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P.L. 2002, CHAPTER 81, *approved September 5, 2002*
Assembly Committee Substitute (*First Reprint*) for
Assembly, No. 701

1 **AN ACT** concerning providers of home care services and
2 supplementing Titles 26 and 34 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Commissioner of Health and Senior Services, in
8 consultation with the Director of the Division of Consumer Affairs in
9 the Department of Law and Public Safety, shall require that, no later
10 than the 180th day after the date of enactment of this act, each home
11 health agency licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et
12 seq.) shall provide the following information to each patient receiving
13 home-based services from that agency, or to a person designated by
14 the patient:

15 (1) the name and certification or licensure title, as applicable, of
16 the homemaker-home health aide or other health care professional
17 whose practice is regulated pursuant to Title 45 of the Revised
18 Statutes, to be displayed on an identification tag as required for
19 homemaker-home health aides by regulation of the New Jersey Board
20 of Nursing, or as otherwise to be prescribed by regulation of the
21 commissioner for other health care professionals, that the homemaker-
22 home health aide or other health care professional shall wear at all
23 times while examining, observing or caring for the patient; and

24 (2) a copy of the most current edition of the consumer guide to
25 homemaker-home health aides published by the New Jersey Board of
26 Nursing.

27 b. The consumer guide required pursuant to subsection a. of this
28 section shall be provided:

29 (1) in advance of the provision of services to the patient,
30 whenever possible; and

31 (2) otherwise upon the homemaker-home health aide's initial visit
32 to the patient's home.

33 c. Beginning on the first day of the 13th month after the date of
34 enactment of this act, the identification tag required pursuant to
35 subsection a. of this section shall include a photograph of the
36 homemaker-home health aide or other health care professional.

37 d. The commissioner, pursuant to the "Administrative Procedure
38 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted May 9, 2002.

1 regulations to effectuate the purposes of this section.

2

3 2. a. The Director of the Division of Consumer Affairs in the
4 Department of Law and Public Safety, in consultation with the
5 Commissioner of Health and Senior Services, shall require that, no
6 later than the 180th day after the date of enactment of this act, each
7 health care service firm regulated by the Division of Consumer Affairs
8 shall provide the following information to each patient receiving home-
9 based services from that firm, or to a person designated by the patient:

10 (1) the name and certification or licensure title, as applicable, of
11 the homemaker-home health aide or other health care professional
12 whose practice is regulated pursuant to Title 45 of the Revised
13 Statutes, to be displayed on an identification tag as required by
14 regulation of the New Jersey Board of Nursing, or as otherwise to be
15 prescribed by regulation of the director for other health care
16 professionals, that the homemaker-home health aide or other health
17 care professional shall wear at all times while examining, observing or
18 caring for the patient; and

19 (2) a copy of the most current edition of the consumer guide to
20 homemaker-home health aides published by the New Jersey Board of
21 Nursing.

22 b. The Director of the Division of Consumer Affairs in the
23 Department of Law and Public Safety, in consultation with the
24 Commissioner of Health and Senior Services, shall require that, no
25 later than the 180th day after the date of enactment of this act, each
26 health care service firm, employment agency or registry and temporary
27 help service firm or personnel consultant regulated by the Division of
28 Consumer Affairs shall provide the following information in writing to
29 each consumer receiving home-based services, including, but not
30 limited to, domestic, companion, sitter and live-in services, from a
31 person who is employed by that ¹firm,¹ agency, registry or consultant
32 and is not a certified homemaker-home health aide or other health care
33 professional whose practice is regulated pursuant to Title 45 of the
34 Revised Statutes, or to a person designated by the consumer:

35 (1) notification that the person is not a certified homemaker-home
36 health aide or other health care professional whose practice is
37 regulated pursuant to Title 45 of the Revised Statutes;

38 (2) any training received by that person which the firm, agency,
39 registry or consultant deems relevant to the provision of those services
40 that the person is assigned to provide to the consumer;

41 (3) proof that the person is a United States citizen or legally
42 documented alien; and

43 (4) evidence of employment history verification or character
44 references for that person.

