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US Dept of Labor's New Rules

Last month, I discussed the new proposed rules governing 24-hour home care from the US Department of Labor, titled "[Either I or They Don't Get It.](#)" The new rules would remove the current federal personal attendant exemption from overtime provisions of labor law, making 24-hour care for almost all clients and families virtually unaffordable. Hiring a home care agency that employs Home Care Aides / caregivers would increase costs by about 235%!

As I said, very few clients and families will be able to afford that cost. The new US Department of Labor rules will keep the overtime exemption for caregivers hired directly by the client / family. So, the option that will be financially attractive, on the surface, to clients and families, if the new rules go into effect, will be to become the employer of record, themselves. I say "on the surface" because there are real dangers in that approach, and the US Department of Labor and the White House do not appear to get it — either that or they do not care. So, what dangers lurk under the surface of that approach — the client or family becoming the employer of record?

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<http://supportforhome.wordpress.com/2011/12/27/us-dept-of-labors-new-rules/>



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If any of our readers have announcements of interest to elders, their families or other organizations that they would like to have us include in future issues of the INSIGHT newsletter, please drop us a line by mail or email (charlotte@supportforhome.com), or just give us a call.

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Most clients and families are not set up to be employers. Even if their intention is to be honest, there are going to be mistakes made. If they try not to be honest — or do not know how to act as an employer — here is what we are going to see:

1. Caregivers' Social Security is not going to be paid, nor will the employer's portion. At some point, the caregiver is going to find this out — probably after a lot of pain. At that time, the government is going to come swooping down looking for past taxes, penalties, first-born grandchildren to hold hostage, ... (Well, OK, they may settle for second-born).
2. Caregivers are going to hurt themselves, tripping over an ottoman or pulling clothes out of a dryer or ... The caregiver (the clients' / families' employees) are going to file a Workers Compensation claim. Most families are going to assume their homeowner's insurance kicks in to cover. Surprise, surprise, it does not. Homeowner's insurance will not touch domestic employees, and that is what the caregiver is. So, the Workers Comp folks ask where all the back taxes are — and, of course, they add some serious penalties (I hope their are enough grandkids to use as collateral!).
3. The client / family will decide that they do not really like the current caregiver (their employee), so they fire her. No problem, as long as they live in an "employment at will" state. If not, things could get interesting. But, let us say that employment is terminated successfully. The former employee goes down to file an Unemployment Benefits claim, as is her right. The State calls the client / family and asks where the taxes are to support the new claim (and, you guessed it, there are penalties).
4. Because the client and family were not experienced in hiring caregivers, they did not do an adequate background check to make sure they were hiring an honest person. \$20,000 of precious family heirlooms are now missing, and everyone knows where they went. Remember the problem with homeowner's insurance we talked about above (it does not cover domestic employees issues)? There is no dishonesty bond in place, either because the family did not know they should have it or it was just too expensive for them, as a single client.

All of the above problems would have been avoided if the US Department of Labor had not published new rules raising the cost of working with a legitimate, honest home care agency (members of the National Private Duty Association – NPDA) that provides protection against all of these problems (there are more dangers, but I am getting too depressed to keep going).

The comment period is under way at the US Department of Labor. We hope many folks involved in elder care and home care, as well as clients and families now receiving care, will get involved. This is not about home care agencies (including us at Support For Home). The co-owner of this agency and I came from the high tech industry, where, frankly, we made more money. We do what we do now from passion. That passion is why I am writing this post.

Interested in submitting written comments on the proposed rule visit: www.regulations.gov on or before February 27, 2012.

Best wishes. Bert





FEBRUARY IS AMERICAN HEART MONTH

Keep Your Heart Healthy by Eating Healthy Foods

Eating generally healthy foods may have kept you healthy, but it's time to shift your thinking toward nutrition. Aim to eat a variety of fruit and vegetables, fiber rich, whole-grains, fat-free, 1 percent fat, and low-fat dairy products, lean meats, skinless chicken, fish rich in Omega-3 fatty acids, legumes, nuts and seeds and healthy unsaturated oils and fats. Choose foods low in saturated and trans fats, cholesterol, sodium and added sugars.

At times, it may seem easier to get pre-packaged or frozen meals, but be careful because these may include hidden calories and fat or too much salt. Instead, focus on the quality of the food you eat and the nutrients that are included.

Stick to these nutrition guidelines for a heart-healthy diet:

Fruits and vegetables: At least 4.5 cups a day (eat a variety)

Fish: At least two 3.5 ounce servings a week preferable oily fish with omega-3 fatty acids (salmon, trout, herring)

Fiber-rich whole grains: At least three 1-ounce servings a day

Sodium: Less than 1,500 mg a day

Sugar-sweetened beverages: No more than 450 calories (36 ounces) a week

-Make sure you are getting enough calcium. It's good for your bones and cuts your risk for developing osteoporosis.

