

Date of Hearing: June 17, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

SB 412 (Limón) – As Amended April 10, 2025

**SENATE VOTE:** 36-0

**SUBJECT:** Home care aides

**SUMMARY:** Requires home care organizations to ensure an affiliated home care aide completes annual training on the special care needs of clients with dementia.

**EXISTING LAW:**

- 1) Establishes the Home Care Services Consumer Protection Act. (Health and Safety Code [HSC] §§1796.10 - 1796.70)
- 2) Requires home care organizations to ensure, prior to providing home care services, that an affiliated home care aide complete a minimum of five hours of entry level training as follows:
  - a) Two hours of orientation training regarding his or her role as caregiver and the applicable terms of employment; and,
  - b) Three hours of safety training, including basic safety precautions, emergency procedures, and infection control. (HSC § 1796.44(b))
- 3) Requires, annually, affiliated home care aides to complete a minimum of five hours of population-specific training on core competencies, in the following subjects:
  - a) Clients' rights and safety;
  - b) How to provide for, and respond to, a client's daily living needs;
  - c) How to report, prevent, and detect abuse and neglect;
  - d) How to assist a client with personal hygiene and other home care services; and,
  - e) If transportation services are provided, how to safely transport a client. (HSC § 1796.44(c))

**FISCAL EFFECT:** According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, the current version of this bill would result in negligible state costs.

**COMMENTS:**

**Background:** *Home Care Services Consumer Protection Act.* Home care refers to a range of nonmedical services provided to individuals in their own homes to help them manage their health, personal needs, and activities of daily living. Home care organizations are prohibited from arranging medical services for a client, and registered home care aides are not authorized to

provide medical services to a client. The goal of home care is to support individuals who may have chronic illnesses, disabilities, or are recovering from surgeries or medical procedures, allowing them to remain in the comfort of their own home rather than in a hospital or nursing facility. Home care services can be short-term or long-term, depending on the needs of the individual. The types of services provided by a home care aide employed by a home care organization are nonmedical and include the following:

- Assistance with daily living activities such as bathing, dressing, grooming, and eating.
- Help with housekeeping tasks like cleaning, cooking, and laundry.
- Support with mobility and companionship.

After several attempts to require a licensing scheme for home care organizations, AB 1217 (Lowenthal), Chapter 790, Statutes of 2013, enacted the Home Care Services Consumer Protection Act which requires home care organizations to be licensed and creates a public online registry for home care aides who have been background checked. The California Department of Social Services (CDSS) is responsible for the licensure and registry compliance.

The law provides for numerous exemptions to licensure and registry. Exemptions include, but are not limited to: home health agencies, hospices, health facilities, In-Home Supportive Services providers, an organization vendored or contracted through a regional center or the Department of Developmental Services (DDS) to provide services and supports for persons with developmental disabilities when funding for those services is provided through DDS and for more than 50% of the recipients of the home care services, independent home care aides, nonrelative extended family members, clinics, alcoholism or drug recovery facilities, and foster homes. The organizations listed are not precluded from voluntarily becoming licensed. Similarly, individuals who provide services through the listed exempt organizations are still permitted to be listed on the registry on a voluntary basis. Those exempt are not required to complete initial or annual training.

Under the Act, licensed home care organizations are responsible for developing and administering the required annual training for affiliated home care aides. This training covers core competencies such as clients' rights, safety, abuse prevention, personal hygiene assistance, and emergency procedures, and must be completed prior to an aide's presence with a client. In addition, home care aides are required to complete a minimum of five hours of annual training on specified core competencies which may be completed through an online training program. The current topics that are required to be included in the annual training include a client's rights and safety, how to provide for, and respond to a client's daily living needs, how to report, prevent, and detect abuse and neglect, how to assist a client with personal hygiene and other home care services, and how to safely transport a client if needed.

*This bill* would add the special care needs of clients with dementia to the existing annual five hour competency training for home care aides.

