

# MAINE STATE LEGISLATURE

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SMG  
ROFS

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L.D. 434

2

Date: 6/5/2013

(Filing No. S-198)

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**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE**

6

**SENATE**

7

**126TH LEGISLATURE**

8

**FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to S.P. 166, L.D. 434, Bill, "An Act To Provide a Safe Working Environment for Home Care Workers"

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Amend the bill by striking out the title and substituting the following:

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**'Resolve, Regarding Safer Workplaces for Home Care and Home Health Workers'**

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Amend the bill by striking out everything after the title and before the summary and inserting the following:

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**'Preamble. Whereas,** home care workers and home health workers provide assistance to children and adults that allows them to receive services and remain in their homes; and

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**Whereas,** home care workers and home health workers travel to remote areas throughout Maine to provide care and are usually unaccompanied when they make home visits; and

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**Whereas,** home care workers and home health workers require sufficient training to respond and react to potential physical, sexual and environmental threats in the workplace; and

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**Whereas,** other states have succeeded in addressing this problem by developing training programs and so-called toolkits to help home care workers and home health workers and home care and home health agencies recognize and respond to potential threats; and

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**Whereas,** the Legislature finds that proper training of home care workers and home health workers is essential to maintaining effective long-term care and home health systems; now, therefore, be it

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**Sec. 1. Work group. Resolved:** That the Department of Health and Human Services and the Department of Labor shall convene a work group to develop, within existing resources, a set of guidelines that helps home care workers and home health workers and home care and home health agencies to better assess workplace risks. The

**ROFS**

1 departments shall invite a broadly representative group of persons to participate in the  
2 work group, including but not limited to home care workers, home health workers,  
3 consumer advocates, elder services advocates and representatives of home care agencies,  
4 home health agencies, care coordination agencies and the State's long-term care  
5 ombudsman program. The work group shall examine ways in which specific information  
6 about potential threats at service locations can be better communicated to the workers  
7 who serve clients in those locations. The work group shall consider a centralized  
8 recording of all incidents of workplace violence, a written workplace violence prevention  
9 and crisis response plan and training for home care workers and home health workers;  
10 and be it further

11 **Sec. 2. Report. Resolved:** That, by January 1, 2014, the Department of Health  
12 and Human Services and the Department of Labor shall submit a report on the work  
13 group's findings under this resolve, including any suggested legislation, to the Joint  
14 Standing Committee on Health and Human Services.'

15 **SUMMARY**

16 This amendment replaces the bill with a resolve. The amendment incorporates the  
17 concepts contained in Legislative Document 1165 of the 126th Legislature, "An Act To  
18 Improve the Safety of Workers Who Provide Direct Mental Health and Social Services."  
19 The amendment directs the Department of Health and Human Services and the  
20 Department of Labor to convene a broadly representative work group to develop a set of  
21 guidelines that helps home care workers, home health workers and home care and home  
22 health agencies to better assess workplace risks. The amendment directs the work group  
23 to examine ways in which specific information about potential threats at service locations  
24 can be better communicated to the workers who serve clients in those locations and to  
25 consider a centralized recording of all incidents of workplace violence, a written  
26 workplace violence prevention and crisis response plan and training for home care  
27 workers and home health workers. The amendment directs the departments to report to  
28 the Joint Standing Committee on Health and Human Services by January 1, 2014.

29 **FISCAL NOTE REQUIRED**

30 (See attached)



Approved: 05/13/13 *MAC*

# 126th MAINE LEGISLATURE

LD 434

LR 679(02)

**An Act To Provide a Safe Working Environment for Home Care Workers**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-198)**  
**Committee: Health and Human Services**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Health and Human Services and the Department of Labor are expected to be minor and can be absorbed within existing budgeted resources.