

REVENUE: No revenue impact  
FISCAL: Fiscal statement issued

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Action: Do Pass as Amended and Be Printed Engrossed  
Vote: 4 - 1 - 0  
Yeas: Avakian, Gordly, Monroe, Prozanski  
Nays: Beyer  
Exc.: 0  
Prepared By: Anna Braun, Administrator  
Meeting Dates: 5/30

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**WHAT THE MEASURE DOES:** Requires the Home Care Commission to elect workers' compensation coverage for home care workers who are paid by the state on behalf of their client. Allows for the termination of temporary total disability benefits of home care workers who refuse modified employment in certain circumstances.

**ISSUES DISCUSSED:**

- Support of the Management-Labor Advisory Committee
- Codifies current practice

**EFFECT OF COMMITTEE AMENDMENT:** Allows designee of the Home Care Commission to offer employment for purposes of return-to-work.

**BACKGROUND:** The Home Care Commission was established as a result of the passage of Ballot Measure 99 (November 2000 General Election). The commission is an independent public commission consisting of nine members appointed by the Governor that, amongst their responsibilities, serves as the employer of record for the purposes of collective bargaining for home care workers.

HB 3362-A requires the Home Care Commission to elect workers' compensation coverage on behalf of the Department of Human Services clients who employ home care workers if the individual is paid by the state on behalf of the client. The measure also modifies return-to-work statutory provisions regarding temporary disability to allow a worker who needs modified work to work for any client of the Department of Human Services who employs a home care worker. Currently, the home care worker would have to stay with the same client.