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www.consumerdirectedservices.com

January 16, 2014

On September 16th the New York State Department of State accepted the Certificate of Incorporation submitted by **Consumer Directed Services, Inc.** under section 404 of the Not-for-Profit Law. A certificate that included the following statement:

To insure that the corporation remains focused on the empowerment of the people being served, as the service population grows, the corporation will expand the Board of Director Membership to insure that a majority of its seats are held by people with disabilities.

To assist Consumers with the problem of finding new Personal Care Assistants, [Consumer Directed Services](http://www.consumerdirectedservices.com) created a FREE Employment Information Bridge between Consumers and PCA Candidates.

- [Consumers / Advocates](#)

- To receive a copy of the weekly Newsletter, a Consumer or Advocate need only send me an email to elitcher@consumerdirectedservices.com and include your name and the text **Newsletter Request**.
- To search for a New Personal Assistant go to the [Consumer Directed Services](#) website and complete the form at the following link [Consumer / Advocate - Search for a PCA Candidate](#). When your information is received it will be distributed to all of the PCA Candidates enrolled in the database and a variety of other Employment Resources.

- [Personal Care Assistant \(PCA\) Candidates](#)

To include your information in the Newsletter and Database, go to the [Consumer Directed Services](#) website and complete the form at the following link: [Look for a PCA Job \(FREE\) - New York City Metro](#).

Previously distributed Newsletters (**from January 12, 2011 to present**) have been archived on the [Consumer Directed Services](#) home page. Finally, if you have any questions, comments, or recommendations about this service, or should you wish to remove your address from this list, please contact send an email to elitcher@consumerdirectedservices.com.

Best Regards, Ed Litcher

Consumers Searching

Consumers Wanted: For an Employment Information Bridge to work it requires traffic to flow in both directions. If you are in a Consumer Directed Personal Assistance Program, you will eventually need to find a new Home Care Worker. And up to now you may have relied upon Friends, Family, an Agency or you may have chosen to put your own advertisement on the Internet (See the list of Internet resources on the PCA Employment Agency page of this newsletter). Therefore, to help you find the PCA Candidate of your choice, I urge you, to do everything you ordinarily do, to consider an Internet resource and to try www.ConsumerDirectedServices.com. Finally, if you try Consumer Directed Services, please spread the word. Tell your friends and associates about this **FREE** service.

Anthony () on Tuesday, January 6, 2015 at 11:37:01

City, Town or Borough: Centereach, Long Island, NY

Phone: 631-210-5293

Best Time: all day

E-mail: noneck61@gmail.com

Email Authorization: Yes

Consumer Age: Between 51 and 70

Consumer Gender: Male

Payroll Method: Agency

Type of Candidates: Personal Care / Home Health

Candidate Experience: Quadriplegia,, Wheelchairs,, Languages

Description of Languages: English

Required Documentation: Social Security Number,

Hours: 14

Days: 7

Description of Schedule: Looking to fill evenings (5pm-11pm) all 7 days and weekend days (9am-5pm)

Pay Per Hour: 13.12

Comments: *Please read carefully.

Residents outside Suffolk County need not apply, must live within 25 mile radius of Centereach, NY.

I am a 53-year-old male with cerebral palsy, and I am self-directing. I am on the CDPAP program, and I am registered with a home care agency.

Requirements: Must be able to move 200 lbs, valid driver's license and own mode of transportation. Do not apply if you do not have a car.

Must be able to pass a nationwide background check, English speaking. Current physical, including proof of immunization against measles, mumps and rubella, is required by the Department of Health prior to hire.

Job duties include: Shopping, banking, and other essential errands, assistance with all activities of daily living (toileting, showering, meal preparation, housekeeping).

I am wheelchair bound and use a wheelchair to attain mobility. I cannot stand or walk on my own. I transfer using a stand-and-pivot method. There are no Hoyer lifts or other assistive devices of any kind. Do not apply if you have any injuries that would prohibit you from transferring 200 pounds, such as back problems. If I find that a pre-existing injury exists that was not disclosed at the time of hire, you will be immediately terminated.

Pay rate is 13.12/hour on the books. Benefits are available at additional cost upon request after 3 months of employment.

Shifts available are evenings (5pm-11pm) for all 7 days, and day shifts (9am-5pm) for Saturdays and Sundays. I am looking to hire more than one person, shifts are available on a first-come, first serve basis.