45 c. The information provided pursuant to subsections a. and b. of
46 this section shall be provided:

1 (1) in advance of the provision of services to the patient or
2 consumer, as applicable, whenever possible; and

3 (2) otherwise upon the initial visit to the patient's or consumer's
4 home of the person assigned to provide services to the patient or
5 consumer.

6 d. Beginning on the first day of the 13th month after the date of
7 enactment of this act, the identification tag required pursuant to
8 subsection a. of this section shall include a photograph of the
9 homemaker-home health aide or other health care professional.

10 e. The director, pursuant to the "Administrative Procedure Act,"
11 P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations
12 to effectuate the purposes of this section.

13

14 3. This act shall take effect immediately.

15

16

17

18

19 Requires that home care services providers give advance information
20 to patients about their employees' training.

ASSEMBLY, No. 701

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Assemblywoman CHARLOTTE VANDERVALK

District 39 (Bergen)

Co-Sponsored by:

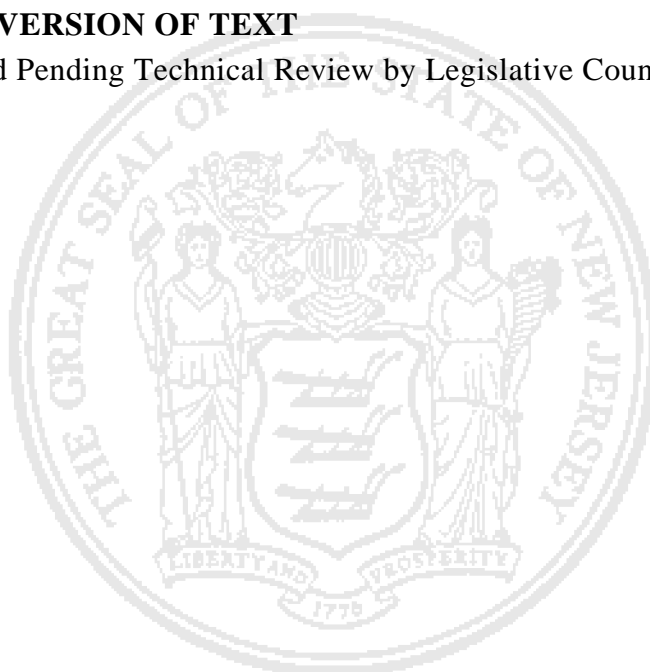
Assemblyman Johnson

SYNOPSIS

Requires that home care services providers give advance information to patients about their employees' training.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/1/2002)

A701 WEINBERG, VANDERVALK

2

1 AN ACT concerning providers of home care services and
2 supplementing Titles 26 and 34 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The Commissioner of Health and Senior Services, in
8 consultation with the Director of the Division of Consumer Affairs in
9 the Department of Law and Public Safety, shall require that, no later
10 than the 180th day after the effective date of this act, each home health
11 agency licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) shall
12 provide the following information in writing to each patient receiving
13 home-based services from that agency, or to a person designated by
14 the patient, with respect to the agency and the qualifications of each
15 certified homemaker-home health aide who will provide services to the
16 patient:

17 (1) the name and certification status of the homemaker-home health
18 aide, the name of the agency and a photograph of the homemaker-
19 home health aide, to be displayed on an identification tag that the
20 homemaker-home health aide shall wear at all times while examining,
21 observing or caring for the patient;

22 (2) a copy of the policy of the agency regarding the educational
23 experience of its employees;

24 (3) a summary of the standards and requirements for completing the
25 homemaker-home health aide training and competency evaluation
26 program established by the New Jersey Board of Nursing pursuant to
27 section 2 of P.L.1947, c.262 (C.45:11-24) which have been satisfied
28 by the certified homemaker-home health aide; and

29 ~~[(2)]~~(4) notification of a telephone number at the New Jersey
30 Board of Nursing that the patient may call to obtain information about
31 the date that certification was initially granted by the board and the
32 dates of certification renewal, as applicable; and

33 (3), in addition to the date of any suspension or revocation of
34 certification by the board and the reasons therefor; as well as
35 notification that the patient may request and is thereupon entitled to
36 see a copy of the certified homemaker-home health aide's certificate,
37 which the agency shall be responsible to provide.

