

SB 1556 -5 STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By: C. Ross

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/22

WHAT THE MEASURE DOES:

Requires individuals who provide direct care for persons receiving home or community-based services, to be certified by the Department of Human Services (DHS) and to be included in a publicly available online database maintained by DHS, operative December 31, 2023. Specifies minimum requirements for certification and minimum content of database, with an exception to display less information. Requires employers to initiate certification of employees. Authorizes DHS to collect fee from private employers. Requires completion of rulemaking by January 1, 2023. Expands applicability to direct care providers in residential care facilities operative December 31, 2024. Declares emergency, effective on passage.

Fiscal impact statement issued; no revenue impact.

SHSMHR Committee: 3-0, 2 excused.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-5 [-5 amendment dated 02/18/22] Retools provisions concerning online caregiver registry maintained by DHS: limits publicly accessible information; requires DHS to create an opt-out; requires prominent display of notices regarding the registry's limitations; and allows display of other resources and guidance. Requires DHS to collaborate with stakeholders to craft certification requirements to improve the direct care profession, and adds a requirement to report on implementation to DHS' existing reporting requirements to the legislature; sunsets these provisions January 2, 2024. Requires employers to verify employees' training with DHS. Removes DHS' authority to collect fee from private employers. Makes other technical adjustments and refinements such as capturing continuing certifications as well as original; replacing references to "background" checks with "criminal records" checks already described in statute; and replacing "worker" with "home or community-based services caregiver."

BACKGROUND:

Direct care professionals assist a variety of individuals across a range of care settings. They help individuals of all ages and capacities, in assisted-living facilities, memory care facilities, hospitals, and private homes. They assist with activities of daily living, which can include personal hygiene, dressing and eating, as well as with recreational activities, light household chores, and organizational tasks. They offer companionship and compassion. In many states direct care professionals complete standardized training and meet other certification requirements. Training may include basic and specialty training in first aid, safety protocols, infection control, how to work with individuals in pain, or who are confused, or who have mobility issues. It is critical work that impacts the personal dignity of the individual receiving care and it can be demanding on the caregiver, but it does not pay well and turnover is high. Demand is expected to increase significantly over time.

SB 1556 -5 STAFF MEASURE SUMMARY

Senate Bill 1556 requires the Department of Human Services (DHS) to certify individuals who provide direct care for persons receiving home- or community-based services and to maintain a corresponding database operative December 31, 2023. It also expands the certification requirement to include direct care professionals in residential care facilities operative December 31, 2024.