I'm not a family caregiver. Why should I care about home care?
Home care is essential to the lives of millions of seniors and individuals with disabilities across the country. The home care industry empowers seniors to choose where they age and helps them live safely and independently for as long as possible.

Home care also helps our nation’s health care system. Home care improves health outcomes by strengthening preventive care and lowering hospital admissions and readmissions – reducing our nation’s health system costs.

The home care industry employs hundreds of thousands of Americans and equips them with vital skills essential for employment in a 21st century service economy. The industry provides professional caregivers with training, support, recognition and a safe working environment.

Further, home care is good for employers, helping workers balance their jobs with their senior care responsibilities. And home care is good for our economy, creating employment opportunities in a fast-growing industry.

How is home health care different from home care?
Home health care provides medical care – such as administering medications, assisting with oxygen, changing wound dressings or helping with prescribed exercises.

Both home care and home health are essential parts of the overall health care continuum, providing cost-effective alternatives to institutional long-term care and reducing the burden on acute care facilities.

Choosing a Home Care Provider:

What is employer-based home care?
Employer-based home care refers to a home care company that fully employs its caregivers as employees, not as independent contractors. Under this model, the home care company provides important employee protections – such as workers’ compensation, unemployment insurance and the employer-paid share of payroll taxes. Seniors and their families may also be liable for back taxes and penalties if they do not properly pay the required share of payroll taxes.

How do I choose a home care provider?
Ensuring seniors have high-quality care is essential to their health and wellbeing. Studies show that 90 percent of seniors wish to stay in their homes for as long as possible, and HCAOA member companies provide important services to help meet that desire. To find an HCAOA provider, visit www.hcaoa.org.
ABOUT HCAOA:

What is HCAOA?
The Home Care Association of America (HCAOA) is the voice of the home care industry. Founded in 2002, the industry’s leading trade association represents over 2,500 companies that employ more than 500,000 workers across the United States.

• HCAOA protects seniors by setting the standard for high-quality home care in the United States.

• It serves as the home care industry’s unified voice in Washington, D.C. and state governments across the country and advocates for the industry, promotes its value, tackles barriers to growth and takes on industry-wide issues.

• HCAOA connects and educates its members through innovative education opportunities through conferences, workshops and other events.

How are HCAOA member companies different from other home care providers?
HCAOA members provide high-quality home care. Caregivers are fully trained, screened and supervised by experienced professionals. Fully employed by the home care company they represent, these professional caregivers are fully compliant with licensing and labor laws. In addition, HCAOA member companies protect the consumer by providing the appropriate insurance and/or bonding required by the law. Finally, HCAOA member companies carefully match caregivers with the right clients, providing seniors with safety and security – and their loved ones with peace of mind.

POLICY ISSUES AFFECTING THE HOME CARE INDUSTRY:

What is worker misclassification?
Current law requires that workers are treated as employees when the nature, time, location and method of performing the work are under the control of the entity or person for whom the work is done. However, some agencies that refer workers, as well as seniors and their families do not know or misinterpret these roles – resulting in a misclassification of a home care worker as an independent contractor.

What happens when a home care worker is misclassified as an independent contractor?
Misclassification hurts the home care worker. This misclassified caregiver loses important protections, such as workers’ compensation, unemployment insurance and the employer-paid share of payroll taxes. These workers are also far less likely to be provided important training and have less access to critical employee benefits.

Misclassification hurts our governments: federal and state governments lose much-needed tax revenue when misclassified home care workers fail to pay their appropriate level of income and payroll taxes. Misclassification also hurts seniors and their families, as they may find themselves liable for back taxes and penalties.

What is the companion care exemption?
The Companion Care Exemption was a long-standing interpretation of the Fair Labor Standards Act (FLSA) that helped ensure that seniors and individuals with disabilities had unfettered access to affordable home care. This helped seniors maintain a high level of independence by supporting aging in place.

How does the companion care exemption affect how home care is delivered to seniors?
This exemption helped home care employers determine the appropriate wage requirements for their caregivers based on the work being performed. The U.S. Department of Labor recently changed its long-standing interpretation of this exemption, forcing home care companies to submit to impractical standards, putting America’s home care industry at risk and significantly raising costs for the hundreds of thousands of American seniors that pay privately for their home care.