38 b. The information provided pursuant to subsection a. of this
39 section shall be provided:

40 (1) in advance of the provision of services to the patient, whenever
41 possible; and

42 (2) otherwise upon the homemaker-home health aide's initial visit
43 to the patient's home.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. The commissioner, pursuant to the "Administrative Procedure
2 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
3 regulations to effectuate the purposes of this section.

4
5 2. a. The Director of the Division of Consumer Affairs in the
6 Department of Law and Public Safety, in consultation with the
7 Commissioner of Health and Senior Services, shall require that, no
8 later than the 180th day after the effective date of this act, each health
9 care service firm, employment agency or registry, and temporary help
10 service firm or personnel consultant regulated by the Division of
11 Consumer Affairs shall provide the following information in writing to
12 each patient receiving home-based services from that firm, agency,
13 registry or consultant, or to a person designated by the patient:

14 (1) the name and certification or licensure status, as applicable, of
15 the homemaker-home health aide, health care professional or other
16 care provider, the name of the firm, agency, registry or consultant and
17 a photograph of the homemaker-home health aide, health care
18 professional or other care provider, to be displayed on an identification
19 tag that the homemaker-home health aide, health care professional or
20 other care provider shall wear at all times while examining, observing
21 or caring for the patient;

22 (2) a copy of the policy of the firm, agency, registry or consultant
23 regarding the educational experience of its employees;

24 (3) with respect to the qualifications of each certified homemaker-
25 home health aide who will provide services to the patient:

26 (a) a summary of the standards and requirements for completing the
27 homemaker-home health aide training and competency evaluation
28 program established by the New Jersey Board of Nursing pursuant to
29 section 2 of P.L.1947, c.262 (C.45:11-24) which have been satisfied
30 by the certified homemaker-home health aide; and

31 (b) notification of a telephone number at the New Jersey Board of
32 Nursing that the patient may call to obtain information about the date
33 that certification was initially granted by the board and the dates of
34 certification renewal, as applicable; and

35 (c)], in addition to the date of any suspension or revocation of
36 certification by the board and the reasons therefor; as well as
37 notification that the patient may request and is thereupon entitled to
38 see a copy of the certified homemaker-home health aide's certificate,
39 which the firm, agency, registry or consultant shall be responsible to
40 provide; and

41 [(2)](4) with respect to the qualifications of each person who is
42 not a certified homemaker-home health aide or other health care
43 professional whose practice is regulated pursuant to Title 45 of the
44 Revised Statutes and who will provide services to the patient:

45 (a) notification that the person is not a certified homemaker-home
46 health aide or other health care professional whose practice is

1 regulated pursuant to Title 45 of the Revised Statutes:

2 (b) the level of formal education attained by that person; and

3 [(b)](c) any training received by that person which the firm,
4 agency, registry or consultant deems relevant to the provision of those
5 services that the person is assigned to provide to the patient.

6 b. The information provided pursuant to subsection a. of this
7 section shall be provided:

8 (1) in advance of the provision of services to the patient, whenever
9 possible; and

10 (2) otherwise upon the initial visit to the patient's home of the
11 homemaker-home health aide or other person assigned to provide
12 services to the patient.

13 c. The director, pursuant to the "Administrative Procedure Act,"
14 P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations
15 to effectuate the purposes of this section.

