



"Empower, Support, Protect"

Human Services Department
COUNTY OF SONOMA

COUNTY OF SONOMA AREA AGENCY ON AGING

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**ELDER ABUSE
PREVENTION COUNCIL**
SONOMA COUNTY

Hiring an In-Home Caregiver



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Developed by
The Elder Abuse Prevention Council of Sonoma County
Human Services Department
County of Sonoma

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Introduction

There's no place like home. That's why most people want to stay there as they age. However, sometimes people need in-home help to remain at home. This handbook is intended as a guide for those who are hiring, or considering, in-home care.

The guide provides information on screening, interviewing, and managing a caregiver in your home, and on methods of paying for home care. Checklists, sample forms, and other tools are included for your use. The guide includes information for those who are trying to hire in-home help, whether independently through private pay, or by purchasing services through a home care agency.

There are also a number of resources and a variety of information which will help you reduce your chances of falling victim to abuse by a caregiver. Additional information on elder abuse is available from the **Elder Abuse Prevention Council of Sonoma County**, which can be reached through the Area Agency on Aging, 707-565-5950. As an educated consumer, you will be able to make informed decisions when you or a loved one is in need of in-home assistance. In Sonoma County, reports of elder abuse continue to rise. Elder abuse reports have increased by 50% from 2000 to 2005.

Elder abuse, like other types of domestic violence, is extremely complex. Generally a combination of psychological, social, and economic factors, along with the mental and physical conditions of the victim and the perpetrator, contribute to the occurrence of elder abuse. Although the factors listed below cannot explain all types of elder abuse (it is likely that different types, as well as each single incident, involve different causal factors), they include some of the causes researchers say are important.

- ◆ Impairment of the elder (poor health, mental/physical disabilities)
- ◆ Caregiver stress
- ◆ Personal problems of abusers (drugs, alcoholism, emotional disorders, financial problems)
- ◆ Cycle of violence (a learned behavior on the part of the abuser)

Introduction

All sections relating to legal, financial, and insurance issues may be used as guidelines. **However, it is very important for you to check with a knowledgeable professional to clarify what is necessary for you in your particular circumstance. The information contained in this guide is not a substitute for legal advice.**

Even if you do not need the information and resources in this guide right now, please keep it in an accessible place—maybe by your phone with the telephone book so you can find it when you need it. Share the information with friends and family who might benefit from the resources.

Could I Benefit?

Home care is a way for seniors and dependent adults to stay in their own home, even though they may have difficulty managing on their own. Home care may be used on a temporary or long term basis to help maintain independence. Here are some examples of situations where home care is beneficial:

- ◆ You have recently been discharged from the hospital.
- ◆ You require assistance at home or on your job due to a disability.
- ◆ You are a senior and need ongoing help at home with basic household chores or personal care.
- ◆ You are an adult child of a parent who needs help in the home due to a stroke or disease involving brain injury or dementia.
- ◆ You are a family caregiver and need some time off or help in an emergency.

Here are some examples of questions to ask yourself prior to making a decision on home care help:

- ◆ What are my needs?
- ◆ Should I remain in my own home, live with my children or relatives, or move to other surroundings such as retirement apartments, low-income housing, or assisted living?
- ◆ How can my home be changed to help me stay in it?
- ◆ Do I have the resources to pay for help? If not, how can I get it?

How Do I Find an In-Home Caregiver?

People who are personally recommended by friends, neighbors, or relatives can be considered good applicants for your position. In addition, there are other primary sources for finding caregivers:

- ◆ Home Care Registries
- ◆ Home Care Agencies
- ◆ Job Placement Services
- ◆ Geriatric Care Manager/Case Manager
- ◆ IHSS Public Authority (available to IHSS clients only)
- ◆ State/county agencies

What is a Home Care Registry?

Various kinds of community organizations maintain registries of recommended caregivers who may have been interviewed and screened. Ask the registry what their screening process is. (For further information see the “Background and Reference Check” section on page 14). These services will generally help you assess your needs over the phone or in person. They will then refer caregivers for you to interview. You are responsible for interviewing, hiring, and managing your employee. As of March 2006, the hourly rate for privately hired home care ranges from \$14.00 to \$20.00 per hour. Registries can also help you find live-in help, charged at a weekly or monthly rate, which will vary according to the amount and type of care required. See the **Senior Resource Guide**, “*Home Health Care-In Home Assistance*” or refer to the **Sonoma County Yellow Pages** under “*Senior Citizens’ Services & Organizations*” or “*Disabled Persons’ Access, Equipment & Services.*”

What do Home Care Agencies Do?