Nationwide background check is required by my insurance company. I will need SSN & birth date prior to hire so that I may run said background check via www.sentrylink.com. This information can be provided at the initial in-person interview.

Contact for more details. Thank you.

Fern Cohen () on Wednesday, December 24, 2014 at 16:31:59

Neighborhood Name: Rego Park
City, Town or Borough: Queens
Available Transportation: Subway,, Bus,, Auto,
Phone: 347-579-7252
Best Time: afternoon
E-mail: fec139@gmail.com
Email Authorization: Yes
Consumer Age: Between 51 and 70
Consumer Gender: Female
Payroll Method: Agency
Type of Candidates: Personal Care / Home Health
Candidate Experience: Paraplegia,, Ventilators,, Wheelchairs,, Lifters,
Preferred Candidate Gender: Female
Required Documentation: Social Security Number,
Hours: 12
Days: 1
Start Time: 7am
Description of Schedule: Permanent Saturday 7am-7pm
Pay Per Hour: CDC rate

PCA Candidates

Consumer Directed Services is not an Agency and makes no representation (positive or negative) regarding the appropriateness of any PCA Candidate, or the terms and conditions of any employment relationship. All employment and payment decisions are the exclusive responsibility of the Consumer.

Dear Personal Care Assistant Candidate,

*I would like to thank you for your participation in Consumer Directed Services. If you submitted your **more than one year ago**, please complete and submit a new*

[Personal Assistant Enrollment Form](#). When the updated information is received, your new profile will be added to the next newsletter. Again thank you for your participation.

Suzanne Davis () on Tuesday, January 13, 2015 at 10:01:58

Address: 880 Theiriot Av, Bronx NY 10473

Phone: 917-864-5334

E-mail: suzannedavis75@yahoo.com

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 1 yrs 3mths

Enrolled with a CDPAP: No

Experience: Young Adults,, Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Amputation,, Ventilators,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,, Special Diets,

Documentation Available: Social Security Number,, Proof of Identity,, Recommendations Certificate/License: Home Health Aid,

Hours per Week: 40

Days per Week: 5

Preferred Start Time: 7am

Days I Would Like to Work: Monday - Friday

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 11

Target Salary Per Day: 88

Target Salary Per Week: 450

Suzette Campbell () on Wednesday, January 7, 2015 at 13:32:37

Address: Bronx NY

Phone: 347-373-0586

Best Time: anytime

E-mail: alee3931@gmail.com

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Teens,, Young Adults,, Seniors,, Paraplegia,, Amputation,, Wheelchairs,,
Lifters,, Mental Impairments / Alzheimer's Disease,

Documentation Available: Social Security Number,, Proof of Identity,,
Recommendations

Certificate/License: Home Health Aid,

Hours per Week: 70+

Days per Week: 7

Preferred Start Time: open

Days I Would Like to Work: open

I am willing to work a 24 Hour Sleep-In schedule: yes

Target Salary Per Day: 140+

Comments: Dependable, caring, honest, experience, with a warm and compassionate
personality.

FLORANTE CORONEL () on Tuesday, December 30, 2014 at 23:00:54

Address: 6109 Broadway Ave., Woodside, NY 11377

Phone: 917.399.9208

Best Time: Evening

E-mail: flocornell@gmail.com

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Years Employed with a Consumer/Surrogate: N/A

Enrolled with a CDPAP: No

CDPAP Agency Name(s): N/A

Experience: Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Ventilators,, Wheelchairs,,
Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory
Impairments,, Special Diets,, Languages

Description of Special Diets: Dysphasia, Diabetic, Sodium-free, Hi-protein,

Description of Languages: English, Filipino, Spanish

Documentation Available: Social Security Number,, Proof of Identity,,
Recommendations

Certificate/License: Personal Care,, Driver's License,, Other,

Description of Other Certificate/License: CNA,

Hours per Week: 80

Days per Week: 5

Preferred Start Time: 8am

Days I Would Like to Work: Mon. thru Fri.

I am willing to work a 24 Hour Sleep-In schedule: Case-to-case basis

Target Salary per Hour: 20.00

Target Salary per Day: 300.00

Comments: I have been a CNA since 2004. My total years of experience in health care facilities are 4 years, and 8 years in In-home care setting. I specialized more on cases of persons with cognitive impairment and neurodegenerative diseases, such as Alzheimer's and other forms of Dementia, Parkinson's, MS, ALS, CP, etc. I have completed Mental Health Specialty Training and Developmental Disabilities Specialty Training. I did classes and handled cases on Hospice and Palliative Care. I did training on Music and Massage Therapy. Currently, I am completing the Physical Therapy Aide program.

