fact sheet is meant to help you understand the process of working with a homemaker companion agency in order to make the best decision for your specific needs.



Homemaker Companion Agency Registration

All homemaker companion agencies are registered through the Department of Consumer Protection. You can verify that an agency's registration is current by visiting www.elicense.ct.gov.

Homemaker Companion Agency Structure

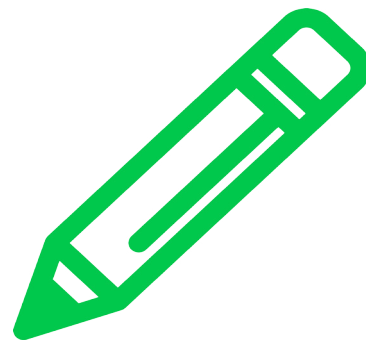
Homemaker companion agencies can operate as an employer model, a registry model, or both.

An employer model means that the homemaker or companion is an employee of the agency. You will work with and pay the agency directly, and the agency is responsible for paying all employee-related expenses.

A registry model means that the homemaker or companion is your employee. The agency operating under a registry model will provide a list of potential employees that suit your needs, and then you will pay the agency a fee for their services. You will then pay the homemaker or companion you chose to hire directly.

If You Use a Registry

If you use a registry model, the agency must provide you with a written notice that specifies your legal obligations to the homemaker or companion that you hire. You must **sign and date** this notice and return it to the agency **before services can begin**.



Each Notice Shall:

- Be written in plain language;
- Include a statement identifying the agency as an employer, joint employer, leasing employer or non-employer;
- Advise you that you may be considered an employer under law, and, if that is the case, you will be held responsible for the payment of federal and state taxes, Social Security, overtime and minimum wage, unemployment, workers' compensation insurance payments and any other applicable payment required under state or federal law; and
- Include a statement that you should consult a tax professional if you are uncertain about your responsibility for the payment of such taxes or payments.

Homemaker companion agencies, whether they are operating under a registry or employer model, are required to provide a written contract or service plan within seven (7) days of providing initial service. This contract must be provided directly to the client receiving services.

Any contract or service plan provided by a homemaker companion agency to a person receiving services must include:

- Information about the person's right to request changes to, or review the contract or service plan;
- Notice that the employees of an agency are required to complete a comprehensive background check;
- Term and cost of services (*you should know how much each individual service costs*);
- A clear definition of the employee, client, and employment relationship;
- The agency's policies for accepting gratuities;
- List of companion job categories, such as "live-in" or "daily call";
- Notice that the agency's records can be made available for inspection or audit by the Department of Consumer Protection; and
- Instructions for filing a complaint regarding any issue with the agency.

Contracts must be signed by the agency and the individual receiving services or they are not valid.

If you are receiving services from the home-care program for the elderly through the Department of Social Services, the agency is not required to provide a written contract or service plan.



Before You Sign Your Contract

Read your entire contract before signing so that you are familiar with details such as additional service charges (*for example: mileage costs or holiday pay*), and any termination charges in the case you wish to change agencies. It's also important to be aware of the agency's policy on breaks in service for an emergency hospital or rehabilitation admittance.

You should also make sure you understand the following things when reviewing your contract:

- **Make sure the duties of the aide are clear** - Be sure the duties the aide will perform are clearly spelled out in your contract. If you are unclear about what services are being provided, ask the agency to include it in writing so that there is no misunderstanding. Note that the rate you pay may change based on the duties.
- **Be clear about the billing process** - Be clear about the billing process and procedures. You should know who will receive the bill, when bills are sent, and when payment is due. Know if you are paying any portion of your bill in advance, and whether or not a deposit is required.
- **Know who is liable for payment** - If you are signing on behalf of someone else, make sure that it's clear who is responsible for paying for services: you, the person receiving services, or both.

The agency cannot make any representations as to whether insurance will cover its services. You should contact any insurance carrier for questions about coverage.

- **Check for additional fees.** Check to see what items are extras or for which there are additional fees. Also check to see how much notice you must give the agency when terminating their services, which may change based on the reason for termination. There may be contract termination fees or the payer may be responsible for paying for any days where notice was not given. Also note that there may be a fee or provision for damages if you hire the aide away from the agency.

NOTE: A homemaker companion agency cannot provide medical or health services. If you need medical or health services you should use a home health agency licensed by the Department of Public Health

To File a Complaint

Your homemaker companion agency must provide appropriate contact information in order for you to easily communicate with them regarding a complaint.

You should give the agency the opportunity to resolve any complaints or issues with them before filing an official complaint with the Department of Consumer Protection.

You may file a complaint with the Department of Consumer Protection by filling out our complaint form, and emailing it along with your contract, and other supporting documents and information to dcp.investigations@ct.gov. You may also call us at (860) 713-6100.



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