16

17 3. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill requires that home health agencies licensed by the
23 Department of Health and Senior Services and health care service
24 firms, employment agencies or registries, and temporary help service
25 firms or personnel consultants regulated by the Division of Consumer
26 Affairs provide the following information in writing to each patient
27 receiving home-based services from that agency, firm, registry or
28 consultant, or to a person designated by the patient:

29 C the name and certification or licensure status, as applicable, of the
30 homemaker-home health aide, health care professional or other care
31 provider, the name of the agency, firm, registry or consultant and
32 a photograph of the homemaker-home health aide, health care
33 professional or other care provider, to be displayed on an
34 identification tag that the homemaker-home health aide, health care
35 professional or other care provider shall wear at all times while
36 examining, observing or caring for the patient;

37 C a copy of the policy of the agency, firm, registry or consultant
38 regarding the educational experience of its employees;

39 C with respect to the qualifications of each certified homemaker-home
40 health aide who will provide services to the patient:

41 -- a summary of the standards and requirements for completing the
42 homemaker-home health aide training and competency evaluation
43 program established by the New Jersey Board of Nursing pursuant to
44 N.J.S.A.45:11-24 which have been satisfied by the certified
45 homemaker-home health aide;

46 -- notification of a telephone number at the Board of Nursing that

1 the patient may call to obtain information about the date that
2 certification was initially granted by the board and the dates of
3 certification renewal, as applicable, in addition to the date of any
4 suspension or revocation of certification by the board and the reasons
5 therefor; as well as notification that the patient may request and is
6 thereupon entitled to see a copy of the certified homemaker-home
7 health aide's certificate, which the agency, firm, registry or consultant
8 shall be responsible to provide; and

9 C with respect to the qualifications of each person who is not a
10 certified homemaker-home health aide or other health care
11 professional whose practice is regulated pursuant to Title 45 of the
12 Revised Statutes and who will provide services to the patient:

- 13 -- notification that the person is not a certified homemaker-home
14 health aide or other regulated health care professional;
15 -- the level of formal education attained by that person; and
16 -- any training received by that person that the firm, agency registry
17 or consultant deems relevant to the provision of those services that the
18 person is assigned to provide to the patient.

19 The information provided pursuant to this bill is to be provided:

- 20 -- in advance of the provision of services to the patient, whenever
21 possible; and
22 -- otherwise upon the initial visit to the patient's home of the
23 homemaker-home health aide or other person assigned to provide
24 services to the patient.

25 The requirement to provide this information to home health care
26 patients would apply beginning on the 180th day after enactment of
27 this bill. The Commissioner of Health and Senior Services and the
28 Director of the Division of Consumer Affairs in the Department of
29 Law and Public Safety, in consultation with each other, would be
30 required to adopt regulations to carry out the provisions of this bill.

31 The purpose of this bill is to ensure that home health care patients
32 and their families receive basic information in advance about the
33 qualifications of the persons responsible for their care from the
34 employers of those persons.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 701**

STATE OF NEW JERSEY

DATED: JANUARY 31, 2002

The Assembly Health and Human Services Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 701.

This committee substitute requires that home health agencies licensed by the Department of Health and Senior Services, and health care service firms, employment agencies or registries, and temporary help service firms or personnel consultants regulated by the Division of Consumer Affairs, provide certain information about their employees' training to each patient or consumer receiving home-based services from that agency, firm, registry or consultant, or to a person designated by the patient or consumer.

Specifically, the information to be furnished would include:

- C the name and certification or licensure title, as applicable, of a homemaker-home health aide or other health care professional regulated pursuant to Title 45 of the Revised Statutes who is employed by a home health agency or health care service firm, to be displayed on an identification tag that the homemaker-home health aide or other health care professional is to wear at all times while examining, observing or caring for the patient (and which, beginning on the first day of the 13th month after the date of enactment of this substitute, would be required to include a photograph of the homemaker-home health aide or other health care professional);
- C in the case of a home health agency or health care service firm, a copy of the most current edition of the consumer guide to homemaker-home health aides published by the New Jersey Board of Nursing; and
- C with respect to the qualifications of each service provider who is not a certified homemaker-home health aide or other health care professional regulated pursuant to Title 45 of the Revised Statutes:
 - notification that the person is not a certified homemaker-home health aide or other regulated health care professional;
 - any training received by that person which the employing entity deems relevant to the provision of those services that the person is assigned to provide;

-- proof that the person is a United States citizen or legally documented alien; and

-- evidence of employment history verification or character references for that person.