Maimuna Sillah () on Wednesday, December 31, 2014 at 04:02:12

Address: 1785 Townsend Ave Bronx NY 10453

Phone: 917 208 2659

E-mail: Sillahmaimuna@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Experience: Seniors,

Certificate/License: Home Health Aid,

I am willing to work a 24 Hour Sleep-In schedule: No

Angella Peele () on Saturday, December 27, 2014 at 10:49:11

Address: 1214 Avenue K, Brooklyn NY, 12330

Phone: 347 932 6061

E-mail: Immunity66@hotmail.com

Email Authorization: Yes

Gender: Female

Description of Other Type of Position: LPN

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Children,, Teens,, Seniors,, Paraplegia,, Ventilators,, Wheelchairs,, Mental Impairments / Alzheimer's Disease,

Description of Special Diets: Grunge/j-tube

Certificate/License: LPN or PN,

Hours per Week: 36

Days per Week: 3

Days I Would Like to Work: Saturday, Sunday, Tuesday, Thursday

I am willing to work a 24 Hour Sleep-In schedule: Yes every other weekend

Target Salary Per Day: 130.00

Comments: LPN with experience working with kid with G-Tube/J-Tube, oxygen dependency , CMV, Seizure disorder,

Alisha Willis () on Wednesday, December 24, 2014 at 12:50:38

Address: 241 East 173rd Street

Phone: 718 300 5664

Best Time: Anytime

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Years Employed with a Consumer/Surrogate: N/A

Enrolled with a CDPAP: No

CDPAP Agency Name(s): N/A

Experience: Children,, Teens,, Young Adults,

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Personal Care,

Hours per Week: 30

Days per Week: 5

Preferred Start Time: 1/5/2015

Days I Would Like to Work: Tuesday, Thursday, Friday, Saturday, Sunday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 11

Target Salary Per Week: Weekly

Comments: Knowledge of Microsoft Word, Excel and PowerPoint. Dedicated, loyal employee with diverse career background in administrative support. Proven ability to complete assigned projects on time while unsupervised or as an effective team member. Demonstrated ability to utilize available resources and follow through to completion. Possess strong work ethic with 100% dedication to assigned task. Work well with wide range of people. Capable of learning new skills rapidly.

Ruth Soriano () on Monday, December 22, 2014 at 23:45:02

Address: 66-31 Clinton Avenue, Maspeth, Queens, New York 11378

Phone: 347 447 0740

E-mail: ruthsoriano0418@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 1 year

Enrolled with a CDPAP: No

Experience: Seniors,

Description of Special Diets: low salt diet

Description of Languages: English, Tagalog

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Personal Care,, Home Health Aid,

Hours per Week: 40

Days per Week: 3

Days I Would Like to Work: Wed. - Thurs. - Friday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 11/hour

Target Salary Per Day: \$150

Comments: I worked as Home Attendant for a year, then I just had my training as Home Health Aid last September 26,2014. I am also a Registered/Licensed Pharmacist in my native country, Philippines.

Sacha M Mercado () on Monday, December 22, 2014 at 09:32:00

Address: 1826 Tomlinson Avenue

Phone: 917-478-8581

Best Time: Any

E-mail: sachamarinamercado@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,
Description of Other: Hospice
Documentation Available: Social Security Number,, Proof of Identity,,
Recommendations
Certificate/License: Personal Care,, Home Health Aid,, Driver's License,
Hours per Week: 40+
Preferred Start Time: Any
Days I Would Like to Work: Tuesday through Sundays
I am willing to work a 24 Hour Sleep-In schedule: Yes
Target Salary Per Hour: 12.00
Comments: I am experienced in Elderly, Alzheimer/Dementia and Hospice care. I am also knowledgeable in ambulation, bathing, cooking, cleaning, dressing, bed making, Companionship, shopping, diabetes, assist with meal prep and eating, Transfers, Incontinent care.

