

Senate JOINT RESOLUTION NO. 16

INTRODUCED BY

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO STUDY THE NEED FOR AND METHOD OF PROVIDING A PROGRAM FOR THE LICENSURE, REGISTRATION, OR CERTIFICATION OF HOME COMPANIONS; AND REQUIRING A REPORT TO THE 56TH LEGISLATURE.

WHEREAS, the number of elderly persons in Montana will increase dramatically in the next several decades because of the attractiveness of Montana as a place to retire and because of the aging of the "baby boomers"; and

WHEREAS, there has been a rapid increase in the types of home care services available in the homes of persons who need those services; and

WHEREAS, there is a licensing requirement for home health agencies providing certain types of skilled care by licensed medical professionals, but there are no state requirements for individuals providing unskilled assistance to elderly persons or persons with disabilities in their homes; and

WHEREAS, there is potential for abuse of elderly persons or persons with disabilities by unqualified workers; and

WHEREAS, Montana should promote quality in home care programs but should also recognize the inherently flexible nature of unskilled assistance and companionship to elderly persons and persons with disabilities; and

WHEREAS, the creation of a licensure, registration, or certification program to ensure that persons who provide assistance and companionship in a home are sufficiently skilled and screened would be of great benefit to elderly persons or persons with disabilities who want to remain in their own homes or who want a measure of increased confidence that a person hired to assist them with activities of daily living possesses the expected skills and character.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Department of Public Health and Human Services be requested to study the benefits and



1 costs associated with developing a voluntary licensing, registration, or certification program for unlicensed
2 individuals providing care and assistance to elderly persons or persons with disabilities in their homes. The
3 Department may conduct the study by convening a group of affected and interested persons. Issues to
4 be addressed in the study should include:

5 (1) a definition of home companion, which may include individuals who provide services, such as
6 help with activities of daily living, respite care, or companionship;

7 (2) the level of training necessary for licensure, registration, or certification of home companions;

8 (3) the necessity for a background investigation as a prerequisite to licensure, registration, or
9 certification of home companions and the type of background investigation, if any, to be required;

10 (4) the appropriate method of ensuring that home companions meet prerequisites for licensure,
11 registration, or certification;

12 (5) the personal and agency costs associated with a licensing, registration, or certification program
13 for home companions; and

14 (6) the type of services that may be offered by a person representing to the public that the person
15 is a licensed, registered, or certified home companion.

16 BE IT FURTHER RESOLVED, that the Department be requested to report the findings of the study
17 to the 56th Legislature in the manner provided by section 5-11-210, MCA, and to include in the report
18 options for legislative consideration regarding the need for and method of licensure, registration, or
19 certification of home companions.

20 -END-

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2 INTRODUCED BY SHEA, COCCHIARELLA, ESTRADA, FRANKLIN, PAVLOVICH, LYNCH, MCCARTHY,
3 HARRINGTON, SQUIRES, JENKINS, BARTLETT, WYATT, BROOKE, DOHERTY, NELSON, JERGESON,
4 WILSON, BECK, STANG, BENEDICT, WATERMAN, DEPRATU, THOMAS, MAHLUM, BAER, QUILICI,
5 CHRISTIAENS
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13 decades because of the attractiveness of Montana as a place to retire and because of the aging of the
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22 WHEREAS, Montana should promote quality in home care programs but should also recognize the
23 inherently flexible nature of unskilled assistance and companionship to elderly persons and persons with
24 disabilities; and

25 WHEREAS, the creation of a licensure, registration, or certification program to ensure that persons
26 who provide assistance and companionship in a home are sufficiently skilled and screened would be of
27 great benefit to elderly persons or persons with disabilities who want to remain in their own homes or who
28 want a measure of increased confidence that a person hired to assist them with activities of daily living
29 possesses the expected skills and character.
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unskilled assistance to elderly persons or persons with disabilities in their homes; and

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workers; and

WHEREAS, Montana should promote quality in home care programs but should also recognize the
inherently flexible nature of unskilled assistance and companionship to elderly persons and persons with
disabilities; and

WHEREAS, the creation of a ~~licensure~~, VOLUNTARY registration, or certification program to ensure
that persons who provide assistance and companionship in a home are sufficiently skilled and screened
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