

Section 4

In-Home Care



Managing Care Helpers in the Home

*Helping older care recipients or friends prepare, supervise and plan
for paid and/or volunteer help in the home*

There may come a time when your care recipient requires more assistance in the home than family and friends can provide. Families usually struggle with the decision to hire outside help and feel guilty about not being able to provide all the needed care themselves. Often caregivers jeopardize their own health and wellbeing by not bringing in outside help until they are at the breaking point. Arranging outside help can provide enormous relief to the family caregiver and allow that caregiver to continue caregiving for a longer period. The wellbeing of the person needing care is also often improved through the increased social stimulation provided by the new caregiver and the improved mood of the family member who has some “time off.” When possible, the decision to hire outside help should be made with the participation of your care recipient. However, if your care recipient is unable to comprehend the extent of his or her limitations or has unreasonable expectations about your availability or ability to provide care, then you may have to make the decision to hire outside help without depending on his or her participation.

After hiring a paid caregiver or arranging for other help in the home, you and your care recipient will need to supervise the care being provided.

Frequently Asked Questions about Managing Care Helpers

What should my care recipient and I expect to gain from having paid or volunteer help come into the home?

You should start with having realistic expectations about what services can and cannot be provided. You may have to train your care helper to perform tasks the way you or your care recipient likes to have them done. When you hire help through an agency, be aware that the same care helpers may not be available all the time.

After hiring help at home, you may find that the benefits to your care recipient include:

- The comfort and stimulation of having another person around.
- Different approaches to care leading to favorable results in health, functioning or behavior. For example, your care recipient may readily allow a private caregiver to assist her in bathing whereas she always resists your efforts.
- Improved happiness and well-being.
- Reliable transportation to and from medical appointments and recreational activities.

Benefits to you as the caregiver may include:

- Respite/personal time.
- Reduced stress and peace of mind.
- Learning new caregiving skills.
- A better relationship with your loved one.

What type of information should I gather that would help the caregiver understand my care recipient's needs, likes and dislikes?

Begin by creating a Personal Profile of your care recipient. Write down information in the following areas:

- **Emergency Contacts:** Keep a list of the names and telephone numbers of family members and friends, treating physicians, pharmacies, health insurance information, emergency medical department preference and poison control.
- **Eating/Drinking Preferences:** Include dietary restrictions, if any.
- **Health:** List your care recipient's medical conditions, current treatments, medications, allergies, status of vision, hearing and speech, and the location of advance directives, if applicable.
- **Daily Routines:** When does your care recipient normally wake, sleep, eat, and exercise? What activities does your care recipient like to engage in? Is there a best time of day or a more difficult time of day to provide care for your care recipient?
- **Getting Around:** What assistive devices, such as canes, walkers, etc., does your care recipient use? What type of assistance is needed both inside and outside the home? What transportation is best for medical appointments or other outings?
- **Assistance or supervision needed with Daily Activities:** Does your care recipient need help eating, dressing, grooming, bathing, etc.?

Make a copy of this information for all helpers involved in your care recipient's care.

What questions should I ask to make sure the care helper understands what my care recipient and I need?

Make a list of the things you expect the care helper to do and discuss it with him or her. Identify the tasks that are to be performed and how often each one will be done. For example, how many meals are to be made and when? If you are hiring a professional care helper, keep in mind that he or she has been trained in basic health, home management and personal care and may have valuable insight into your care recipient's needs.

You and your care recipient will need to observe and evaluate the helper. Consider asking yourself the following questions:

- Is the care helper compassionate, professional, calm and proud of his or her work?
- Is the care helper trained in first aid and other appropriate care techniques?
- If your care recipient has a Pre-hospital Medical Care Directive (orange card), does the care

helper understand the terms and is he or she willing to abide by it?

- Is the care helper willing to observe household rules (smoking restrictions, TV or phone use, etc.)?
- Is the care helper willing to do things the way your care recipient wants them done?
- Is the care helper willing to be flexible and do extra tasks if the need arises?
- Are there cultural sensitivities or language abilities that should be addressed?
- What will happen if the care helper is sick or is otherwise unable to arrive at the scheduled time?
- Has the caregiver made adequate plans in case he or she has problems with transportation, childcare, etc.?
- Do arrangements need to be made regarding vacation and holiday coverage and wages?
- How far in advance should the care helper inform you that he or she will be taking time off?
- How much time off does he or she expect to take and how often?
- What arrangements are in place for those times when the care helper won't be there?