Dorothy Adobeia () on Monday, December 22, 2014 at 10:02:53

Address: Bronx, New York

Phone: 347 963 3414

Best Time: Anytime

E-mail: addodott@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Teens,, Young Adults,, Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Amputation,, Ventilators,, Wheelchairs,, Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,, Special Diets,

Description of Special Diets: low fat, low sodium, vegetarian, pureed diet.

Description of Languages: English

Documentation Available: Social Security Number,, Proof of Identity,,
Recommendations

Certificate/License: Home Health Aid,, Driver's License,, Other,

Description of Other Certificate/License: CPR

Hours per Week: 40+

Days per Week: 7

Preferred Start Time: ASAP

Days I Would Like to Work: Monday - Sunday

I am willing to work a 24 Hour Sleep-In schedule: yes

Target Salary Per Hour: open

Target Salary Per Day: open

Target Salary Per Week: open

Comments: specialized in caring for the depressed and people with Dementia or Alzheimer's, Diabetes, Parkinson's disease, ALS, Stroke, hypertension, cancer, and also transferring either manually or using transfer equipments.

I am a compassionate, respectful, honest, hardworking and an intelligent young lady with a significant educational background.

Microsoft Office applications, Internet, power-point, excel.

James Marin () on Thursday, December 18, 2014 at 14:21:47

Address: West Harlem, New York

Phone: (978) - 551 - 0473

Best Time: Anytime

E-mail: jpmarin7@gmail.com

Email Authorization: Yes

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Children,, Young Adults,, Quadriplegia,, Wheelchairs,, Other Equipment,

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Hours per Week: Open

Days per Week: 5

Preferred Start Time: Anytime

Days I Would Like to Work: Open to all days currently (no preference)

Target Salary Per Hour: Open

Comments: I have worked as a personal care assistant in the past assisting a young man with cerebral palsy as well as a child with muscular dystrophy. As a P.C.A., I helped these individuals attend to their everyday living needs and assisted them frequently with specific activities such as using the computer/telephone and participating in athletic

activities. My experiences working as a P.C.A. have been personally rewarding for me. It is inspiring for me to see individuals turn their challenges into triumphs and to know that I have been a facilitator in that process by helping them to get through their day.

Juliet Walters () on Thursday, December 18, 2014 at 12:24:15

Address: 6 Essex place Valley Stream NY 11580

Phone: 7185062060

Best Time: anytime

E-mail: wallyjul@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 7 years

Enrolled with a CDPAP: Yes

CDPAP Agency Name(s): Southshore Home Health Services inc

Experience: Young Adults,, Seniors,, Wheelchairs,, Lifters,

Description of Languages: English

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Personal Care,, Driver's License,

Hours per Week: 30

Days per Week: 3

Preferred Start Time: 01/2015

Days I Would Like to Work: Mon, Tues, Wed

I am willing to work a 24 Hour Sleep-In schedule: on a part time basis

Target Salary Per Hour: \$13- \$20

Comments: I have been working in this position for over 10 years I presently have a multiple sclerosis patient who is non ambulatory and I have been with her for 7 years. I am compassionate, trustworthy and carry out my duties on a professional level. I like caring for people and it gave me a sense of fulfillment knowing I can be in someone's home assisting them and helping them to have the quality of life they require,

Murielle Pierre () on Wednesday, December 17, 2014 at 13:33:44

Address: 379 Eastern Parkway Brooklyn NY 11216

Phone: 9174744077

Best Time: 12 am

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Experience: Children,, Teens,, Young Adults,, Seniors,, Wheelchairs,, Lifters,, Other Equipment,, Visual / Auditory Impairments,, Special Diets,, Languages

Documentation Available: Social Security Number,, Proof of Identity,

Certificate/License: Personal Care,, Home Health Aid,

Description of Other Certificate/License: CNA

Hours per Week: 20

Days per Week: 3

Preferred Start Time: 9 am

Days I Would Like to Work: Monday, Tuesday , Wednesday

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 15.00

Elizabeth Lele () on Wednesday, December 17, 2014 at 08:38:29

Address: 2750 Homecrest Ave, Brooklyn NY 11235

Phone: 718-676-9391

Best Time: 5;00pm

E-mail: erzsi1945@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Description of Other Type of Position: new born baby care

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Children,, Seniors,, Ventilators,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Special Diets,, Other,

Description of Special Diets: as doctor order, I follow

Description of Languages: Hungarian, English

Description of Other: little Romanian

Documentation Available: Social Security Number,, Proof of Identity,,
Recommendations