Helpful Nutrition Tools to Make Your Diet Heart Healthy

Fruit & Veggie Tracker

http://www.goredforwomen.org/pdf/hhaaa/fruit_and_veggie_tracker.pdf

Healthy Diet

http://www.goredforwomen.org/pdf/hhaaa/healthy_diet.pdf

Cooking Healthfully

http://www.goredforwomen.org/pdf/hhaaa/cooking_healthful.pdf

Changing Recipes

http://www.goredforwomen.org/pdf/hhaaa/changing_recipes.pdf

Source: www.goredforwomen.org



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Flowers For Seniors©

**January 19, 2012
The Meadows Senior Living**

We are delighted to have **The Meadows Senior Living** participate as the January 2012 recipients of Flowers For Seniors.

Once again, we see that The Brightest Light Is A Smile©.



NINA'S
Flowers & Gifts
1-800-847-6632



Interim
HEALTHCARE INC.

We want to thank the wonderful elders for the joy they gave us and for being very special people.

Flowers For Seniors thanks Nina's Flowers & Gifts, The Meadows Senior Living, Windsor Elk Grove Care and Rehabilitation Center, Interim and Support For Home® for making this event a success. A special thanks to volunteers from Windsor Elk Grove for assisting in guiding the assembly duties.

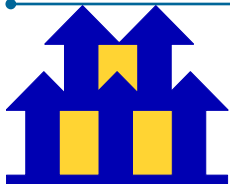
How can you get involved:

Our goal is to sign up other organizations that provide goods or services to our senior population. Support For Home will work together to receive contributions from great florists such as Nina's Flowers & Gifts.

So many of our elders grew up with and still have a love for gardening, from flowers and plants to raising their own vegetables. We want to provide a splash of colorful memories to their days. If you would like to join us, let us know. You can give us a call or send an email to the program at:

flowers@supportforhome.com.

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Crab Roll

Ingredients

- 1/4 cup low-fat mayonnaise
- 1 tablespoon freshly grated lemon zest
- 3 tablespoons lemon juice
- 10 dashes hot sauce, such as Tabasco
- 1/2 teaspoon freshly ground pepper
- 1/8 teaspoon salt
- 1/4 cup finely chopped shallot
- 1/4 cup finely chopped celery
- 1/4 cup thinly sliced fresh chives, divided
- 12 ounces cooked crabmeat (about 2 cups; see Tip), drained if necessary, any shells or cartilage removed
- 8 leaves red or green leaf lettuce
- 4 whole-wheat hot dog buns (toasted, if desired)



Directions

1. Whisk mayonnaise, lemon zest, lemon juice, hot sauce, pepper and salt in a medium bowl. Thoroughly mix in shallot, celery and 3 tablespoons chives. Mix in crab very gently so it doesn't break up too much.
2. Line each bun with lettuce and divide the crab filling among the buns. Garnish with the remaining 1 tablespoon chives.

Tip: Crabmeat (already removed from the shell) can be purchased canned, in shelf-stable pouches, frozen or pasteurized.

Nutrition Per Serving:

Crab Roll
Servings Per Recipe: 4
Preparation Time: 20 minutes

Amount Per Serving:

- Calories: 238
- Cholesterol: 102 mg
- Carbohydrates: 2 g
- Added Sugars: 4 g
- Protein: 21 g
- Fiber: 4 g
- Sodium: 716 mg
- Potassium: 269 mg

http://www.eatingwell.com/recipes/crab_roll.html

Thank You Board

We would like to thank those who referred clients to us recently.

Yolo Adult Day Health Center
530-666-8828

Sutter Roseville Medical & Rehab Center
916-781-1445

Sutter Care At Home
916-388-6255

Sun City Roseville Foundation
916-774-3880

Sudoku

Source/Answer:

<http://www.sudoku.ws/easy-4-solution.htm>

		8	9					1
7			1	3			9	8
		3					6	
				4	8	1		
	1	7				6	4	
		5	2	1				
	2					8		
6	8		5		1			7
5					6	3		

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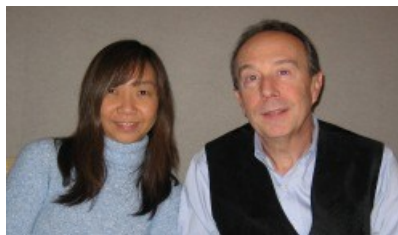
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Getting to Know Your Support For Home® Team



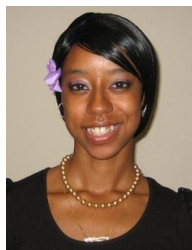
Bert and Siew Pheng



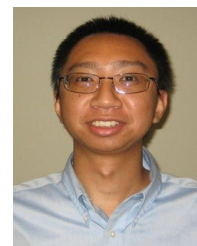
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