*Caregiving for Those with Dementia.* Dementia is a symptom that refers to a decline in memory, thinking, and reasoning skills. The World Health Organization describes dementia as a "syndrome that can be caused by a number of diseases which over time destroy nerve cells and damage the brain, typically leading to deterioration in cognitive function (i.e. the ability to

process thought) beyond what might be expected from the usual consequences of biological ageing.” Alzheimer’s disease is the most common disease that causes dementia. There is no cure for dementia; however, to maintain quality of life, the World Health Organization recommends being physically active and taking part in activities and social interactions that stimulate the brain and maintain daily function. Those living with dementia typically need help with self-care tasks, personal safety, and getting proper nutrition.

**Author’s Statement:** According to the Author, “[This bill] better prepares home care aides to handle the challenges with care-giving for an individual with Alzheimer’s disease. Providing training will build a baseline understanding of Alzheimer’s disease that can improve the care of the client, reduce caregiver burden, and provide peace of mind for families.”

**Equity Implications:** According to The World Health Organization, “Women are disproportionately affected by dementia, both directly and indirectly. Women experience higher disability-adjusted life years and mortality due to dementia, but also provide 70% of care hours for people living with dementia.” In addition, because home care aides are not currently required to receive dementia training, it can lead to inconsistent or suboptimal care for patients living with dementia. Often, dementia patients require structured routines to mitigate the anxiety and frustration they experience as well as simplified communication, secure spaces to prevent wandering, and different types of engagement and stimulation to improve cognitive function. Adding training requirements for registered health care aides may increase the quality of care for clients with dementia.

**Policy Considerations:** This bill will take effect on January 1, 2026, if signed into law, which would require the new training component to have been completed by that date.

*Should this bill move forward, the Author may wish to consider delaying the implementation of this bill in order to provide licensed home care organizations sufficient time to develop the new training.*

**Proposed Committee Amendments:** The Committee proposes amendments to address the policy consideration stated above to do the following:

- Delaying implementation until January 1, 2027

## **RELATED AND PRIOR LEGISLATION:**

**SB 639 (Limón), Chapter 336, Statutes of 2024**, required all general internists and family physicians, nurse practitioners, and physician assistants with a patient population where 25% of their patients are 65 years of age or older to complete at least 20% of their continuing medical education or continuing education requirements in the field of gerontology, the special care needs of patients with dementia, or the care of older patients.

**SB 861 (Limón) of 2022**, would have established the Dementia Care Navigator Grant Pilot Program under the California Department of Aging for the purpose of incentivizing local organizations to provide dementia care navigation training services, and would have required the Department of Aging to develop the pilot program in partnership with organizations with expertise using community health workers, promotores, and health navigators, and to award grants on a competitive basis, with priority given to organizations serving underserved communities. *SB 861 was vetoed by Governor Newsom.*

**AB 1217 (Lowenthal), Chapter 790, Statutes of 2013**, created the Home Care Services Consumer Protection Act, which provided, on and after January 1, 2015, for the licensure and regulation of home care organizations by CDSS and the registration of home care aides.

**AB 322 (Yamada) of 2013**, would have established the Home Care Services Act of 2013 to license and regulate home care organizations providing services for the elderly, frail, and persons with disabilities. *AB 322 was held on the Assembly Committee on Appropriations suspense file.*

**SB 411 (Price) of 2011**, would have established the Home Care Services Act of 2011, which would have required the Department of Public Health to license and regulate home care organizations. *SB 411 was vetoed by Governor Brown.*

**AB 899 (Yamada) of 2011**, would have established the Home Care Services Act of 2013 to license and regulate home care organizations providing services for the elderly, frail, and persons with disabilities. *AB 899 was held on the Assembly Committee on Appropriations suspense file.*

**AB 853 (Jones) of 2007**, would have established the Home Care Services Act to license and regulate home care services for the elderly, frail, and persons with disabilities. *AB 853 was held on the Assembly Committee on Appropriations suspense file.*

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Alzheimer's Association, State Policy Office (Sponsor)  
AARP  
Alzheimer's Association  
Alzheimer's Greater Los Angeles  
Alzheimer's Orange County  
Alzheimer's San Diego  
California Association for Health Services at Home  
California Coalition on Family Caregiving  
Home Care Association of America

### **Opposition**

None on file.

**Analysis Prepared by:** Alexandria Smith / HUM. S. / (916) 319-2089