Certificate/License: Home Health Aid,, Other,

Description of Other Certificate/License: computer for beginner, certificate

Hours per Week: 10

Days per Week: 4 days

Preferred Start Time: negotiable

Days I Would Like to Work: Monday - Tuesday - Wednesday, Thursday

I am willing to work a 24 Hour Sleep-In schedule: occasionally

Target Salary Per Hour: 13.50

Comments: I am working with aged sick ladies, for 4 years, including, vent, wheelchair, hooyer, or longer period as helping light household, meals, bath ,laundry ,denture, keeping in company, walking ,playing rummy game, senior center visits daily etc.

Angela Outerbridge () on Tuesday, December 16, 2014 at 06:59:42

Address: 2685 Creston AVE. Apt. 2L,Bronx,NY

Phone: 718-764-3488

Best Time: 9-5PM

E-mail: aouterbridge243@gmail.com

Email Authorization: Yes

Gender: Female

Type of Position: Other Type of Position

Description of Other Type of Position: RN

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,

Description of Special Diets: Renal, Diabetic, Gout

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: RN,

Days per Week: 2

Preferred Start Time: 9AM

Days I Would Like to Work: Saturday and Sunday

Target Salary Per Hour: \$45.00

Comments: I'm an experienced Registered Nurse. My background is mainly in Home Care but I've also worked in the Hospital and Nursing Home. I am available to do Medication Pre-pours, Injections, Plan weekly diet for specific Medical conditions, GT feedings and Glucose Finger stick monitoring. Also I can assist with arranging medical appointments. I'm very flexible, willing and able to assist you to achieve your healthcare goals.

Articles Related to the CDPAP

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1. As many of you have heard: WE WON!!!!

The federal District of Columbia Court has stopped cold the Dept. of Labor's efforts to extend overtime rules onto home care workers by sharply limiting the "Companionship exemption" rule to the Fair Labor Standards Act. This would have severely cut the pay of us workers and totally disrupted the lives of the people we assist, driving many into nursing homes.

Right now most home care workers in traditional agencies have their hours limited to 40 hours per-week. With this decision there may no longer be any justification for this impoverishment to continue. They have a right to a living wage just like consumer-directed workers. We should not forget them.

Now let's talk about improving home care workers' hourly wage! And let's get some of these unions to once again work for the rank & file, not just for their own executives and political comrades.

Philip Bennett

2. From: Bruce Darling

Sent: Wednesday, January 14, 2015 5:30 PM

ADAPT applauds today's ruling which voided the Department of Labor's Companionship Rule.

This decision ensures that people with disabilities will not lose their attendants due to an unfunded mandate. The Department of Labor (DOL) developed this rule without adequate involvement of the Disability Community which was concerned that without additional Medicaid funding, attendants would lose income that is vital to their lives and individuals with disabilities would be forced into institutions. Instead of addressing these serious concerns, DOL implemented the rule over our objections and even refused to extend the effective date to give states sufficient time to fund these changes in their Medicaid programs. Although the Department of Labor could appeal this ruling, ADAPT hopes they will use this opportunity to develop an approach that addresses our concerns and the serious unintended consequences for attendants and attendant service users. ADAPT stands ready to work with organized labor and worker groups to fight for improvements in attendant wages and benefits in a manner that doesn't sacrifice the rights and freedom of people with disabilities.

3. Statement of CDPAANYS Executive Director Bryan O'Malley on Decision to Repeal Companionship Rules

The Consumer Directed Personal Assistance Association of New York State has believed all along that the United States Department of Labor's changes to the Fair Labor Standards Act (FLSA) were illegal and an overreach by the Administration. The Administration refused to work with advocates in creating the rule, instead opting for an unfunded mandate that would have dramatically reduced the ability of people to receive care in the community.

We now look forward to working with all of those who fought for these rule changes to strengthen the ability of personal assistants in consumer directed personal assistance to receive higher pay through a manner that is both legal and funded - two critical components lacking in this solution. We will begin our efforts as part of this State Budget cycle.

**4. From: "NAHC Events & Promotions"
Date: January 14, 2015 at 5:12:46 PM EST
Subject: NAHC Breaking News: NAHC, along with Home Care Patients**

and Caregivers, Wins Huge Victory: Federal Court Rules to Strike Down Controversial New Overtime Rule

The National Association for Home Care & Hospice (NAHC) and its members today celebrated the decision of the U.S. District Court for the District of Columbia invalidating a proposed new U. S. Department of Labor (DOL) overtime rule slated to take effect on January 1, 2015.

