

Temporary Help Service Firms, Consulting/Temp Firms and Employment Agencies

NOTICE

This notice is being sent to you to advise you of changes to the law governing employment agencies, temporary help service firms, consulting/temp agencies and healthcare service firms (N.J.S.A. 34:8-45.1). The law was amended on August 1, 2014. Pursuant to the new law, any agency that provides companion services in the home will be required to be registered as a Health Care Service Firm. This law takes effect February 1, 2016. The law provides:

Notwithstanding any other law or regulation to the contrary, an employment agency required to be licensed pursuant to P.L.1989, c.331 (C.34:8-43 et al.), or any other firm, company, business, agency, or other entity that is not a home health care agency licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) or a hospice licensed pursuant to P.L.1997, c.78 (C.26:2H-79 et seq.), which places or arranges for the placement of personnel to provide companion services, health care, or personal care services in the personal residence of a person with a disability or senior citizen age 60 or older, regardless of the title by which the provider of the services is known, shall be registered as a Health Care Service Firm, pursuant to N.J.A.C. 13:45B-13.1 et seq. and shall be subject to the rules and regulations governing Health Care Service Firms adopted by the Division of Consumer Affairs in the Department of Law and Public Safety. (N.J.S.A. 34:8-45.1a)

Employment Agencies, Temporary Help Service Firms, Consulting/Temp Firms, etc., will no longer have the ability to place an individual in the home as a companion. Companion services means non-medical, basic supervision and socialization services, which do not include assistance with activities of daily living, and which are provided in the individual's home. In order to provide these types of companion services a business will now need to be registered as a Health Care Service Firm.

In addition, pursuant to the new law registered Health Care Service Firms must obtain accreditation within 12 months of registration. However, the requirement for accreditation will be delayed pending the proposal and adoption of new regulations. Once the regulations are proposed the proposal will be posted on the Division of Consumer Affairs website at www.NJConsumerAffairs.gov.

Please be advised that once you are a registered Health Care Service Firm with the Division of Consumer Affairs, you will be required to comply with the Statutes and Regulations governing Health Care Service Firms.