Some families choose to hire a care helper privately rather than through an agency. Be aware that as an employer, you are required to complete certain payroll and tax documents including tax withholdings, FICA and other related programs such as unemployment and workman's compensation. In some instances, the care helper will also need to complete an I-9 form for immigration purposes. For a fee, independent accountants or local accounting firms will assist you and make sure you have completed all the required documents to protect you as the employer and the care helper as the employee.

If you hire a caregiver privately, be sure that you thoroughly check references and complete a criminal background check. Also verify any training or certificates the caregiver presents. Once you have thoroughly screened the caregiver, draw up a contract which clearly delineates all duties, rate of pay, time off, etc.

My care recipient has memory problems. Even though we discussed and agreed upon obtaining help outside the family, my care recipient has probably forgotten and might be resistant to accept help. How do I introduce the care helper to my care recipient?

Arrange to be present when a new care helper arrives at your care recipient's home. This provides an opportunity to observe and evaluate the situation. Has the caregiver received training in caring for persons with memory problems? Is the helper pleasant, professional, and sociable? Is your care recipient tearful, uneasy or in need of reassurance?

Many times a new person or activity is scary and threatening for persons with memory disorders. Inform care helpers about your care recipient's memory problems prior to their arrival and discuss possible approaches to be used for introductions so that both your care recipient and care helper may feel comfortable and at ease. For instance, introduce new home care workers as people who are there to help around the house, not to specifically assist the person who has memory problems.

How can my care recipient and I communicate with the care helper to get what we want without making the care helper defensive or negative?

If you are unhappy with the care helper's performance or behavior, or if you question his or her knowledge and skills, speak to the person immediately.

The following are suggestions for communicating your concerns effectively:

- Make sure your message is clearly stated.
- Don't use an accusing tone. Use phrases such as: "How do you think we can correct or change whatever is wrong?" or "I would feel better if we tried it this way."
- Try to put the care helper at ease. Encourage the person to talk. Create an environment that supports good communication.
- Don't jump to conclusions. Avoid making assumptions about what the care helper is going to say.

What are some of the warning signs that may suggest potential problems of exploitation, abuse or neglect?

- Does the care helper prevent family or friends from visiting your care recipient? Is the care helper isolating your loved one from prying eyes?
- Does the care helper do all the talking? Does he or she make decisions for your care recipient?
- Has the care helper invited his or her friends or family into the home or used your care recipient's car without permission?
- Has your care recipient's personality changed since the care helper has been hired? Does your loved one appear afraid?
- Are there checks missing or irregularities in banking statements? In the case of checkbooks, look for missing checks in the back of the checkbook or in unused checkbooks.

These are all signs of potential abuse or exploitation. If you suspect your care recipient is being abused, neglected, and/or financially exploited by a care helper, report your concerns to the care helper's employer. If you privately employ the care helper, report the matter online to Arizona Adult Protective Services, www.azdes.gov/daas/aps. However, if there is a clear indication of abuse, neglect and/or exploitation, fire the care helper and immediately report the crime to Arizona Adult Protective Services.

Caregiver Tips for Managing Home Care Helpers

- Remove or lock up all valuables (jewelry, artwork, cameras, etc.) as well as any cash, checkbooks and bank statements.
- Secure all mail. The care helper should not have access to important mail, such as pension or social security checks and credit card solicitations. You may want to consider renting a post office box or having mail forwarded to your address to make sure your care recipient's mail is secure.
- If the care helper will be shopping for your care recipient, set up a petty cash fund that can be used for that purpose. Require the care helper to return receipts and any change from all purchases so that you can calculate the amount of cash remaining. Never give a care helper a credit card or blank check to use for shopping.

