

Comparing the “Agency with Choice” and “Fiscal/Employer Agent” Models for Eligible Relative Care

Comparison of Agency with Choice and Fiscal/Employer Agent Approaches with the Two Existing Options

	Agency with Choice (3rd Option)	Fiscal/Employer Agent (3rd Option)	CDWA	Home Care Agencies
Is the beneficiary the legal employer?	No	Yes	No	No
Is this a joint employment model?	Yes	No, only beneficiary	Yes	No, only agency
Do current training requirements apply?	Yes	Yes	Yes	Yes
Do background checks apply?	Yes	Yes	Yes	Yes
Are health benefits required to be offered?	Yes at 50+ FTEs (30+hrs) No if less	No	Yes	Yes
Is there PTO, sick leave?	Yes, what is required by law	Yes, can be part of the program requirements	Yes, required	Yes, required
L&I taxes withheld? (worker’s compensation)	Yes	Optional if only employing one person, or can be part of program requirements	Yes	Yes
Other required taxes withheld – PFML, WCF, SUTA, FUTA, etc.?	Yes	Yes	Yes	Yes
Who is responsible for unpaid taxes?	Agency	FEA	CDWA	HCA
Ability to unionize	Yes	No	Yes	Yes
Does the caregiver qualify for overtime?	Yes	Yes	Yes	Yes
Who resolves concerns with quality of care?	Agency, in coordination with the beneficiary	Beneficiary	CDWA, in coordination with the beneficiary	HCA