You can pay a home care agency to provide and oversee caregivers, many of whom have training as nurse’s assistants. The agency selects a caregiver for you; however, you may ask for a different person if you are unsatisfied with their choice. The agency is the caregiver’s direct employer and handles payroll and taxes. As of March 2006, agencies generally charge \$19 per hour (and up); in some cases travel time may be added. Reimbursement may be available through your insurance company. (For information on who pays for home care, see the section “Long-Term Care Insurance” on page 6 and for information on liability and tax issues when hiring a caregiver, see the section “Tax Issues” on page 25).

How Do I Find an In-Home Caregiver?

What do Job Placement Services Do?

Job placement services include the following: community bulletin boards, senior center bulletin boards, college career centers, churches, synagogues, employment agencies, classified ads and the internet. Be aware that people listed through these sources are not always qualified or screened.

What is a Geriatric Care/Case Manager?

If you are responsible for the care of a senior or dependent adult but are unable to manage and supervise his/her home care due to time constraints or living at a distance, you may want to consider hiring a care/case manager.

A Geriatric Care/Case Manager is a professional who assists the individual and his/her family in keeping the individual in their own environment – healthy and independent as long as possible. The care/case manager is trained and experienced in assessment, coordination, monitoring and direct delivery of services. As a professional, the person has a clinical or graduate degree in social work, psychology, or one of many health care fields, including, but not limited to, nursing, occupational therapy, and physical therapy.

Try to talk to or meet with more than one care/case manager before making a choice. Fees may range from \$60/hour to \$250/hour. Since geriatric care/case managers are not licensed or overseen by a regulatory agency, make sure you know the qualifications of the person you hire to perform this function. To find care/case managers in your area, refer to the **Senior Resource Guide**, “*Care Management*”, or go to www.caremanager.org. This is the website for the National Association of Geriatric Care Managers.

Types of Home Care Available

Job Title

Homemakers
Housekeepers

Duties

The primary focus is housekeeping (such as cooking, laundry, and housework) though many can and will do personal care such as bathing and dressing.

Personal Care Worker
Personal Care Attendant

Assistance with personal care: bathing, dressing, toileting, transfers, escort to medical appointments and on errands. Provides companionship and stimulation to isolated seniors who may be homebound.

Home Care Worker
Caregiver

Personal care AND help with household duties: shopping, errands, meal preparation, and light housekeeping.

Certified Home Health Aide
Certified Nurse Assistant (CNA)

Personal care, household duties AND some health related tasks: assistance with self-administered medication, exercise and rehabilitation activities; works under the supervision of a nurse with a licensed home health agency.

Registered Nurse (RN)

Visiting nurses come to the home for a variety of reasons such as giving injections, dressing wounds, and monitoring vital signs. Visits are of limited duration and usually ordered by a doctor. Can also be hired privately without doctor's order.

In-Home Health Care

May include Physical Therapists; Occupational Therapists; Speech, Language, Swallowing and Hearing Therapists, Nutritionists, and RNs.

Home care can be arranged in a variety of ways, depending on your need. Caregivers are available for part-time and full-time hourly work, overnight or 24-hour shifts, and live-in arrangements, both full-time or part-time.

Who Pays for Home Care Services?

There are several ways to pay for home care services:

- ◆ Private Payment
- ◆ Long-Term Care Insurance
- ◆ Medicare
- ◆ In-Home Supportive Services (IHSS)
- ◆ Veteran's Administration. Additional benefits may be available for veterans. Contact Sonoma County Veterans' Service Office (707) 565-5960 for information.

Private insurance or Medicare may not cover, or may only partially cover, the costs of home health aides. Companion care is usually not covered at all. Check with your accountant because some of the costs may be tax-deductible.

Private Payment

Most home care is paid for privately by the consumer or his/her family. If you are paying for the service, you can choose to use a registry or an agency or to hire people independently.

Long-Term Care Insurance

Long-term care insurance can provide a shield for the high costs of health care. It is a type of insurance that is intended to fill in the gaps left by general insurance and government benefits. Depending on the policy, long-term care insurance can be extremely valuable, offering coverage not just for nursing home care but for home care, adult day care, and care in assisted living facilities.

For additional information on long-term care insurance, call the Health Insurance Counseling and Advocacy Program (**HICAP**) at 707-526-4108.

Medicare

If you receive Medicare and the doctor has determined that you need intermittent home health care, Medicare may cover home care for a limited time. Ask your physician for a referral. A visiting RN will assess the situation, set up a home health plan and determine Medicare eligibility for payment.

Who Pays for Home Care Services?