"This decision is a huge victory for patients and their families who will be able to continue receiving home care services without interruption. The decision is a huge victory for caregivers who will continue to be protected instead of being forced to work only part time. The decision is likewise a huge victory for the agencies that serve patients and employ caregivers, and who will see continuity in a rule that has been in effect for 40 plus years and had recently been sustained by the U.S. Supreme Court. Finally, the decision is a huge victory for the states and the federal Medicaid program." said Denise Schrader, chairman of the NAHC Board.

This is the third victory in this lawsuit for home care interests within the last month. On December 22, the court ruled that patients are entitled to equal rights regardless of whether they or their families paid their home care bills or they were paid by the joint, federal-state health insurance program, known as Medicaid. On December 31, the court ruled for NAHC by agreeing to issue a Temporary Restraining Order (TRO) blocking the DOL from enforcing new rules related to "companionship" and "live-in" care. On January 9, the court, in considering a motion from NAHC attorneys for an injunction to block enforcement of residual parts of these rules through this date or a trial, stated that so much evidence was in the record there would be no need for a trial. The judge therefore agreed to give his decision on the case on or by January 14, when the TRO was set to expire. Today, the judge ruled for NAHC and home care interests, saying the proposed new DOL rules violated the law.

The DOL has not announced whether it will appeal this decision to U.S. Court of Appeals. NAHC President Val J. Halamandaris, stated "The home care community is prepared to defend this case before the higher court. We fought this case once before and took it all the way to the U.S. Supreme Court where

we won by a unanimous vote of 8-0. We are prepared to do this again if we need to do so."

"The victory in the case proves the power of unity," said Halamandaris.

"United, fighting on behalf of the aged, infirm, disabled, and dying, we cannot lose; divided we cannot win." He also thanked Bill Dombi who helped lead the strategy in this case, the International Franchise Association and the Home Care Association of America which joined in the litigation and the law firm of Littler Mendelson which had been hired to bring the suit.

5. Judge Richard Leon just ruled against USDOL and in favor of Home Care Association of America, et al.

In doing so, he vacated the regulations imposed by USDOL. More information will be forthcoming. CDPAANYS has not yet had an opportunity to fully analyze the decision, which is linked in full below:

https://ecf.dcd.uscourts.gov/cgi-bin/show_public_doc?2014cv0967-32

**6. From: Home Care Association of New York State
Date: January 12, 2015 at 10:46:20 AM EST
Subject: Judge to Rule Wednesday on Status of Restraining Order in Companionship Exemption Case**

In a hearing late last week (after HCA's newsletter went to press), a federal District Court judge said he would issue a decision no later than this Wednesday, January 14, on the status of a temporary restraining order that is now in effect to suspend changes in the federal "companionship exemption" rule for home care.

A temporary restraining order is in force for no more than 14 days. But the plaintiffs in the case, the National Association for Home Care and Hospice (NAHC), have argued for a preliminary injunction, which is less restrictive.

Distinct from a time-limited temporary restraining order, a preliminary injunction would suspend the rule until the court either issues a final decision

on the overall merits of the case or until the Court of Appeals reverses the injunction.

As previously reported, the U.S. District Court, on New Year's Eve, issued the temporary restraining order, preventing the new rule from taking effect. The new rule would change the calculation of wages and overtime for home health aide services nationally.

New York State law already requires a minimum wage for home care workers, plus overtime at time-and-a-half of the minimum wage (\$8.75 per hour in 2015). Thus, for New York State, DOL's regulation disallowing a companionship exemption in home care (if implemented) would require that overtime be calculated based on time-and-a-half of the regular rate of pay, not time-and-a-half of the minimum wage.

While the temporary restraining order is in effect, home care agencies can continue to pay overtime at time-and-a-half of the minimum wage.

7. LOBBY DAY 2015

On February 11, 2015; join CDPAANYS and NYAIL in the Well of the Legislative Office Building in Albany to fight for the future of consumer directed personal assistance. Lobby Day will begin with registration and a general session/rally. Participants will then split into groups to meet with your local legislators during the day. CDPAANYS will provide materials for you to bring to meetings on the critical issues that threaten CDPA. Please note that you are responsible for scheduling your own meetings. We suggest working with other people from your area and your FI to coordinate meetings.