- If the care helper will be driving your care recipient to church, medical appointments or other places, consider doing the following: check your care recipient's insurance policy for information about coverage as a passenger in another person's vehicle. Make a copy of the care helper's current driver's license. You will need this information if there is an accident involving your care recipient's or care helper's car. Also, your insurance agent can use the license to check the care worker's driving record.
- Record on a calendar all scheduled or prearranged visits that will be made to your care recipient's home by friends, maintenance workers, gardeners and other local vendors. You may decide to initiate a rule that requires the care helper to contact you if there is a question about allowing strangers entry into your care recipient's home.
- Care helpers should not be allowed to accept gifts from your care recipient (with perhaps the exception of food items). This protects both your care recipient and the care helper if there is a question about the nature or circumstances surrounding a gift.
- If possible, make "spot checks" of your care recipient's home on the days that the care helpers are scheduled to work. This will provide the opportunity to observe what is happening and whether or not it is appropriate.
- Don't forget about attending to the needs of your care recipient's pets. Outline the specific duties the care helper will be responsible for including daily routines and grooming.
- Set rules about television viewing. The selection of television programs should be for the enjoyment of your care recipient not the care helper.
- Write down instructions or prepare a script describing how the care helper should answer the phone and record messages.

Additional considerations include:

- Will care helpers be allowed to have their own care recipients and friends visit?
- To what extent should care helpers be involved in socializing or participating in activities with your care recipient and his/her friends? Your care recipient may want private time with friends.
- If you hire a care helper who smokes cigarettes, it may be necessary to set limits on the amount of time taken to smoke, and the designated areas (inside and outside) where smoking will be allowed.

Source: Pima Council on Aging: (520) 790-7262 or www.pcoa.org.

Employing a Home Care Worker

Self-directed care services offer solutions to some common challenges facing families and individuals dealing with disabilities, chronic conditions, and frailty due to aging. Being able to hire someone you already know helps with trust issues related to bringing a worker into the home, and having the option of hiring someone that speaks your language or understands your culture can determine whether the services being offered are acceptable or not.

Often, self-directed services can be more flexible in scheduling than agency models. But self-directed services aren't for everybody because they demand more involvement by the person being served and/or their caregiver. Before you hire anyone, learn about the practical and legal issues that you may face.

Hire a Company

Usually, if you hire a company to do the work, the company will send over qualified workers and be in charge of paying them. It will also pay employment taxes and have insurance coverage to protect you in case of worker injury or damage to your property. (Ask for proof of this insurance.) Typically, these companies train and do background checks on their employees, but you should confirm both. Hire a worker through an agency if you want a skilled professional but don't know where to look or want one already individually vetted by a third party. You may pay the agency directly, in which case the agency will probably be the actual employer and will cover insurance, handle employment taxes, and pay workers. (You should confirm this with the agency first.) Other agencies may charge you a fee to find you a qualified employee, but you will be the employer and handle these tasks.

Hire an Individual

If you want to screen and select your own service provider, pay and negotiate directly, and direct the person's work, you can hire an individual. However, you may have more obligations as the employer if you elect this route. Typically, a worker hired to perform care services in the home is considered a "domestic worker" by the IRS and most states, and there are specific parameters that determine the level of your obligations as the employer.

Wages and Taxes

If you plan on paying someone at least \$1,800 or more in one calendar year or over \$1,000 in any one quarter of the calendar year, federal and/or state withholding requirements may apply. If what you pay the worker is less than those amounts, it dramatically reduces the reporting and administrative obligations as an employer. An employer's responsibilities are somewhat complicated because they involve two levels of government, federal and state, as well as several different government agencies. If you are not comfortable handling withholding responsibilities yourself, consider hiring a bookkeeper, accountant or payroll management company to manage these tasks.

Employer Identification Number (EIN)

When you have someone working for you as an employee who earns more than \$1,800 per year, you must have an Employer Identification Number (EIN) to be able to report these earnings. You may apply for an EIN online at www.irs.gov/businesses; click “Employer ID Numbers” or you may obtain an EIN immediately by calling 800-829-4933, Monday through Friday, 7:30 a.m. to 5:30 p.m.

As an employer, your tax responsibilities may include withholding, depositing, reporting and paying employment taxes. You must also give certain forms to your employees, and they must give certain forms to you. In addition, there is information that you need to secure for your records and forms that you must complete.