To be eligible, you must meet the following requirements:

- ◆ Require short-term, intermittent skilled nursing care, physical therapy or speech therapy
- ◆ Be confined to your home, except for medical appointments
- ◆ Receive services from a home health agency which participates in Medicare

Medicare may pay for:

- ◆ Part-time or intermittent services from home health aides on a short-term basis
- ◆ Medical social work visits
- ◆ Some medical supplies and durable medical equipment
- ◆ Occupational therapy or physical therapy
- ◆ Hospice or home care for life-limited diagnoses. Most hospice care home providers are Medicare-certified and licensed according to state requirements.

Insurance or Medicare payment usually means that your home care will be prescribed for a certain number of hours and according to the shifts set up by your home health agency. You may need to privately pay for more help than Medicare will cover.

In-Home Supportive Services (IHSS)

IHSS is a county-run program that provides home care for low-income people who need help at home. The county pays home care workers to do household chores and personal care, and to accompany clients to medical appointments.

To qualify for IHSS, you must meet all Supplemental Security Income/Supplemental Security Program (SSI/SSP) eligibility criteria, except for the income limits. To apply for IHSS, call (707) 565-5900 and say that you are interested in IHSS.

Defining your needs will assist you in deciding what type of help you need. It will also provide an accurate job description for home care job seekers.

The following is a sample checklist.

Defining Your Needs

Personal Care

- Bathing/showering
- Shaving
- Grooming/hair care
- Dressing
- Bladder care
- Bowel care

- Help with feeding
- Help with medications
- Help with exercise
- Help with transfers/mobility

- Transportation to medical appointments
- Transportation to social/recreational activities

Household Care

- Vacuuming
- Dusting
- Mopping/sweeping
- Laundry
- Changing beds
- Bathrooms/kitchen

- Meal planning
- Grocery shopping
- Cooking
- Dishwashing

- Errands
- Use telephone/television
- Pet care
- Set-up for after caregiver leaves

If there are other tasks you need done or if you need companionship, you should probably hire someone specifically for those purposes.

Other Needs or Comments: _____

Interviewing

The Telephone Interview

Interviewing applicants for your home care job is a very important next step in finding the right person. If you are hiring independently (i.e., not through a home care agency), you will want to pre-screen most applicants over the telephone to determine whether it appears to be worthwhile, both for you and the applicants, to schedule a longer, in-person interview.

Here are some tips on phone interviewing:

- ◆ Give applicants a brief description of the duties and the days and hours your job will involve.
- ◆ Ask whether they've had experience with the duties you have described.
- ◆ Notice whether they can give a specific, thorough description of previous experiences, rather than vague or general statements.
- ◆ Ask specifically what kind of schedule they are looking for.
- ◆ Listen for a pleasant tone of voice and attitude on the phone.

If an applicant does not impress you on the telephone, do not give out your address. Instead, state that you have several interviews to complete, ask for a name and a phone number where you can get back to them, and thank them for their time. Don't be coerced into hiring someone if you are not comfortable with them.

If you feel an applicant is suitable, schedule a day and time for an in-person interview in a public location (if at all possible). Schedule personal interviews only with the people you feel good about and would really like to meet.

- ◆ Plan on having someone you trust with you for the interview.
- ◆ Tell the applicant to bring a state-issued valid photo ID with them to the interview.
- ◆ Tell the applicant to bring a copy of their criminal history and DMV printout with them. (See the section "Background and Reference Checks" on page 14 for information on how to obtain the reports referenced above.)

When hiring for a dependent adult, follow the same guidelines as when hiring for another elder.

Interviewing

Developing a Schedule

As you prepare to interview someone to assist you, review your lifestyle and schedule.

- ◆ Are you a morning person? What time do you get up?
- ◆ What things do you feel are essential to start a day?
- ◆ Which activities need to be done on a daily basis?
- ◆ Which activities must be scheduled routinely throughout the week/month?
- ◆ Which activities can be done on an *as-needed* basis?
- ◆ Can some tasks be “set up” for you to complete after your caregiver has left?

You may prefer a very structured schedule or one that is more flexible. Most employers find the consistency of a steady schedule works best (i.e., every day from 10:00 AM to 2:00 PM). You may occasionally need to change the schedule. In these cases, both parties should respect the time constraints of the other. Caregivers often have other jobs that may need to be shifted if their schedule with you is changed.

As the employer, you determine the work schedule; however, giving the applicant some input might increase the likelihood that he or she will be a good fit.

Interviewing

Orientation Checklist

This checklist provides issues to discuss during interviews with potential employees as well as for use during your new employee orientation:

Issue	Date Discussed	Comments
Days needed		
Hours needed		
Rate of pay		
Method of payment		
Payday		
Car fare/gas reimbursement/ mileage (contact the IRS for current rate)		
Illness/absences		
Paid vacation?		
Emergency procedures		
Holidays		
Make-up time		
Meals/food provided?		
Supervision procedures		
Record keeping		
Taxes		
Social Security		
Disability/Workers' Comp		
Unemployment		
Cause for termination		
Notification of termination		
Supplies that will be provided		
Other		
Employer signature: _____ Date: _____		
Employee signature: _____ Date: _____		

Interviewing

The Personal Interview

If possible, conduct the first personal interview in a public place at a time convenient for both you and the applicant. Plan on having someone you trust with you for the personal interview—a neighbor, friend, or relative.

