

Home Care Services Consumer Protection Act

Stakeholders Meeting
February 3, 2015

The GoToMeeting Attendee Interface

The screenshot displays the GoToMeeting Attendee Interface. On the left is a large window titled "GoToMeeting Viewer" with the subtitle "Waiting to view GoToMeeting Training Team's screen". The main content area of this window says "Meet Now" and provides details: "Organizer: GoToMeeting Training Team | Presenter: GoToMeeting Training Team", "Audio: Use your microphone and speakers (VoIP) or call in using your telephone.", and contact information for the United States: "+1 (773) 945-1031", "Access Code: 366-479-854", and "Audio PIN: 100". A link for "List Additional Conference Call Numbers" is also present. The Citrix logo is visible in the bottom-left corner of this window.

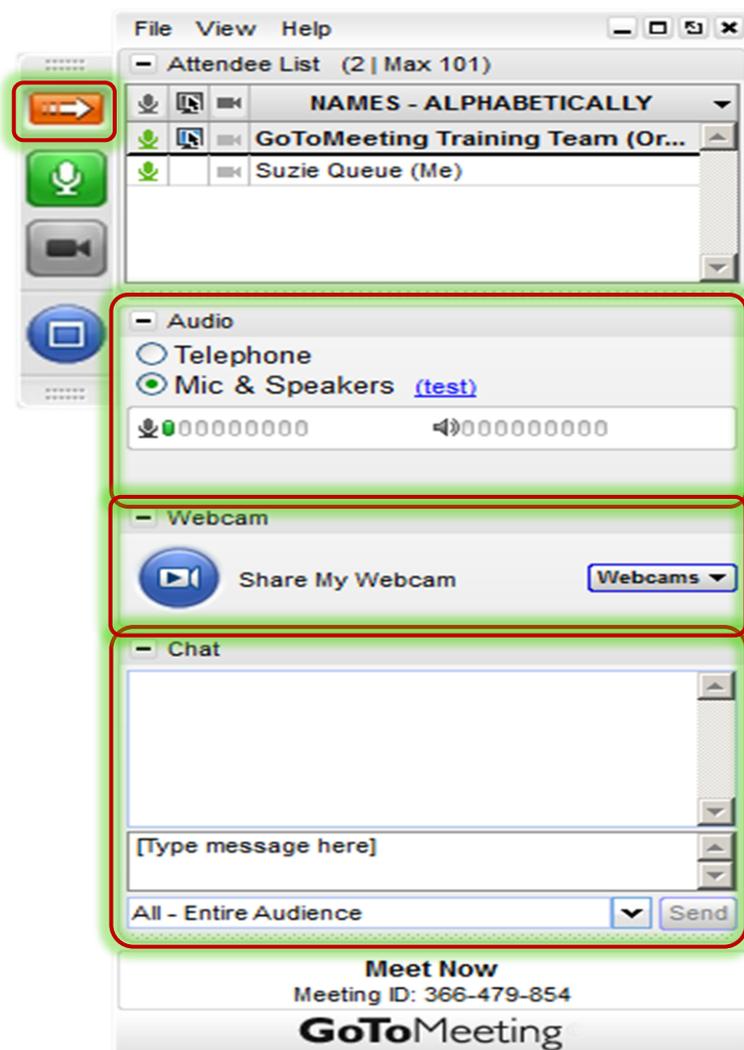
On the right is a vertical sidebar with a "File View Help" menu. It contains several sections:

- Attendee List (2 | Max 101)**: A dropdown menu is set to "NAMES - ALPHABETICALLY". The list shows "GoToMeeting Training Team (Or..." and "Suzie Queue (Me)".
- Audio**: Radio buttons for "Telephone" and "Mic & Speakers (test)". Below are volume and microphone level indicators.
- Webcam**: A "Share My Webcam" button and a "Webcams" dropdown menu.
- Chat**: A text input field with "[Type message here]", a dropdown menu set to "All - Entire Audience", and a "Send" button.

At the bottom of the sidebar, it displays "Meet Now" and "Meeting ID: 366-479-854" with the GoToMeeting logo.

The Windows taskbar at the bottom shows the Start button, icons for Explorer, Firefox, Chrome, and Mail, and the system tray with the date and time: "9:01 AM 12/1/2010".

GoToMeeting Control Panel



- Expand & collapse your Panel
- Audio: Call in by Conference Call
 - 888-808-6929
 - Code: 4590541
- Chat: Submit a question or comment and receive responses

Home Care Services Consumer Protection Act Implementation Team

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Objectives

- ▶ Overview of the Home Care Services Consumer Protection Act
- ▶ Activities to Date
- ▶ Open Discussion
- ▶ Next Steps

Overview of the Home Care Services Consumer Protection Act

- ▶ The Home Care Services Consumer Protection Act (HCSCPA) becomes effective January 1, 2016
 - ▶ HCSPCA requires:
 - ▶ Home Care Organizations (HCO) to be licensed and Home Care Aides (HCA) that work for them (Affiliated HCAs) to be registered
 - ▶ Home Care Aides not working for a Home Care Organization (Independent HCAs) can be included on the registry, if desired
 - ▶ Home Care Organization applicants and the Home Care Aide applicants to complete a background examination
 - ▶ An online Home Care Aide Registry which will display registration status
- ▶ Home Care Services Bureau (HCSB)- Oversight of Home Care Organizations
- ▶ Caregiver Background Check Bureau (CBCB)- Oversight of the Home Care Aides and the Home Care Registry