Eligibility to Work in the United States

All employers are required to verify the employment eligibility of new employees by completing the U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification (Form I-9). The Handbook for Employers and Instructions for Completing the Form I-9 (M-274) are available on the USCIS website at www.uscis.gov, select “Working in the U.S.”

E-Verify is an Internet-based system that allows businesses to determine the eligibility of their employees to work in the United States. Use the free E-Verify program at www.uscis.gov under “Verification.”

Employers may contact USCIS at 888-464-4218 with questions regarding the Form I-9 process or E-Verify.

Employee’s Social Security Number (SSN)

All reportable employees must have a Social Security number. You are required to get each employee’s name and Social Security number and to enter them on Form W-2 if they earned more than \$1,800 in that year. (This requirement also applies to resident and nonresident alien employees.)

The Social Security Administration (SSA) offers Social Security verification and quick access to relevant forms and publications at www.socialsecurity.gov/employer/ssnv.htm.

Federal Income Tax, Social Security and Medicare Taxes

As an employer, it is now your responsibility to report payroll information annually to the Social Security Administration and to your employees, but only if they made over \$1,800 a year or over \$1,000 in any given quarter of the year. Social Security and Medicare taxes pay for benefits that workers and families receive under the Federal Insurance Contributions Act (FICA). Social Security tax pays for benefits under the old-age, survivors and disability insurance part of FICA. Medicare tax pays for benefits under the hospital insurance part of FICA.

You generally must withhold federal income tax from your employees’ wages. You withhold part of Social Security and Medicare taxes from your employees’ wages and you pay a matching amount yourself. All employees must sign a completed and dated IRS Form W-4, “Employee’s Withholding Allowance Certificate.” To review publications and download the W-4 form, visit the IRS website at www.irs.gov, select “Forms & Pubs,” then click “W-4.” Contact the IRS at 800-829-1040 if you have additional questions.

To figure how much to withhold from each wage payment, use the employee's Form W-4 and the methods described in Publication 15, "Employer's Tax Guide" and Publication 15-A, "Employer's Supplemental Tax Guide" at the IRS website, www.irs.gov/businesses, then click "Employment Taxes for Businesses." Call 800-829-3676 or 800-829-1040 if you have additional questions www.irs.gov/publications/p505/index.html. You may find current Federal withholding information at the Internal Revenue Service: www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Employment-Taxes-2.

Unemployment Tax and Insurance

The Federal Unemployment Tax is part of the federal and state program under the Federal Unemployment Tax Act (FUTA) that pays unemployment compensation to workers who lose their jobs. You report and pay FUTA tax separately from Social Security, Medicare, and withheld income tax. You pay FUTA tax only from your own funds. Employees do not pay this tax or have it withheld from their pay. You report FUTA taxes on the Form 940, "Employer's Annual Federal Unemployment (FUTA) Tax Return." For forms, visit the IRS website at www.irs.gov, and in the search box type "Form 940 and Schedule A (Form 940)." For more information, contact the IRS at 800-829-1040.

Contact the Department of Economic Security for information about registering and submitting unemployment insurance payments.

Arizona Department of Economic Security (ADES)
Unemployment Insurance Information Division
4000 N Central Avenue, Suite 500
Phoenix AZ 85012
602-771-6606; 877-600-2722
Email: uit.status@azdes.gov website: www.azdes.gov/uitax

Arizona New Hire Reporting

Federal and state law requires employers to report all employees to the Arizona New Hire Reporting Center within 20 days of their hire date whether they are full- time, part-time or temporary. For information on how to report electronically, visit az-newhire.com or call 888-282-2064, ext. 250. Staff members are available to answer questions, discuss reporting options, or provide a demonstration of the website.

Arizona Employee Withholding

You may find current Arizona withholding information at the Arizona Commerce Authority: old.azcommerce.com/doclib/abc/AZEE2013chptr6.pdf. An employer must file a quarterly withholding tax return with the Arizona Department of Revenue (DOR) to report its Arizona withholding tax liability. Refer to the "Arizona Withholding Liability/Payment Schedule" section of the Form A1-QRT instructions, www.azdor.gov/Forms/Withholding.aspx, for withholding payment schedule computation.

Each payday, your employees must receive a statement from you telling them what deductions were made and how many dollars were taken out for each legal purpose. This may be presented in a variety of ways including on the check as a detachable portion or in the form of an envelope with the items printed and spaces for dollar deductions to be filled in.