The purpose of this substitute is to ensure that home health care patients and their families receive basic information in advance about the qualifications of the persons responsible for their care from the employers of those persons.

This substitute is a revised version of A-2856 (1R) of 2001 (Weinberg/Vandervalk), which the Assembly Health Committee reported during the prior session.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 701

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 9, 2002

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 701 (ACS).

This committee substitute requires that home health agencies licensed by the Department of Health and Senior Services and health care service firms, employment agencies or registries, and temporary help service firms or personnel consultants regulated by the Division of Consumer Affairs provide certain information about their employees' training to each patient or consumer receiving home-based services from that firm, agency, registry or consultant, or to a person designated by the patient or consumer.

Specifically, the information to be furnished would include:

- C the name and certification or licensure title, as applicable, of a homemaker-home health aide or other health care professional regulated pursuant to Title 45 of the Revised Statutes, who is employed by a home health agency or health care service firm, to be displayed on an identification tag that the homemaker-home health aide or other health care professional is to wear at all times while examining, observing or caring for the patient (and which, beginning on the first day of the 13th month after the date of enactment of this substitute, would be required to include a photograph of the homemaker-home health aide or other health care professional);
- C in the case of a home health agency or health care service firm, a copy of the most current edition of the consumer guide to homemaker-home health aides published by the New Jersey Board of Nursing; and
- C with respect to the qualifications of each service provider who is not a certified homemaker-home health aide or other health care professional regulated pursuant to Title 45 of the Revised Statutes:
 - notification that the person is not a certified homemaker-home health aide or other regulated health care professional;

- any training received by that person which the employing entity deems relevant to the provision of the services that the person is assigned to provide;
- proof that the person is a United States citizen or legally documented alien; and
- evidence of employment history verification or character references for that person.

The purpose of this substitute is to ensure that home health care patients and their families receive basic information in advance about the qualifications of the persons responsible for their care from the employers of those persons.

The committee amended the substitute to make a technical correction.

As amended by the committee, this substitute is identical to the Senate Committee Substitute for Senate Bill No. 499 (Vitale/Adler), which the Senate Health, Human Services and Senior Citizens Committee also reported on this date.

SENATE, No. 499

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator JOHN H. ADLER

District 6 (Camden)

Co-Sponsored by:

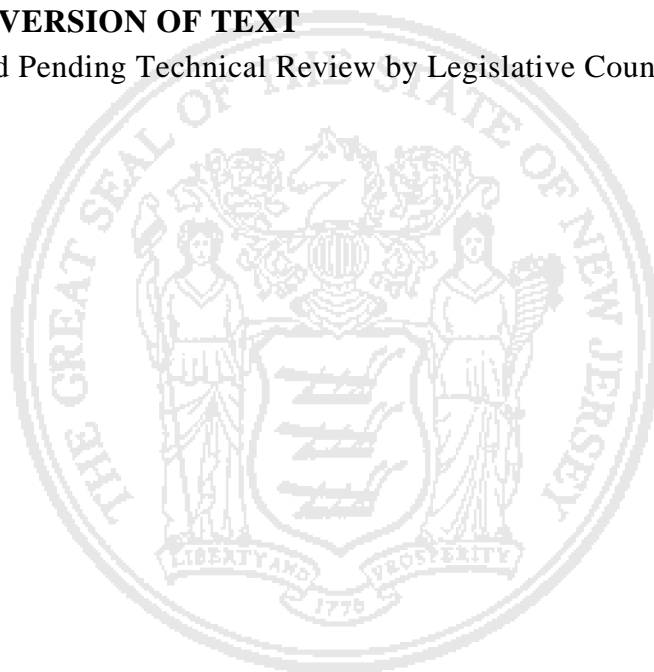
Senators McNamara and Ciesla

SYNOPSIS

Requires that home care services providers give advance information to patients about their employees' training.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning providers of home care services and
2 supplementing Titles 26 and 34 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The Commissioner of Health and Senior Services, in
8 consultation with the Director of the Division of Consumer Affairs in
9 the Department of Law and Public Safety, shall require that, no later
10 than the 180th day after the effective date of this act, each home health
11 agency licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) shall
12 provide the following information in writing to each patient receiving
13 home-based services from that agency, or to a person designated by
14 the patient, with respect to the agency and the qualifications of each
15 certified homemaker-home health aide who will provide services to the
16 patient:

