

**Department of Workforce Development**  
**Proposed Rules Relating to Notice to Home Care Consumers and Home Care Workers**

**Chapter DWD 277/CR06-138**

**Public Hearing Summary**

A public hearing was held in Madison on January 25, 2007.

Appearing to provide information to the Department, neither for nor against:

Burton A. Wagner, Attorney Reinhart Boerner Van Deuren SC  
representing Wisconsin Personal Services Association  
Madison

Observing for information only:

Michael Blumenfeld, Public Affairs Counselor  
Blumenfeld & Associates LLC  
representing Wisconsin Personal Services Association  
Madison

Comment by Burton Wagner

I suggest that the definition of “home care placement agency” be modified to also state that an “agency shall not include a provider of home health or personal care or other Medicare or Medical Assistant services who employs the home care worker and is responsible for wages, taxes, and insurance.”

Department response:

The Department agrees. A new sentence will be added to state that “home care placement agency” does not include a person that places home care workers in the residences of home care consumers for the purpose of providing home care services to those home care consumers if the person employs the individuals and pays wages or salaries, federal social security taxes, and state and federal unemployment contributions or taxes; carries worker’s compensation insurance as required by state law; and maintains liability insurance covering the acts of its employees while providing home care services.