Ask the applicant for their photo ID and ask them to fill out a job application at the beginning of the interview. Request that he or she include a list of references including names and phone numbers. Even if the applicant has letters of recommendation, ask him or her for references whom you can speak to personally.

Start the interview with a full discussion of your needs, lifestyle, and schedule. It is helpful to the prospective employee to understand exactly what you are looking for and their anticipated work schedule. Be honest. Do not just say what you think the applicant wants to hear. If your needs are not clear up front, and you hire someone that doesn't fully understand your needs, you may both end up being miserable.

Try to ask open-ended questions which require more than a “yes” or “no” answer and which give you a feeling for the experience of the applicant.

Examples of open-ended interview questions are:

- ◆ Please tell me about your current and past home care experience.
- ◆ Why are you interested in this particular job?
- ◆ What do you like best about home care? What do you find to be the most difficult part of working in home care?
- ◆ Is there anything about the job description that you are uncomfortable with?
- ◆ What would you do in an emergency? Give a realistic example.
- ◆ What kind of salary and benefits are you looking for?
- ◆ What kind of commitment are you willing to make to this job?
- ◆ Tell me about a time when you had to calm an upset client. How did you handle the situation?
- ◆ Describe a time a client insulted you. How did you handle it?
- ◆ Describe an experience when you disagreed with your employer's request.

Only after you have verified the information and performed a background check should you invite the applicant to your home.

Interviewing

Sample Application Form

Date: _____

Name: _____ Phone #: _____

Physical Address: _____

Mailing Address: _____

(If different from Physical Address)

City _____ Zip: _____

Do you have a valid Driver's License? ____ Driver's License #: _____

Current Car Insurance Information: _____

In case of emergency, notify _____ at _____
(name) (phone #)

Do you have prior experience in attendant work, nursing, companionship, or home care aide? Yes No

If so, the last two positions you held:

1. Employer's Name: _____ From/To: _____

Address: _____ Phone #: _____

Description of Duties: _____

2. Employer's Name: _____ From/To: _____

Address: _____ Phone #: _____

Description of Duties: _____

LICENSES HELD: _____

REFERENCES: (give two work references and one personal reference; no family members as references)

1. Name _____ Phone # _____

Relationship _____

How long have you known this person? _____

2. Name _____ Phone # _____

Relationship _____

How long have you known this person? _____

3. Name _____ Phone # _____

Relationship _____

How long have you known this person? _____

Have you ever been convicted of a crime? YES NO

If yes, please explain: _____

Background and Reference Checks

Criminal History Check

Under state law an individual may request a copy of his or her own criminal history record from the California Department of Justice. Penal Code 11105 restricts access to this information to the person who is the subject of the report, and to law enforcement and court officers who are acting in their official capacity.

You may ask a prospective employee to provide you with his or her criminal history, but you cannot require them to do this. Keep in mind that if someone has something to hide, he may not provide you with his actual criminal history. Make sure that you see an official document that shows criminal history or a statement that says “no criminal history.” Also be careful that an official looking piece of paper is not substituted in place of the real thing.

Contact your local law enforcement for additional information.

Department of Motor Vehicles (DMV) Printout

Prospective employees should also provide a Department of Motor Vehicles record. This will allow you to know if they have a valid driver’s license, if there are restrictions on their license, and what types of actions have been associated with the person’s driving. Once again, make sure that this is an actual copy from the DMV.

Public Information

You are allowed to research local public information regarding your potential caregiver. Public information includes:

- ◆ Misdemeanor and Felony Crime Convictions
- ◆ Small Claims Suits
- ◆ Court cases
- ◆ Civil cases
- ◆ Family Law cases

Background and Reference Checks

This information is accessed through the Superior Court, 600 Administration Drive, Santa Rosa. Call 707-565-1100 between 8:00 AM and 12:00 PM for further information. This applies only to crimes or other actions committed in Sonoma County; many private investigators conduct nationwide background checks for a fee. Each county maintains similar information.