Arizona's Workers' Compensation Insurance

Under Arizona law, it is mandatory for employers to secure workers' compensation insurance for their employees. Workers' compensation is a "no fault" system in which an injured employee is entitled to receive benefits for an industrial injury, no matter who caused the job-related accident. Employers are required to bear the entire cost of workers' compensation insurance.

Companies may choose to insure their employees by insuring with an authorized insurance carrier of the state or by qualifying as a self-insurer under the rules and regulations of the Industrial Commission. For a listing of these companies, visit the Arizona Department of Insurance website at www.azinsurance.gov, select "Consumers" or contact the Consumer Affairs Division at 602-364-2499 or 800-325-2548. The Industrial Commission of Arizona administers the Workers' Compensation Law. Visit their website at www.ica.state.az.us/Claims/Claims_main.aspx or call 602-542-4661 or 520-628-4661 for more details.

Source: Rewarding Work, Inc. (www.rewardingwork.org) and the Arizona Caregiver Coalition, Inc. (www.azcaregiver.org)

Questions to Ask a Home Care Agency

- How long has the agency been in the community?
- Is the agency bonded and insured?
- Who is responsible for paying payroll taxes, social security, unemployment, and workman's compensation?
- How are caregivers screened? What background checks are done?
- What initial and continuing education is required of caregivers?
- How are their skills evaluated and their credentials checked?
- Have caregivers received specific training in dementia care?
- Are caregivers available with the physical strength and training necessary to perform safe transfers or whatever task is required?
- Are caregivers available with the cultural sensitivity and language skills I need?
- Are caregivers available to meet my specific requirements (e.g., non-smoking, fragrance free, etc.)?
- Does the agency have nondiscrimination policies and provide staff training on cultural competency issues including lesbian, gay, bisexual, and transgender (LGBT) concerns?
- Is the agency Medicare certified? Is my family member eligible for any Medicare covered services? (More information about agencies that are Medicare certified may be found at www.medicare.gov/hhcompare.)
- Will the agency do an assessment to determine required level of care? Is there a charge for this assessment?
- How often are supervisory visits made to the home and who makes them?
- Is someone on call 24 hours a day to respond to emergencies?
- What if my caregiver doesn't arrive on schedule?
- What is the procedure for replacing a scheduled caregiver who is unable to work?
- Can I expect to see the same caregiver each time?
- What if I am not satisfied with the caregiver? Will the agency provide a replacement? How does the agency assess caregiver/client compatibility?
- If I have a complaint, whom do I call? How quickly can I expect a response?
- What is the minimum length of service required? What are the hourly costs?
- Are there different charges at night or on the weekend or for service in outlying areas?
- What could cause rates to increase? When will I be informed of increases?
- What different types of care do they offer: housekeeping, companionship, errands, overnight care, personal care (assistance with bathing)?
- Can caregivers transport clients either in the client's car or their own vehicle? Does mileage cost extra?

Resources for Hiring Caregivers

If you are considering hiring a caregiver for a senior family member or friend, publicly available databases may contain information about the potential caregiver. It would be wise to check the first five sources for information about anyone under consideration for employment.

Furthermore, depending upon the individual's background or training (i.e., certified nursing assistant, physical therapist, etc.), you may also want to check one or more of the licensing databases, listed in the second section below, that contain information about individuals in a specific field or occupation, including whether disciplinary action has been taken.

Even if a person is not listed in any of these databases, that does not guarantee the person is honest and law abiding. We recommend that you verify that the information listed on any web site is current and up-to-date by contacting the relevant agency directly. This is publicly available information which employers of caregivers, and other in home workers, should know exists and utilize as needed.

Updated: August 7, 2012.