Home Care Services Bureau

- ▶ The Home Care Services Bureau is responsible for the Home Care Organizations:
 - ▶ Receive and process the initial and renewal applications
 - ▶ Complete a pre-licensing visits
 - ▶ Receive and respond to complaints
 - ▶ Conduct regular visits

Home Care Organization

“An individual, 18 years of age or older, firm, partnership, corporation, limited liability company, joint venture, association, or other entity that arranges for home care services by an affiliated home care aide to a client and is licensed”

▶ The following entities are not considered Home Care Organizations:

- ▶ Clinics (care clinics and specialty clinics)
- ▶ Licensed Health Facilities
- ▶ In Home Supportive Services (IHSS)
- ▶ Licensed Hospice Agencies
- ▶ Facility with only Indian children who are eligible under the Indian Child Welfare Act
- ▶ Community Care Facilities
- ▶ Facilities contracted through a regional center or DD
- ▶ Home Health Agencies
- ▶ Alcohol or drug abuse recovery/treatment facilities
- ▶ Employment Agencies

Home Care Organization Requirements

- ▶ Post license and business hours
- ▶ Workers' compensation policy
- ▶ Employee dishonesty bond
- ▶ General and professional liability insurance
- ▶ Report any suspected or known dependent adult, elder, or child abuse
 - ▶ Maintain copy of suspected abuse report

Home Care Organization Requirements (Cont.)

- ▶ Ensure *anyone* who has contact with clients, prospective clients, or confidential client information that may pose a risk to the clients' health and safety has completed a background examination and been cleared or received an exemption
- ▶ Ensure Home Care Aides are:
 - ▶ Cleared on the registry before placing the individual in direct contact with clients
 - ▶ Free of active tuberculosis disease
 - ▶ Meets training requirements
- ▶ Immediately notify the Department when the Home Care Organization no longer employs an individual as an affiliated Home Care Aide.

Enforcement

The Home Care Services Bureau will:

- ▶ Investigate complaints filed against Home Care Organizations
- ▶ Conduct random, unannounced visits to verify the Home Care Organization meets the requirements, rules and regulations
- ▶ Levy fines or licensure action if a Home Care Organization is in violation of any requirement, obligation, rule or regulation

The Department has no investigative statutory/regulatory oversight regarding registered Home Care Aides.

Caregiver Background Check Bureau

- ▶ The Caregiver Background Check Bureau is responsible for the oversight of:
 - ▶ Registration of Home Care Aides
 - ▶ Application (Initial and Renewal)
 - ▶ Background Check
 - ▶ Home Care Aide Registry
 - ▶ Home Care Organization licensee and employee background checks

Home Care Aide

- ▶ 18 years of age or older
- ▶ Registered
 - ▶ Completes an application and background check
- ▶ Provides Home Care Services- nonmedical services and assistance to a client who, because of advanced age or physical or mental disability, cannot perform these services

Home Care Aide- Terms

- ▶ Registered Home Care Aide
 - ▶ An affiliated home care aide or independent home care aide, 18 years of age or older, who is listed on the home care aide registry
- ▶ Affiliated Home Care Aide
 - ▶ An individual, 18 years of age or older, who is employed by a Home Care Organization to provide home care services to a client and is listed on the home care aide registry
- ▶ Independent Home Care Aide
 - ▶ An individual, 18 years of age or older, who is not employed by a home care organization, but who is listed on the home care aide registry and is providing home care services through a direct agreement with a client.

Home Care Aide Registry

- ▶ Internet web site of registered home care aides and home care aide applicants, which includes all of the following information:
 - ▶ the individual's name
 - ▶ registration number
 - ▶ registration status
 - ▶ registration expiration date
 - ▶ if applicable, the home care organization to which the affiliated home care aide or affiliated home care aide applicant is associated

No additional, individually identifiable information about a registered home care aide or home care aide applicant will be available

Activities to Date

- ▶ Staffing Recruitments/Hiring
- ▶ Computer System Development/Enhancements
- ▶ Registry Development
- ▶ Forms Development
- ▶ Title 22 Regulation Development
- ▶ Policies and Procedures Development
- ▶ Research/Development of fees

Open Discussion

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the slide, creating a modern, layered effect. The text 'Open Discussion' is positioned on the left side of the slide in a clean, sans-serif font.

Next Steps

The background features a complex, abstract design of overlapping, semi-transparent green triangles and polygons. The colors range from light, pale greens to deep, dark forest greens. The shapes are layered, creating a sense of depth and movement. The overall composition is modern and clean, typical of a corporate or professional presentation slide.

References

- ▶ Home Care Services Bureau

<http://www.cclld.ca.gov/PG3654.htm>

- ▶ Caregiver Background Check Bureau

<http://www.cclld.ca.gov/PG399.htm>

- ▶ Health and Safety Code

http://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml

Acronyms

Acronym	Term
AB	Assembly Bill
CBCB	Caregiver Background Check Bureau
CCLD	Community Care Licensing Division
CDSS	California Department of Social Services
DOJ	Department of Justice
EM	Evaluator Manual
FAQ	Frequently Asked Questions
H&SC	Health and Safety Code
HCA	Home Care Aide
HCO	Home Care Organization
HCS	Home Care Services
HCSB	Home Care Services Bureau
HCSCPA	Home Care Services Consumer Protection Act
LPA	Licensing Program Analyst
RO	Regional Office
TL	TrustLine

Contact Us

For more information regarding the Home Care Services Consumer Protection Act, please contact the Home Care Services Bureau by e-mail at HCSB@dss.ca.gov or by telephone at (916) 657-2592.