Credit Reports

Another resource that might demonstrate a person's level of responsibility is credit reporting agencies. A consumer reporting company may not provide information about a prospective employee without their written consent. If you ask for a credit report, it should be requested from all three of the agencies as each one may have different information. The three agencies are:

- ◆ Equifax 1-800-685-1111
- ◆ Experian 1-888-397-3742
- ◆ Trans Union 1-800-888-4213

Reference Checks

References should be provided by anyone applying for a job, even if letters of recommendation are provided. All references on the employment application should be checked. Talk with the references on the telephone. Remember that you are a potential employer, and that you want the best person possible in your home or in the home of someone you care about. Do not be shy about asking questions. Always ask if this person would be eligible for re-employment with the reference. If the answer is "no," use caution. This is a red flag that the previous employer was unsatisfied with the person and would not want them back. Again, make sure you speak to the listed references; do not rely on letters of recommendation alone.

Hiring and Managing

Skilled vs. Non-Skilled Tasks

While you will be able to train your caregiver to perform many tasks to your satisfaction, there are some procedures that this person may be unable to perform for you. This is because they may require professional training, or the policies of a home health agency prohibit them. If this issue comes up, you can look into having your caregiver trained by a health care professional to perform certain tasks specifically for you. Try not to put your caregiver in the uncomfortable position of doing things beyond his or her current level of training.

The following activities could cause you harm if they are done incorrectly. These tasks should be done by a state-licensed professional.

- ◆ Administer medication
- ◆ Monitor blood pressure
- ◆ Change sterile dressings/dress open wounds
- ◆ Administer an enema, suppository
- ◆ Irrigate bladder
- ◆ Cut toenails
- ◆ Help with active therapy (physical therapy, occupational therapy)
- ◆ Change colostomy bag
- ◆ Empty catheter bag

The following are examples of activities that do not require professional training in order to be administered correctly:

- ◆ Lifting/transferring; assist with braces and other assistive devices after receiving instruction
- ◆ Maintain a safe environment
- ◆ Provide personal care, food preparation, shopping, laundry, etc.
- ◆ Assist with ordinarily self-administered therapy program prescribed by a licensed therapist.

Hiring and Managing

Tips on Contracts

A contract is a written agreement between the employer and the employee. Having things in writing helps to insure that everyone understands the terms of the work agreement. Difficulties can often be resolved more easily when there has been a written contract at the beginning of the relationship.

The following guidelines are general and your particular situation may require additional information. At a minimum, you should consult with an attorney and a certified public accountant for specific information pertaining to labor laws, taxes, payroll, and insurance. **This list is for educational and illustrative purposes only.**

Items to include:

- Name of employer
- Name of “household employee”
- Wages and benefits (include meals, mileage, etc.)
- When and how payment will be made
- Days and hours of work
- Employee’s Social Security Number and driver’s license number (if you are hiring independently)
- Duties to be performed (task list from your What do I Need? form)
- Unacceptable behaviors (such as smoking, drinking, abusive language, etc.)
- Consequences for unacceptable behaviors
- Vacation and holidays (if applicable)
- Emergency absence plan (backup plan for your care, phone # of substitute met and approved by you)
- Termination guidelines (reasons for termination without notice, how much notice for no cause, etc.)
- Dated signatures of employee and employer

If your employee is going to drive you in his or her own car, you will want proof of insurance. If they will be driving you in your car, check with your insurance company to make sure you will be covered.

Hiring and Managing

Managing the Details

The following is a list of both practical concerns and issues of personal preference that home care consumers have found important to consider when hiring someone to work in their homes. In addition to thinking about your feelings on these specific points, remember the role that clear communication plays in all of your relationships. For further tips on good communication and resolving issues successfully, see the section titled “Conflict Resolution” on page 21.

Cultural Background

Be aware that if your caregiver is from a different cultural background he or she may have a different style of communication than you do. Cultures differ in what are considered acceptable behaviors such as what to talk about, how to ask personal questions and when it is appropriate to touch. Behavior that may appear rude to you may simply reflect cultural differences between you and your caregiver. Try to talk out any problems that arise from these differences. Also try to anticipate any religious differences that may impact your or your employee’s schedule, such as observing specific holidays.

Money

Most people find it helpful to make arrangements ahead of time for shopping and other activities that require cash. The caregiver should not be asked to use his or her own money during shopping trips; therefore, you should have money available for anticipated expenses. You should ask for receipts for all expenditures.

Never give your checkbook, bank card, credit card, or any other instrument that can be used for financial transactions, besides cash, to your caregiver. Also, do not allow your caregiver to have anything to do with paying your bills. You may be increasing the possibility for a financially abusive situation, no matter how much you may trust them. Consider getting automatic payment of your bills.

Meals and Dietary Restrictions

It is important to give specific directions on how to prepare your meals, particularly in the beginning. Discuss your food likes and dislikes, and what time you like to eat your meals. If you have any dietary restrictions, make that clear from the beginning to avoid mistakes or problems.

Hiring and Managing

Transportation

You may want to discuss how to handle transportation costs. You are usually responsible for travel expenses incurred while the caregiver is on the job. Items for discussion can include travel to and from work, use of the caregiver's car on the job if required and the kind of insurance coverage they will need. Some insurance companies require additional insurance if you are transported in her car.

House Rules

Every home has its own unwritten rules about such things as smoking, TV and radio playing, telephone use, house temperature, acceptable eating areas, guests, etc. Talk with your caregiver about your house rules, especially if you are hiring a person to live in your house full-time.

Live-In Caregivers

With live-in arrangements, both you and your caregiver need some privacy and time alone, along with accommodations for a place to sleep, eat, bathe, and relax. Live-in caregivers should have two days off per week and annual vacation time, just like people in other full-time jobs.

Safety Procedures

It is important to review safety procedures both inside and outside the home. For example, discuss how to correct potential hazards, especially in the bathroom and kitchen. Talk about home security: locking doors, key arrangements, and use of indoor and outdoor lighting. If possible, do not give your caregiver a key. If you have a disaster emergency plan, share it with your caregiver. If you do not, contact your local American Red Cross for information on how to prepare for an emergency. Provide names of people to call in case of an emergency.

Medical Emergency Information

In case of a medical emergency, you should prepare a list of important names, phone numbers and other pertinent information. You should have a folder with this information and other notes for your caregiver or leave it on your refrigerator door. The following page has a sample you can use.

Hiring and Managing

Medical Emergency Information

Name: _____ Phone #: _____

Address: _____

Medicare # and Other Insurance Information: _____

Primary Doctor: _____ Phone #: _____

Preferred Hospital: _____

Medical History: _____

Allergies: _____

Dietary Requirements or Restrictions: _____

Medication	Dosage	Times per day	Times of day	Purpose

Emergency Contact: _____

Relationship: _____ Phone #: _____

Emergency Contact: _____

Relationship: _____ Phone #: _____

Emergency Contact: _____

Relationship: _____ Phone #: _____

Other Information: _____

Hiring and Managing

Conflict Resolution

Clear and regular communication is the key to working out a successful relationship with your employee. Most caregivers appreciate both positive feedback and constructive criticism about how they are performing their work. If problems arise, make it a policy to discuss those issues or concerns as they occur. Feel free to mention any concerns you have about how your caregiver is performing the job. Likewise, you should take the time to sit down and really listen to their concerns, questions, and suggestions. If you need to discuss a problem, try to remember these pointers: (1) give feedback immediately after a problem occurs, (2) give feedback on only one incident at a time, and (3) keep critical feedback short and to the point.

Scheduling regular “check-ins” or “house meetings” is a good way to keep the lines of communication open. A routine meeting is a good time to acknowledge one another’s efforts, air concerns and make plans for future activities such as menus, shopping trips, etc. Try to conduct the meeting in a positive and constructive manner. For example, rather than saying, “you don’t seem to know how to cook,” say, “I usually prefer my meat cooked longer.” Instead of “you never clean the bathroom the way I want,” explain, “dirty towels should be placed in the laundry hamper in the hallway after the bath.”

Serious or Recurring Problems

You may occasionally find yourself with a more serious problem such as:

Attendance

- ◆ Being habitually late
- ◆ Taking extended breaks
- ◆ Leaving early
- ◆ Frequent unexplained absences.

House Rules

- ◆ Smoking in the house
- ◆ Making excessive phone calls/cell phone use
- ◆ Watching too much T.V.
- ◆ Bringing relatives/friends to work
- ◆ Computer use

Hiring and Managing

Performance

- ◆ Poor attitude
- ◆ Ignoring or causing physical harm to care recipient
- ◆ Not completing tasks as assigned

If problems are occurring on a regular basis, you may find it helpful to review this with your caregiver and to document everything you discuss. It is best to have a witness present – either a family member or a friend.

- ◆ State the problem behavior of the caregiver.
- ◆ Be clear on the type of changes required.
- ◆ Set a time limit for review of the situation.
- ◆ Follow through with the consequences you discuss.

If Dismissal is Necessary

Despite your best efforts to explain, teach and correct, your employee may prove to be unsatisfactory. The caregiver should be aware from the beginning that dismissal without notice may be the consequence of an unsatisfactory performance or violation of stated rules.

Dismissing someone can be difficult. If possible, try to arrange a replacement of your current employee prior to dismissing them. You may want to obtain legal advice or consult the labor board if you are considering termination.

Having a friend or family member with you can make it easier. You should ask the person for any keys or other items she may have of yours. If you dismiss them over the phone, ask them to return all items to you.

Write down why you fired the employee and keep it for your records. They may try to use you as a reference in the future and you'll want something to refer back to.

When Your Schedule Changes

There may be times when your needs change and your caregiver is no longer needed. If you must, give them as much advance notice as possible, especially if the person is a live-in. You might also consider paying a bonus or two weeks wages if the change is sudden. Reassure them that you will be willing to provide references.

Hiring and Managing

Exploitation of Caregivers by Employers

Employers can behave in ways that may exploit or abuse their employees. This action can take many forms and may not even be recognized as such. Treating your care provider in such a manner is illegal and unethical.

Some examples of exploitative or abusive behavior are:

- ◆ Asking caregiver to do more than is in the job description without additional pay
- ◆ Habitually asking them to work “a few” extra minutes
- ◆ Changing the caregiver’s schedule frequently
- ◆ Habitually paying late
- ◆ Physical harm and/or sexual harassment

Abuse by Caregivers or Others

Caregivers sometimes abuse their employees. This abuse can be physical, emotional, financial, sexual, or through neglect. Since abuse is not always intentional, communicating that one feels taken advantage of may be the simplest way of stopping such treatment. This should be communicated in a direct, but non-threatening way. If the abuse persists, terminating the relationship may be the only acceptable option.

If you feel that you or a family member is a victim of abusive behavior, please contact Sonoma County Adult Protective Services at 707-565-5940 or 800-667-0404 (24-hour). A social worker will discuss the situation with you and provide assistance in resolving the issue. If you are fearful of a care provider and do not want to confront them directly, you may also call Adult Protective Services for assistance. If you feel a crime is being committed, please call your local law enforcement agency. Law enforcement will contact Adult Protective Services if a social worker is needed.

Hiring and Managing

Financial Abuse

The person that you hire to provide in-home care for you should not be the person in charge of your finances, property, or any other assets. It is extremely important that you keep the “separation of duties” very clear to avoid any financial abuse. If your care provider is going to make purchases for you, always give them cash and require a receipt. Do not give your caregiver your Social Security number, your checkbook, bank card, credit card or any other financial instrument that could be used to access your finances. Do not add your caregiver’s name to any documents related to your bank accounts, property or other assets.

Protect important documents, jewelry, guns, alcohol, collections, and other valuable possessions by placing them in appropriate locked containers or cabinets. Home safes, fireproof lock boxes, and gun safes are examples of places you can safely store these items. If there are firearms in the home, be sure to tell your caregiver about them.

NEVER PROMISE YOUR MONEY OR ASSETS TO SOMEONE WHEN YOU DIE IN EXCHANGE FOR CARE GIVEN NOW. Try not to get overly involved in your employee’s private life and NEVER lend them money, clothes, vehicles, or other personal property.

If you find that you need assistance with paying bills, banking, real estate transactions or estate planning, please seek professional assistance from a person or program knowledgeable in this area. Accountants, Attorneys, Daily Money Management Programs, Fiduciaries, and Conservators are examples of professionals and programs you should access when you find you need assistance in financial matters. Check the **Senior Resource Guide** or call the Sonoma County Area Agency on Aging, 800-510-2020 for information on local resources.

Tax Issues

Taxes and Social Security

If you hire someone without the use of an agency that serves as the employer of the caregiver, you should know some important facts about Social Security and taxes. The caregiver may be considered a “household employee” and you may be responsible for employment taxes and unemployment insurance. To see if you are considered the “employer” of a “household employee”, check IRS Publication 926, The Household Employers Tax Guide for details, **and talk to your personal tax adviser**. You may choose to hire a service to manage the tax matters of your employee. Whether you hire a service or do it yourself, you must keep good records!

Who is a “Household Employee”?

If a caregiver performs household services in or around your home that are subject to your will and control, as to both what must be done and how it must be done, that caregiver is your “household employee.” It does not matter whether you exercise this control, as long as you have the legal right to control both the method and the result of the services.

The two usual characteristics of an employer-employee relationship are:

1. The employer can fire the employee.
2. The employer gives the employee tools and a place to work.

Who is NOT a “Household Employee”?

People who work for you in your trade or business are not household employees. Workers who follow an independent trade, business, or profession in which they offer their services to the general public are generally not household employees. They are often called “independent contractors.” The general rule is that workers who perform services that are subject to your right to control or direct only the result of the work but not the means and methods of accomplishing the result are not household employees.

FICA: The Federal Insurance Contribution Act (FICA) is generally referred to as Social Security and Medicare. Employers of household employees are required to withhold and pay Social Security and Medicare taxes on those employees paid \$50 or more in cash wages during a calendar quarter. The law does not apply to a worker who is a spouse, a child under age 21 or a parent working in the home. The FICA tax is

Tax Issues

remitted to the Internal Revenue Service on a quarterly basis using Form 942, the Employer's Quarterly Federal Tax Return for Household Workers (refer to the Internal Revenue Service for the amount of the employer's portion of FICA). Forms are available from the State of California Employment Development Department, Employer Resource Center, 707-576-2360.

FUTA: Under the Federal Unemployment Tax Act (FUTA) employers are required to make quarterly tax payments on domestic wages of \$1,000 or more during a calendar quarter for the current or previous year. **States also have unemployment tax requirement**, so check with the State Franchise Tax Board for the correct amount. Usually, you will receive a credit for the State Unemployment Tax when filing your Federal Unemployment Tax.

Federal and State Income Tax Withholdings: Employers are NOT required to withhold income tax on wages paid to a private household employee.

Keeping Records

For Social Security purposes you need the name, address and Social Security Number of each household employee and the amount of wages paid. Copy the Social Security Number directly from the individual's Social Security Card. If any employee does not have a card he or she should apply for one at the Social Security Office. Questions regarding Social Security requirements may be answered at 800-772-1213 during normal business hours.

W-2 After Year Ends

You must give your household employee copies B, C and 2 of IRS Form W-2 (Wage and Tax Statement) by January 31 after the year in which wages were paid. Send Copy A to the Social Security Administration by the last day of February. You can obtain this form and the instructions for completing it by contacting the Internal Revenue Service.

Tax Issues

Immigration and Naturalization Service (INS)

As an employer, you are responsible for verifying that your employee is eligible for employment in the United States. Your local office of the Immigration and Naturalization Service will supply you with Form I-9. This form lists the documents that every worker must show to an employer to verify work eligibility in this country. You are required to keep this form and photocopies of the supporting documents in your files for at least three years after the date of hire.

Sample Household Employee Payment Record

Worker's Name & Social Security Number	Dates & Hours Worked	Date Paid	Amount Paid	Social Security Withheld
Example: Sally Jones 987-65-4321	9/1-9/30/05 30 hours	9/31/05	Gross: \$300 Net: \$277.05	\$22.95

Ask your accountant or refer to the IRS for the required Social Security Withholding amount.

Homeowner's Insurance and Workers Compensation

There are laws holding employers liable for on-the-job injuries to household employees. Do not assume that your Homeowner's Insurance will cover injuries sustained by your privately hired caregiver. In fact, many times your policy will specifically NOT COVER injuries sustained by "household employees." Only recently have state and federal laws begun to include household employees under workers' compensation laws. Check with your insurance agent to find out what is covered and what is not, and if there is an addition (a rider) to your policy that will cover injuries your in-home help may suffer while providing care for you. Though California requires homeowner policies to offer this protection for an additional cost, you have to take the initiative to ask your agent about it.

Additional Resources

The following is a list of local agencies and organizations that provide information, education, and support to individuals and families in Sonoma County who are dealing with health and aging issues. For additional information, see the **Senior Resource Guide**, call the Area Agency on Aging, 800-510-2020 or go on line at www.socoaaa.org.

- Alzheimer's Association:..... (707) 573-1210 (800) 660-1993**
- Alzheimer's Task Force: (707) 776-2885**
- American Cancer Society: Santa Rosa (707) 545-6720 option #3**
..... Petaluma (707) 766-8066
- American Heart Association: (707) 542-1992**
- Arthritis Foundation-No. California Chapter:..... (415) 356-1230**
- Catholic Charities:..... (707) 528-8712**
- Council on Aging:**
 - Senior Helper Registry..... (707) 525-0143**
 - Meals on Wheels. (707) 525-0383**
 - Information & Assistance..... (707) 525-0143**
- Hospice:**
 - Heartland Home Health Care and Hospice..... (707) 523-0111**
 - Hospia-Community Hospice & Palliative Care... (707) 935-7504**
 - Hospice of Petaluma..... (707) 778-6242**
 - Memorial Hospice..... (707) 568-1094**
 - Redwood Coast Medical Services/Shamli Volunteer Hospice**
..... (707) 884-4005
 - Sutter VNA and Hospice..... (707) 535-5700**
- North Bay Regional Center: (707) 569-2000**
- Petaluma People Services Center:..... (707) 765-8488**
- Redwood Caregiver Resource Center: .. (707) 542-0282 (800) 834-1636**
- Senior Advocacy Services/HICAP: (707) 526-4108**
- Seniors At Home/Jewish Family and Children's Services:**
..... (707) 571-8131
- Sonoma County Human Services Department:**
 - Adult & Aging Division IHSS/APS..... (707) 565-5900**
 - Area Agency on Aging (707) 565-5950**
 - In-Home Support Services, Public Authority Registry Program**
..... (707) 565-5700
 - Veterans Services..... (707) 565-5960**
- West County Community Services: (707) 869-0618**