17 (1) the name and certification status of the homemaker-home
18 health aide, the name of the agency and a photograph of the
19 homemaker-home health aide, to be displayed on an identification tag
20 that the homemaker-home health aide shall wear at all times while
21 examining, observing or caring for the patient;

22 (2) a copy of the policy of the agency regarding the educational
23 experience of its employees;

24 (3) a summary of the standards and requirements for completing
25 the homemaker-home health aide training and competency evaluation
26 program established by the New Jersey Board of Nursing pursuant to
27 section 2 of P.L.1947, c.262 (C.45:11-24) which have been satisfied
28 by the certified homemaker-home health aide; and

29 (4) notification of a telephone number at the New Jersey Board of
30 Nursing that the patient may call to obtain information about the date
31 that certification was initially granted by the board and the dates of
32 certification renewal, as applicable; and in addition to the date of any
33 suspension or revocation of certification by the board and the reasons
34 therefore; as well as notification that the patient may request and is
35 thereupon entitled to see a copy of the certified homemaker-home
36 health aide's certificate, which the agency shall be responsible to
37 provide.

38 b. The information provided pursuant to subsection a. of this
39 section shall be provided:

40 (1) in advance of the provision of services to the patient, whenever
41 possible; and

42 (2) otherwise upon the homemaker-home health aide's initial visit
43 to the patient's home.

44 c. The commissioner, pursuant to the "Administrative Procedure
45 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
46 regulations to effectuate the purposes of this section.

1 2. a. The Director of the Division of Consumer Affairs in the
2 Department of Law and Public Safety, in consultation with the
3 Commissioner of Health and Senior Services, shall require that, no
4 later than the 180th day after the effective date of this act, each health
5 care service firm, employment agency or registry, and temporary help
6 service firm or personnel consultant regulated by the Division of
7 Consumer Affairs shall provide the following information in writing to
8 each patient receiving home-based services from that firm, agency,
9 registry or consultant, or to a person designated by the patient:

10 (1) the name and certification or licensure status, as applicable, of
11 the homemaker-home health aide, health care professional or other
12 care provider, the name of the firm, agency, registry or consultant and
13 a photograph of the homemaker-home health aide, health care
14 professional or other care provider, to be displayed on an identification
15 tag that the homemaker-home health aide, health care professional or
16 other care provider shall wear at all times while examining, observing
17 or caring for the patient;

18 (2) a copy of the policy of the firm, agency, registry or consultant
19 regarding the educational experience of its employees;

20 (3) with respect to the qualifications of each certified homemaker-
21 home health aide who will provide services to the patient:

22 (a) a summary of the standards and requirements for completing
23 the homemaker-home health aide training and competency evaluation
24 program established by the New Jersey Board of Nursing pursuant to
25 section 2 of P.L.1947, c.262 (C.45:11-24) which have been satisfied
26 by the certified homemaker-home health aide; and

27 (b) notification of a telephone number at the New Jersey Board of
28 Nursing that the patient may call to obtain information about the date
29 that certification was initially granted by the board and the dates of
30 certification renewal, as applicable, in addition to the date of any
31 suspension or revocation of certification by the board and the reasons
32 therefor; as well as notification that the patient may request and is
33 thereupon entitled to see a copy of the certified homemaker-home
34 health aide's certificate, which the firm, agency, registry or consultant
35 shall be responsible to provide; and

36 (4) with respect to the qualifications of each person who is not a
37 certified homemaker-home health aide or other health care
38 professional whose practice is regulated pursuant to Title 45 of the
39 Revised Statutes and who will provide services to the patient:

40 (a) notification that the person is not a certified homemaker-home
41 health aide or other health care professional whose practice is
42 regulated pursuant to Title 45 of the Revised Statutes;

43 (b) the level of formal education attained by that person; and

44 (c) any training received by that person which the firm, agency,
45 registry or consultant deems relevant to the provision of those services
46 that the person is assigned to provide to the patient.

