



SENATE MAJORITY POLICY OFFICE

BILL ANALYSIS

Bill Number: Senate Bill 731 (S-3) (ALLEN)

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Date: May 27, 2010

HIGHLIGHTS

- Creates the Michigan Home Help Advisory Council.
- Establishes a registry of screened providers of home help services.
- Expressly prohibits the unionization of home help providers and specifies that these individuals are not employees of the state.

SHORT SUMMARY:

This bill would create the Michigan Home Help Advisory Council, as well as a registry of screened providers of home help services.

BACKGROUND:

Currently, the state does not maintain a registry of home help providers; nor does it require any sort of background check for providers receiving a payment through the home help program.

Michigan's senior citizens are sometimes the victims of crimes such as theft and abuse at the hands of individuals charged with providing care to them. Many argue that systems should be in place to help minimize these risks to seniors. This is especially true when individuals are receiving a tax payer-funded subsidy to provide home help to these individuals.

SENATE ANALYSIS:

SB 731 (S-3) creates the Michigan Home Help Integrity Act to:

- Provide legislative intent language stating this act is intended to ensure integrity in the home help program and does not allow for the unionization of home help workers.
- Create the Michigan Home Help Advisory Council.
 - The Council will consist of 13 members including the Director of the Department of Community Health (DCH), the Director of the Department of Human Services (DHS), 9 members representing consumers, 1 member recommended by the Speaker of the House, and 1 member recommended by the Senate Majority Leader.
- Define "provider" as an individual who is employed by the consumer with respect to selection, hiring, firing, supervision, direction, and control over the work location and physical conditions at the location.
- State that neither DCH nor the Council shall be considered the employer of the provider of home-based care.

Instruct the Council, in cooperation with DCH, to do all of the following:

- Seek to promote and coordinate effective and efficient personal care services.
 - Advise the department regarding the creation and maintenance of one or more registries of providers (specifics described in subsequent bullet).
 - Espouse, support, and work to preserve consumer selection and self-direction of providers.
 - Establish support mechanisms for providers aimed at encouraging competence, achieving quality services for consumers, and improving provider retention through improved job satisfaction.
- Provide specific requirements for individuals to be listed on the registry, including but not limited to, a criminal history check as is currently required for nursing home workers.

SUPPORT:

OPPOSITION: