Laws and Regulations

There are three options for receiving Home Care in Contra Costa County:

- 1. Through a licensed Home Care Organization (HCO)
- 2. Through a Domestic Referral Agency (DRA), or
- 3. Through a private caregiver.

A licensed HCO is governed by laws and regulations in the following areas:

- Caregiver Pay Caregivers are paid according to federal, state and municipal laws. Information about federal and state laws can be found at http://www.dir.ea.gov/dlse/DomesticWorkerBillOfRights-FAQ.html. See your city's website for further information about your municipal laws.
- Overtime Law As of January 2014, caregivers are required to be paid overtime after nine hours in a day, or 40 hours in a week.
- Sleep Time Ruling As of January 2014, caregivers are required to be paid for all hours while in the residence, working or not.

When working with a DRA or private caregiver, clients should educate themselves as they may be considered the employer in these cases.

The information in this brochure was compiled by the Home Care Sub Committee of the Contra Costa Care Transitions Task Force (CCCTFF), a group providers interested in improving care transitions and reducing hospital readmissions. Information provided is not a recommendation or endorsement of any other than the CCCTTF Our mission is to ensure a high standard of care and patient safety. We partner with hospitals and community providers on improve transition efforts. Our vision is to deliver the highest quality homecare for the Contra Costa community through a coordinated, collaborative approach.

Home Care Services vs. Home Health Services

	Home Care	Home Health
Type of service	Non-medical	Medical
Example of services	Activities of Daily Living (ADLs) bathing, dressing, toileting, meals	Wound care, injections, physical therapy
Requires a doctor's order	No	Yes
Services provided by	A Home Care Aide (HCA)	A licensed clinician
Covered by insurance	Private pay, and may be covered by long term care insurance, veteran benefits and workers compensation	If medically qualified, covered by Medicare or other health insurance
Organization licensing required	HCOs are licensed under the California Department of Social Services	Home Health is licensed under the California Department of Health Services

Questions to Ask When Considering Home Care

Are your caregivers employees or independent contractors?

What are the hiring criteria and qualifications for your caregivers?

Do you provide back up caregivers and how do you provide oversight of care?

What is your process for starting care?

What is your pricing structure and does it vary based on the client's care needs?

Do you have any areas of specialty?

Do you require a minimum number of hours or days per week that you provide service to clients?

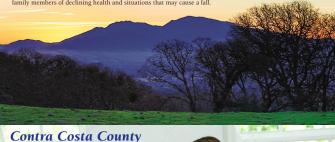
How are calls handled after office hours?



The Value of Home Care

Home care has become a successful solution to fill the gaps created by traditional care models, including hospitals, nursing homes, and home health, which are spread too thin to meet the growing demands of the aging population. Home care helps clients continue their independence by assisting them to maintain an active lifestyle for as long as possible in the comfort of their homes. Along with assistance with Activities of Daily Living (ADLs), caregivers provide companionship and mental stimulation by engaging their clients in conversation and other activities.

Caregivers can act as an extra set of eyes and ears for families who cannot be with their loved one all the time Home care professionals help ensure seniors' safety by recognizing signs and alerting family members of declining health and situations that may cause a fall.







Home Care Services

Home care services are non-medical services provided by a registered and affiliated Home Care Aide (HCA) to a client who needs assistance with Activities of Daily Living (ADIS). These services enable the client to remain in their residence and can include, but are not limited to, assistance with the following:

- ✓ Bathing, dressing and grooming
- ✓ Personal hygiene
- ✓ Meal planning/preparation
- ✓ Feeding assistance
- ✓ Toileting and incontinence care ✓ Transferring and ambulating
- ✓ Medication reminders
- ✓ Companionship
- ✓ Exercising
- ✓ Light housekeeping and laundry
- ✓ Transportation
- ✓ Shopping and errands
- ✓ Dementia care
- ✓ End of life care

Home Care Organization (HCO)

In January of 2016, The Home Care Services Consumer Protection Act came into effect to help protect consumers in need of non-medical in home care. A Home Care Organization (HtCO) is an entity that arranges for home care services by a caregiver/ Home Care Aide (HtCA) to a client. All HCOs are licensed by the California Department of Social Services and adhere to specific regulations as required by the Home Care Services Consumer Protection Act.

The HCO works with the client and family to provide a trained, screened, registered Home Care Aide (HCA) to assist with meeting the clients' home care needs. The HCO will take responsibility for:

- Maintaining the HCAs entire employment process including insurance, payroll, benefits, taxes, and adherence to state and federal laws

 Clearance of the HCA via an extensive Federal Bureau of Investigation and Department of Justice background check
- ✓ Valid and clear tuberculosis screening
- ✓ Providing bonding, workers compensation, and liability insurance
- ✓ Providing training and continuing education
- ✓ Verifying clean driving records via ongoing DMV checks
- ✓ Oversight and supervision of the HCA
- Developing initial plan of care specific to the clients' needs with ongoing adjustments based on changing care needs
 Collaborating with the client on scheduling needs and changes
- ✓ Providing backup HCAs

For more information regarding the Home Care Services Consumer Protection Act, call the Home Care Services Bureau at 916-657-3570 or visit www.ccld.ca.gov.



Contra Costa Home Care Organizations

All providers on this list have been in business in Contra Costa County for at least five years. Each has a local office in Contra Costa County and is a licensed Home Care Organization (HCO).



Community Resources

Area Agency on Aging (800) 510-2020 • http://www.ehsd.org Centers for Medicare and Medicaid Services (CMS)

https://www.cms.gov

In Home Supportive Services (IHSS) (800) 333-1081 http://ehsd.org/elderly-disabled/in-home-supportive-services-ihss

Meals on Wheels and Senior Outreach Services (925) 937-8311 http://www.mowsos.org Ombudsman Services of Contra Costa County (925) 685-2070

http://www.ccombudsman.org

Domestic Referral Agencies

Domestic Referral Agencies (DRAs) maintain a registry of prescreemed independent domestic workers (caregivers). DRAs are a type of agnecy operating in accordance with California Crist Golden and California Crist Golden 182.12995. Caregivers referred by DRAs are not employees of the DRA. Caregivers may be considered an employee or independent contractor of the client. If the client directs and controls the manner and means by which the caregiver performs their work they may have employer responsibilities, including employer texes and workers compensation under state and feederal law. For additional information consult any long temployer and present of the DRAs are required by law to provide a written disclosure to clients soutlying them of potential employer repossibilities. DRAs pipellally have been their southern to the DRAs of present the proposal provides and much availability, and jo preference with clients should be proposal provides and much availability in the preference and the clients and provides are strongly only to referring them to clients. The caregivers perform work without greaters of the DRAs are examined from the Enersing provisions of the Brone Care Communer Protection of Act.

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A Better **Living** Home Care Agency



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A Referral Agency
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