1 b. The information provided pursuant to subsection a. of this
2 section shall be provided:

3 (1) in advance of the provision of services to the patient, whenever
4 possible; and

5 (2) otherwise upon the initial visit to the patient's home of the
6 homemaker-home health aide or other person assigned to provide
7 services to the patient.

8 c. The director, pursuant to the "Administrative Procedure Act,"
9 P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations
10 to effectuate the purposes of this section.

11

12 3. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 This bill requires that home health agencies licensed by the
18 Department of Health and Senior Services and health care service
19 firms, employment agencies or registries, and temporary help service
20 firms or personnel consultants regulated by the Division of Consumer
21 Affairs provide the following information in writing to each patient
22 receiving home-based services from that agency, firm, registry or
23 consultant, or to a person designated by the patient:

24 C the name and certification or licensure status, as applicable, of the
25 homemaker-home health aide, health care professional or other care
26 provider, the name of the agency, firm, registry or consultant and
27 a photograph of the homemaker-home health aide, health care
28 professional or other care provider, to be displayed on an
29 identification tag that the homemaker-home health aide, health care
30 professional or other care provider shall wear at all times while
31 examining, observing or caring for the patient;

32 C a copy of the policy of the agency, firm, registry or consultant
33 regarding the educational experience of its employees;

34 C with respect to the qualifications of each certified homemaker-home
35 health aide who will provide services to the patient:

36 -- a summary of the standards and requirements for completing the
37 homemaker-home health aide training and competency evaluation
38 program established by the New Jersey Board of Nursing pursuant to
39 N.J.S.A.45:11-24 which have been satisfied by the certified
40 homemaker-home health aide;

41 -- notification of a telephone number at the Board of Nursing that
42 the patient may call to obtain information about the date that
43 certification was initially granted by the board and the dates of
44 certification renewal, as applicable, in addition to the date of any
45 suspension or revocation of certification by the board and the reasons
46 therefor; as well as notification that the patient may request and is

1 thereupon entitled to see a copy of the certified homemaker-home
2 health aide's certificate, which the agency, firm, registry or consultant
3 shall be responsible to provide; and

4 C with respect to the qualifications of each person who is not a
5 certified homemaker-home health aide or other health care
6 professional whose practice is regulated pursuant to Title 45 of the
7 Revised Statutes and who will provide services to the patient:

8 -- notification that the person is not a certified homemaker-home
9 health aide or other regulated health care professional;

10 -- the level of formal education attained by that person; and

11 -- any training received by that person that the firm, agency registry
12 or consultant deems relevant to the provision of those services that the
13 person is assigned to provide to the patient.

14 The information provided pursuant to this bill is to be provided:

15 -- in advance of the provision of services to the patient, whenever
16 possible; and

17 -- otherwise upon the initial visit to the patient's home of the
18 homemaker-home health aide or other person assigned to provide
19 services to the patient.

20 The requirement to provide this information to home health care
21 patients would apply beginning on the 180th day after enactment of
22 this bill. The Commissioner of Health and Senior Services and the
23 Director of the Division of Consumer Affairs in the Department of
24 Law and Public Safety, in consultation with each other, would be
25 required to adopt regulations to carry out the provisions of this bill.

26 The purpose of this bill is to ensure that home health care patients
27 and their families receive basic information in advance about the
28 qualifications of the persons responsible for their care from the
29 employers of those persons.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 499

STATE OF NEW JERSEY

DATED: MAY 9, 2002

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate Committee Substitute for Senate Bill No. 499.

