

Audio Report Transcript

Headline: Licensing State's Home Health Care Workers
May Not Be as Simple as It First Appears

Report/Produced by: Rachel Dornhelm
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Text:

California legislators are debating how to regulate home care workers -- aides who help make it possible for the elderly and people with disabilities to stay in their homes. Consumer advocates say regulation would protect this vulnerable population. Home care agencies say new rules would push costs higher. This is a report for *California Healthline*, a daily news service of the California HealthCare Foundation. I'm Rachel Dornhelm.

(Swindell): "Are you ready Mr. Warren? OK we're going to start with the right leg... one two..."

Home care worker Vinola Swindell is coaching Herb Warren through his physical therapy.

(Swindell): "Count with me Mr. Warren..."
(Warren): "Six..."
(Swindell): "Good."

Swindell has been coming to this well-manicured Sacramento apartment complex for several months to help as Warren recovers from a fall. She says she loves working with clients.

(Swindell): "I love making the patient laugh. I just like to make them happy. You know, to encourage them. No matter you're in this circumstance but you're going to get better."

Swindell has been in the field for 23 years and says the job can vary. But the basics in home care -- safety and cleanliness -- remain the same.

(Swindell): "You know, some people want you to do more, some want less. You find out what the person wants and then provide the service."

Swindell works for an agency that does background checks and offers insurance. But many workers in this field do not have Swindell's experience or backing. Gary Passmore, vice president of the California Congress of

Seniors, says that's why his organization is sponsoring AB 1217 to regulate home care workers.

(Passmore): "We're sending people into your grandmother's home where they may have access to credit cards, to bank records, to medical records and there are documented cases of financial elder abuse. So it is very important that we be able to track the backgrounds of these people who go into the homes of these very vulnerable folks."

There are three key provisions in the bill. The first is requiring licensing of home care agencies. But Passmore says many people can't afford agencies, so they go through referral companies or Craigslist. That's why AB 1217 will require certification of all California home care workers.

(Passmore): "And they would advertise that they have that. And give a number so you can check them out and see whether they have a clear background."

Certified workers also would receive at least five hours of training a year on health and safety topics. And, as part of the third provision, they would be listed on an online registry so prospective employers could confirm their status.

Critics, though, say broad certification would be hard to enforce. Ken Erman, CEO of RX Staffing and Home Care, says it is the organized agencies that will be hit hardest.

(Erman): "If 1217 were to pass there would be 25% to 35% increase of cost passed on to the elderly and disabled. And it's going to push this type of care into the underground, so they have to go onto Craigslist or hire people privately."

Erman says he expects his agency would pay over \$9,000 a year to be licensed and would have to pay its workers more if they are certified... which, he says, isn't guaranteed.

(Erman): "Maybe some of them will not pass the test. They may not be as literate, they may have dyslexia, they may not be good test-taker and they may be out of a job."

Jennifer Gabales, director of policy for the California Association for Health Services at Home, which opposes AB 1217, says the online registry also raises privacy concerns. She says it links workers with the address of their employer and geographic location.

(Gabales): "You would look up Suzie Sunshine and you would see, 'Oh! She works for Jennifer's Health Care in Sacramento.' And we

think that's a huge privacy risk and that could cause some of our workers to no longer want to continue."

There are currently an estimated 120,000 home care workers in California and that number is growing along with the aging population. Gabales says that makes this legislation just too big, too fast.

(Gabales): "And then when you look at a growing, aging senior population with, you know, 10,000 baby boomers turning 65 every year, to set up an oversight process that is so cumbersome and expensive, that's going to cost a lot of money."

But those who support AB 1217 say the surging need for care means now is precisely the time to regulate. Pat McGinnis, executive director of California Advocates for Nursing Home Reform, says elder financial abuse is on the rise.

(McGinnis): "It's certainly becoming more common with caregivers that elders hire. Particularly when they don't know who they are, when they know nothing about their background and they're desperate to get someone to care for them at home."

McGinnis says this issue affects many middle income Californians -- the ones who depend on home care. She says they have too much money to qualify for state services, but not enough to pay for costly assisted living.

(McGinnis): "We have been pretending that we have long-term care systems in California and we don't, for many, many people who have to resort to home care and care aides. We need to do something to regulate it and to protect the people they are providing care to."

Last year the state Senate and Assembly passed a bill similar to AB 1217, but Governor Brown vetoed it, citing the difficult economic climate. McGinnis says, regardless of what happens this year, she believes legislative interest means some kind of regulation is inevitable in the near future.

This has been a report for *California Healthline*, a daily news service of the California HealthCare Foundation. If you have feedback or other issues you'd like to have addressed, please email us at CHL@CHCF.org. I'm Rachel Dornhelm, thanks for listening.