

SENATE BILL REPORT

SB 6601

As Reported By Senate Committee On:
Health & Long-Term Care, February 07, 2008

Title: An act relating to home care agencies.

Brief Description: Regulating contracting standards of home care agencies.

Sponsors: Senators Keiser, Zarelli, Kauffman and Shin.

Brief History:

Committee Activity: Health & Long-Term Care: 2/04/08, 2/07/08 [DPS, w/oRec].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6601 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Carrell, Fairley, Kastama and Kohl-Welles.

Minority Report: That it be referred without recommendation.

Signed by Senator Marr.

Staff: Rhoda Donkin (786-7465)

Background: Home care agencies are licensed in this state to provide services to ill, disabled or vulnerable individuals in their homes. These services include non-medical tasks such as assistance with dressing, feeding, personal hygiene, housekeeping transportation, meal preparation. Home care agencies are required to comply with state prevailing wage and federal minimum wage laws.

Currently, the state's Medicaid program can contract directly with family members to provide home care tasks to loved ones. In these situations, Medicaid pays parents, and other family members as individual providers. It is also possible for family providers to be hired and paid through a home care agency.

Summary of Bill (Recommended Substitute): The Department of Social and Health Services (DSHS) is prohibited from contracting with any home care agency that has been found to have violated state prevailing wage or federal minimum wage laws unless the violation affected very few employees, was minor, first time, or incidental.

EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (Recommended Substitute): All language related to family care givers and agencies was

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deleted. The substitute only addresses sanctions against home care agencies that violate wage laws under certain circumstances.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Some home care agencies have business models based on converting as many independent family providers as possible to agency work. Home care agencies don't add much supervision or job support to people who are caring for their own family members. The state should not contract with home care agencies that violate wage laws.

CON: This would eliminate choice for family caregivers and it would force current agency family caregivers to go out on their own. Family caregivers who need 24/7 care provided to a loved one benefit from being part of an agency who can manage a care team working more shifts than the family member can do alone. Family caregivers who can not speak English benefit from the help provided by agencies.

Persons Testifying: PRO: Nora Kelley, Nick Federici; SEIU 775 NW; Peter Nazzal Catholic Community Services.

CON: Melissa Johnson, Addus Health Care; Zhanna Yegigan, Elite Home Care; Sally Gustafson-Garnet, Elite Home Care; Oleg Zelenko, Coalition for Home Standards; Sally Coomer, Jim Lord, Cindy O'Neil; Alex Naumouik, Elite Home Care; Lana Perkins, Resuc Home Care.