

Home Care Alliance of MA Testimony
Joint Committee on Elder Affairs
04/14/2025
10:00am State House Room A-1
Re: H.789/S.740 Hearing

Good morning,

My name is Jake Krilovich and I'm the Executive Director for the Home Care Alliance of Massachusetts (HCA). I want to thank the committee for allowing me the opportunity to offer testimony on H.789/S.740, *An Act to Improve Massachusetts Home Care*, which would create a licensure system for non-medical home care services. I would like to thank and express our appreciation to Chairs Pat Jehlen and Tom Stanley for their leadership on this issue.

Our association has been advocating for licensure for over 15 years! It's not often you have an industry coming to this body, urging it to be regulated. Yet, we believe in this initiative so deeply, that we created our own accreditation standards in lieu of State Licensure several years ago. This accreditation holds our members to a higher standard so that consumers can be certain they are receiving the best care possible. This accreditation largely served as the basis for the bill before the committee today.

As you know, home care services are a vital and growing part of the health care delivery system. They are essential/cost-effective non-medical, companion and homemaking services that allow people to age safely in the comfort of their home and delay their need for higher-acute, higher-cost, facility settings.

We get at least 2 inquiries a week from people looking to open a private pay agency in Massachusetts. And as me and my staff often inform these prospective business owners – and I've said to many of you on this committee – in many respects, it's easier to open a home care agency, than a pizza shop in the Commonwealth. Currently, you simply file with the Secretary of State's office as a business and adhere to one or two DPH requirements when sending workers into an older adult's home – and you can operate. We remain one of a few states without a licensure system for home care services.

We believe that agencies should be held to a baseline set of standards that would protect consumers and the workforce. This bill's framework does just that, without overburdening providers and inadvertently increasing the cost of private pay home care which would drive consumers to seek care in the underground marketplace.

This bill would direct the Executive Office of Health and Human Services to establish a licensure system that protect consumers by ensuring adequate background checks, minimum standards in consumer service plans, training and competency requirements, liability and workers compensation insurance minimums, maintenance of payroll process, and a consumer complaint process.

This bill would not only license home care agencies, but it would license any entity or person who advertises themselves as providing home care services.

The bill requires coordination between DPH, the Department of Aging and Independence and MassHealth to ensure that there is no duplication between this licensure system, and home

health licensure – which passed and was enacted into law in 2017 – but has yet to be implemented.

It is imperative that we act now to establish these standards so that we can best protect workers, consumers, and level the playing field among operators. Today, we have no idea how many non-medical home care providers there are in Massachusetts. If you ask any of our provider members, they can give you an example of an agency operating in the shadows, skirting these basic best practices. Whether it's by failing to adhere to wage and labor laws, not carrying liability insurance, or not conducting background checks on workers. All things you would assume would be required of a provider or worker caring for people in their homes.

This exposes residents of the Commonwealth, it exposes our industry and exposes this legislature to a tragedy that occurs in the home and may have been prevented by licensure. We have already seen such tragedies – in January a home health aide was stabbed 30 times by their patient in East Boston. Two years ago – a home health nurse was murdered in Connecticut. And elder abuse is a nationwide issue that can be prevented from basic worker verification standards. I'm not suggesting that licensure will prevent these incidents from ever occurring again – but it is a critical step forward to doing everything we can to protect our patients and our workforce.

So – I look forward to testimony from two of our provider members here. I plead with the committee to vote this bill favorably and expedite it through the legislative process in the coming months.

Again – I thank you for the time and am happy to answer any questions.