

From: [REDACTED] <noreply+a5bf8bc82027cd2@formstack.com>
Sent: Tuesday, March 29, 2016 12:35 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/29/16 12:34 PM

Name (optional):: Debra Nichols

Company/Organization (if applicable) (optional):: A.L. Spencer Inc. DBA Home Instead Senior Care

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (if known): : 940 CMR 32.00

General Regulatory Themes:: Elders

Please list the Agency or Agencies affiliated with this regulation:: Attorney General's Office

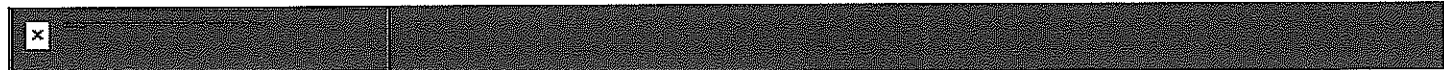
Describe the regulatory issue or observation:: When 429 CMR 10.00 was amended in 2014, it dropped state oversight of private pay home care agency services. With this change, the Attorney General's Office is no longer viewing private pay home care agencies as exempt from the Domestic Workers Bill of Rights Act. This Act was not designed to provide comprehensive oversight of home care agencies. Licensure of privately paid home care agencies is a much better way to regulate these agencies and provide the needed oversight and protections to senior consumers and caregivers.

Suggestions for improvements to the regulation:: Privately paid home care companies were not meant to be subject to the Domestic Workers Bill of Rights Act and 940 CMR 32.00. We need the Governor to support the formation of a home care oversight study commission, which could make recommendations on private home care licensure standards as soon as possible.

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Sent: Tuesday, March 29, 2016 1:53 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform



Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/29/16 1:52 PM

Name (optional):: Laurie Bender

Company/Organization (if applicable) (optional):: Home Instead Senior Care-Northborough and Natick offices

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 940 CMR 32.00

General Regulatory Themes:: Elders

Please list the Agency or Agencies affiliated with this regulation:: Attorney General's Office

Describe the regulatory issue or observation:: When 429 CMR 10.00 was amended in 2014, it dropped state oversight of private pay home care agency services. With this change, the Attorney General's Office is no longer viewing private pay home care agencies as exempt from the Domestic Workers Bill of Rights Act. This Act was not designed to provide comprehensive oversight of home care agencies. Licensure of privately paid home care agencies is a much better way to regulate these agencies and provide the needed oversight and protections to senior consumers and caregivers.

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Sent: Tuesday, March 29, 2016 2:18 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/29/16 2:17 PM

Name (optional):: Bruce Bender

Company/Organization (if applicable) (optional):: Home Instead Senior CAre

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 940 CMR 32.00

General Regulatory Themes:: Elders

Please list the Agency or Agencies affiliated with this regulation:: Attorney General's Office

Describe the regulatory issue or observation::

The Domestic Workers Bill of Rights was passed in 2014. It was expected to apply to domestic workers employed in private homes, privately. Agencies providing in home services under licensure as employment agencies were exempted. The Domestic Workers Bill of Rights only covers employee issues and only some classes of employees.

Since its passage the licensure of agencies that provide such services but are not "certified" has been discontinued by the DET. That is being interpreted as meaning that those agencies are now subject to the Domestic Workers Bill of Rights, although they were never intended to be and the law is not at all suited to them.

At the same time any individual coming through the MA personal care attendant program is exempted. If these regulations are important for the protection of domestic workers, they should be applied to all domestic workers.

We need a review of home health services in general with a comprehensive set of recommendations that meet the needs of vulnerable individuals who require services in their homes, employees, and employers. That was proposed by Senator Chandler last session and passed the Senate but was eliminated in reconciliation.

Home care has changed dramatically in the past 20 years. We need a comprehensive system to deal with it going forward, One that considers the needs of all constituencies. Now that the DET is no longer licensing, agencies like Home Instead Senior Care and Right at Home need some form of oversight, as do private providers. We want a safe and affordable system and regulations that allow us to continue to provide the care that so many seniors want.

This is a very good opportunity to develop a clearer code that works.

Suggestions for improvements to the regulation::

We request that the Commission to study oversight of home care be created and develop a comprehensive program that can be the basis of oversight that meets the needs of customers, employees and employers. While that is occurring, the Domestic Workers Bill of Rights should not be applied to in home non-medical senior care companies.

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Sent: Tuesday, March 29, 2016 3:42 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/29/16 3:42 PM

Name (optional):: Val Uzoma

Company/Organization (if applicable) (optional):: Home Instead Senior Care

Address (optional):: 1420 Boston Providence Turnpike
Suite 267
Norwood, MA 02062

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 940 CMS 32.00

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: Massachusetts Homecare Alliance
Home Instead Senior Care

Describe the regulatory issue or observation:: When 429 CMR 10.00 was amended in 2014, it dropped state oversight of private pay home care agency services. With this change, the Attorney General's Office is no longer viewing private pay home care agencies as exempt from the Domestic Workers Bill of Rights Act. This Act was not designed to provide comprehensive oversight of home care agencies. Licensure of privately paid home care agencies is a much better way to regulate these agencies and provide the needed oversight and protections to senior consumers and caregivers.

Suggestions for improvements to the regulation:: Privately paid home care companies were not meant to be subject to the Domestic Workers Bill of Rights Act and 940 CMR 32.00. We need the Governor to support the formation of a home care oversight study commission, which could make recommendations on private home care licensure standards as soon as possible.

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Sent: Tuesday, March 29, 2016 4:56 PM
To: RegReform (ANF)
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Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/29/16 4:56 PM

Name (optional):: Sailynn Doyle

Company/Organization (if applicable) (optional):: Home Instead Senior Care

Address (optional):: [REDACTED]
[REDACTED]
[REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 940 CMR 32.00

General Regulatory Themes:: Elders

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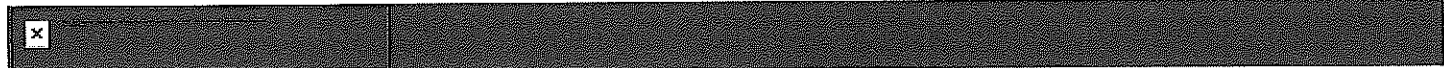
Suggestions for improvements to the regulation:: Privately paid home care companies were not meant to be subject to the Domestic Workers Bill of Rights Act and 940 CMR 32.00. We need the Governor to exempt private pay agencies from this law so we can continue to provide the appropriate care to seniors.

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From: [Redacted] <noreply+386efd3b2634f7aa@formstack.com>
Sent: Wednesday, March 30, 2016 11:28 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform



Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/30/16 11:27 AM

Name (optional):: Mary Worthington

Company/Organization (if applicable) (optional):: South Shore Senior Care, LLC dba Home Instead Senior Care

Address (optional):: [Redacted]

Primary Phone (optional):: [Redacted]

Email (optional):: [Redacted]

CMR Number (If known): : 940 CMR 32.00

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Name (optional):: Mary Worthington

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Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

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Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/30/16 2:52 PM

Name (optional):: Donna Smith

Company/Organization (if applicable) (optional):: Home Instead Senior Care, The Berkshires

Address (optional):: [REDACTED]
[REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 940 CMR 32.00

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