Elder Abuse Directories & Licensing Websites That May Contain Information About Prospective Employees	Summary of Information Available
Arizona Adult Protective Services Elder Abuse Registry (via written request): (602) 542-4446 or 1 (877) 767-2385 www.azdes.gov/forms.aspx?menu=100&ekfrm=2712	Provides names of individuals when allegations have been substantiated against a perpetrator in relation to abuse, neglect, or exploitation of a vulnerable adult.
Arizona Judicial Branch, Trial and Appellate Courts: (602) 452-3300 www.SupremeCourt.AZ.Gov/PublicAccess	Provides domestic, civil, and criminal case information in the Arizona Courts System.
Department of Public Safety Sex Offender Information: (602) 255-0611; az.gov/app/sows/home.xhtml	Provides names of individuals when allegations have been substantiated in relation to sex crimes.
Arizona Attorney General Elder Abuse Central Registry (submit written request to Consumer Information & Complaints Unit): (602) 542-5763; Outside of the Phoenix Metro Area: (800) 352-8431 www.azag.gov/consumer/complaintformintro.html	Provides information about enforcement actions involving abuse or neglect of vulnerable adults.
Office of Inspector General U.S. Department of Health & Human Services: http://exclusions.oig.hhs.gov/ A phone number is not provided.	Provides names of individuals who are excluded from working for federally funded healthcare programs.

Depending upon a potential caregiver’s background or training, you may also want to check the licensing database that contains information about individuals in a specific field or occupation. These databases provide information regarding licensees who have undergone disciplinary action and/or license revocation.

Elder Abuse Directories & Licensing Websites That May Contain Information About Prospective Employees	Summary of Information Available
Arizona Board of Behavioral Health Examiners: (602) 542-1882 www.azbbhe.us/verifications.htm	Information on (clinical) social workers, counselors, marriage and family therapists, and substance abuse counselors.
Arizona Board of Chiropractic Examiners: (602) 864-5088 www.azchiroboard.us/ASPSearch.html	Information on chiropractors.
Arizona Board of Homeopathic and Integrated Medicine Examiners: (602) 542-815 www.azhomeopathbd.az.gov/phydir.html	Information about homeopathic and integrated medicine doctors.
Arizona Board of Massage Therapy: (602) 542-8604 http://massagetherapy.az.gov/directories.asp	Information about massage therapists.
Arizona Medical Board: (480) 551-2700 or (877) 255-2212 www.azmd.gov/GLSPages/DoctorSearch.aspx	Information about doctors, osteopathic physicians and physicians assistants.
Arizona Medical Radiologic Technology Board of Examiners: (602) 255-4845 Disciplinary actions: https://az.gov/app/mrtbe/Suspended/revoked/licenses : www.azrra.gov/mrtbe/index.html	Information about radiologists.
State of Arizona Naturopathic Physicians Medical Board: (602) 542-8242 www.npbomex.az.gov/directorysearch.asp	Information about naturopathic physicians.
Arizona Board of Nursing: (602) 771-7800 www.azbn.gov/onlineverification.aspx	Information about advanced practice registered nurses, registered nurses, licensed practical nurses and certified nursing assistants.

Elder Abuse Directories & Licensing Websites That May Contain Information About Prospective Employees	Summary of Information Available
Arizona Board of Nursing Care Institution Administrators and Assisted Living Facility Managers: (602) 364-2273 www.aznciboard.us/	Information about institution administrators and assisted living facility managers.
Arizona Board of Occupational Therapy: (602) 589- 8352 www.occupationaltherapyboard.az.gov/licensee_directory/default.asp	Information about occupational therapists and assistants.
Arizona Board of Pharmacy: (602) 771-2727 www.azpharmacy.gov/disciplines/default.asp	Information about pharmacists.
Arizona Board of Physical Therapy: (602) 274-0236	Information about physical therapists.
Arizona Board of Psychologist Examiners: (602) 542-8162 www.psychboard.az.gov/actions.htm	Information about psychologists.
Arizona Department of Health Services: (Audiologists/Dispensing Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists): (602) 542-1025 www.azcarecheck.com/	Information about audiologists/dispensing audiologists, hearing aid dispensers and speech-language pathologists.
Arizona Department of Health Services: (602) 364-2536 www.azcarecheck.com/	Information about assisted living, long-term care and medical facilities.

This guideline was prepared on behalf of the Task Force Against Senior Abuse in the Office of the Attorney General. The information contained in this guideline is for educational purposes only and does not substitute for the advice of an attorney licensed to practice law in Arizona. Additionally, the Office of the Arizona Attorney General cannot represent individual consumers.

Office of the Arizona Attorney General

