



## Terms Used in Agency Business Names and Advertising

Legislation proposed this session by the Department of Consumer Protection would ban homemaker-companion agencies from using any medical or health-related terms in their company names or in their advertising. Thus, an agency which wishes to indicate that it specializes in Alzheimer's disease, dementia care, or memory care support would be required to obtain a license from the Department of Public Health.

While HCAOA Connecticut supports the intent to prohibit home care agencies (HCAs) from providing services beyond the scope of their registration, this legislation is unnecessary and ambiguous. We believe it would create enforcement problems for the department and unintended consequences for the home care industry in Connecticut.

The care provided by HCAs includes safety and support in the home for people who suffer from memory loss or dementia-related impairment. Training programs developed by HCAs for direct care staff serving these clients don't focus on medical care; they cover communication, touch, reducing stimulation, bathing techniques, etc. The training enhances the care for persons in their home that others are not able to provide. Caregivers perform certain nonmedical tasks that "ensure the well-being and safety of a person" in her home, in accordance with Conn. Gen. Stat. sec. 20-670(3). Clearly, the legislature intended that the role of a caregiver providing companion services include memory support when necessary to ensure a safe and healthy home environment.

The proposed legislation would limit HCA advertising efforts by prohibiting "words relating to medical or health care licensure or services." HCAOA Connecticut agrees that non-medical agencies should not suggest in their advertising that they provide medical services. HCAOA Connecticut is concerned, however, that the bill as proposed could be interpreted as prohibiting an agency from advertising that it *supports* individuals who have certain medical conditions. That would hinder the ability of agencies to take on new clients and limit the care available to elderly and disabled consumers, potentially putting them at risk.

Nonmedical home care agencies should not claim they diagnose, treat or cure disease, but they should be able to provide accurate and essential information to consumers, to help those in need of special support make an informed choice of provider. Seniors with dementia or other cognitive issues make up the majority of home care clients. The services provided by HCA caregivers help these seniors remain in their homes, instead of entering a hospital or nursing home. We believe that people who could benefit from our help ought to know what we can offer.

As an alternative, HCAOA Connecticut proposes that an agency be allowed to use in its business name and advertising any words that accurately describe nonmedical, supportive services which ensure a safe and healthy environment for a person who may have memory challenges in the person's home. (See attached.) This is consistent with the definition of the term homemaker services, and it acknowledges the support and assistance many agencies provide.