This committee substitute requires that home health agencies licensed by the Department of Health and Senior Services and health care service firms, employment agencies or registries, and temporary help service firms or personnel consultants regulated by the Division of Consumer Affairs provide certain information about their employees' training to each patient or consumer receiving home-based services from that firm, agency, registry or consultant, or to a person designated by the patient or consumer.

Specifically, the information to be furnished would include:

- C the name and certification or licensure title, as applicable, of a homemaker-home health aide or other health care professional regulated pursuant to Title 45 of the Revised Statutes, who is employed by a home health agency or health care service firm, to be displayed on an identification tag that the homemaker-home health aide or other health care professional is to wear at all times while examining, observing or caring for the patient (and which, beginning on the first day of the 13th month after the date of enactment of this substitute, would be required to include a photograph of the homemaker-home health aide or other health care professional);
- C in the case of a home health agency or health care service firm, a copy of the most current edition of the consumer guide to homemaker-home health aides published by the New Jersey Board of Nursing; and
- C with respect to the qualifications of each service provider who is not a certified homemaker-home health aide or other health care professional regulated pursuant to Title 45 of the Revised Statutes:
 - notification that the person is not a certified homemaker-home health aide or other regulated health care professional;
 - any training received by that person which the employing

entity deems relevant to the provision of the services that the person is assigned to provide;

-- proof that the person is a United States citizen or legally documented alien; and

-- evidence of employment history verification or character references for that person.

The purpose of this substitute is to ensure that home health care patients and their families receive basic information in advance about the qualifications of the persons responsible for their care from the employers of those persons.

This substitute is identical to the Assembly Committee Substitute for Assembly Bill No. 701 (SCA) (Weinberg/Vandervalk), which the Senate Health, Human Services and Senior Citizens Committee also reported on this date.

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Press Releases

PO BOX 004
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Contact: Kevin Davitt
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RELEASE: September 05, 2002

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McGreevey Signs Legislation to Protect Patients Receiving Home Health Care

(TRENTON)—Governor James E. McGreevey signed into law today Assembly Bill 701, which requires home health agencies and home care service firms to provide patients with information about their employees in advance of, or at the time of, their initial visit.

“Each and every day, thousands of families throughout New Jersey rely on the valuable and essential services provided by home health care professionals,” said McGreevey. “With this new law requiring that home health aides provide patients with information on their training and background, families can feel even more confident that their loved ones will be in good hands. I would like to recognize Assemblywoman Loretta Weinberg, as well as the other legislative sponsors, for their leadership and efforts in making sure this important piece of legislation became law.”

Assemblywomen Loretta Weinberg (D-Bergen) and Charlotte Vandervalk (R-Bergen) sponsored A-701. The Senate version of the bill, S-499, was sponsored by Senators Joseph Vitale (D-Middlesex) and John Adler (D-Camden). The legislation passed both houses unanimously.

“Better scrutiny of home health care workers will ensure that patients are receiving the full measure of services they need and deserve,” said Weinberg. “Ill trained or unqualified individuals should not be posing as home health providers who may be called upon to make crucial emergency decisions that could make the difference between life and death.”

The law was initiated by a constituent in Assemblywoman Weinberg’s district who was unable to obtain accurate or complete information about the qualifications or abilities of several of the attendants that home health service providers sent to her home to care for their developmentally disabled daughter.

Specifically, the law states that whenever caring for a patient, home health care professionals must wear identification tags containing their name and title, and eventually a photograph. In addition, the law requires that patients receive a copy of the most current edition of the “Consumer Guide to Homemaker-Home Health Aides” published by the New Jersey Board of Nursing.

Furthermore, any health care service firm or other employment agency that is regulated by the Division of Consumer Affairs that employ an uncertified or unregulated home health care professional must provide patients, in writing, with information on the home health care

professional's training.

Each patient must be provided, in writing, with notification that the person providing services is not a certified or regulated home health care professional; information about training; proof that the person is a U.S. citizen or legally documented alien; and evidence of employment history and/ or character references.



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