When: February 11th, 2015 10:00 AM through 5:00 PM

Location: Legislative Office Building Albany, NY 12247

Contact: Phone: 518-813-9537

Email: info@cdpaanys.org

Local Independent Living Centers

- Bronx Independent Living Services, Inc. (BILS)
4419 Third Ave, #2C, Bronx, NY 10457
TEL [718 515-2800 x 116](tel:7185152800) / TTY [718 515-2803](tel:7185152803) / FAX [718 515-2844](tel:7185152844)
- Brooklyn Center for Independence of the Disabled (BCID)
27 Smith St, #200, Brooklyn, NY 11201
TEL [718 998-3000](tel:7189983000) / TTY [718 998-7406](tel:7189987406) / FAX [718 998-3743](tel:7189983743)
- Center for Independence of the Disabled in NY (CID-NY) (Manhattan)
841 Broadway, #301, New York, NY 10003
TEL [212 674-2300](tel:2126742300) V / TTY [212-674-5619](tel:2126745619) / FAX [212-254-5953](tel:2122545953)
- CID-NY/Queens
137-02A Northern Blvd, Flushing, NY 11354
Phone: [646-442-1520](tel:6464421520) / Sorenson VP [866-948-1064](tel:8669481064) / TTY [718-886-0427](tel:7188860427) / Fax 718-886-0428
- Harlem Independent Living Center (HILC) (Manhattan)
289 St. Nicholas Ave, #21 Lower Level, New York, NY 10027
TEL 212-222-7122 / Sorenson VP 646-755-3092 / Relay 866-326-5876 / FAX 212-222-7199
info@hilc.org
- Staten Island Center for Independent Living (SIILC)
470 Castleton Ave, Staten Island, NY 10301
TEL 718-720-9016 / TTY 718-720-9870 / FAX 718-720-9664
- Long Island Center for Independent Living (LICIL) (Nassau Co)
3601 Hempstead Turnpike, #208, Levittown, NY 11756
TEL 516-796-0144 / TEL (Español) 516-796-6176 / TTY 516-796-0135 / FAX 516-796-0529 licil@aol.com
- Self Initiated Living Options, Inc. (SILO) (Suffolk Co)
2111 Lakeland Ave, Ronkonkoma, NY 11779
TEL (31-880-7929 / TTY 631-654-8076 / FAX 631-946-6377
contact@siloinc.org
- Westchester Independent Living Center (WILC) (Westchester/White Plains)
200 Hamilton Ave, White Plains, NY 10601
TEL 914-682-3926 / TTY 914-682-0926 / Sorenson Video Phone 866-933 5390 / FAX 914-682-8518
- Westchester Disabled on the Move, Inc. (WDOM) Westchester/Yonkers)
984 No. Broadway, #L-10, Yonkers, NY 10701
TEL 914-968-4717 V & TTY / FAX 914-968-6137

PCA Employment Agencies

If your Personal Care Assistant (PCA) Employment Service assists Self-Pay and CDPAP Consumers in the NYC Metro Area, you can have your agency information added to the following list by completing the [Employment Service Enrollment Form](#).

All American Home Care Agency, Albert Isakov, CEO
1113 Avenue J, Brooklyn, NY 11230
aisakov@allamericanny.com
Phone: 718-717-8800

Bronxwork Inc, Kedon Wilson
391 E 149th St, Bronx, NY 10455
kwilson@bronxworks.org
(718) 993-8880 ext. 237

Center For Family Life Employment, Maria Ferreira
443 39th St, Brooklyn, New York 11232
mferreira@cflsp.org
718-633-4823

El Barrio's Operation Fight, Gustavo Rosado
413 E 120th St # 403 New York, NY 10035-3602
ebobf413@aol.com
212-410-7900

Fifth Avenue Committee, Aaron Shiffman
621 DeGraw Street, Brooklyn, New York 11217
ashiffman@fifthave.org
718-237-2017

Goldenhearts Elderly Care Services, Geanette Browder
244 5th Avenue, suite G256 New York, NY 10001
contact@GoldenElderlyCare.org
Phone: (866) 531-4620

Home Instead Senior Care
400 East 56th Street, Professional Wing, Suite #2,
New York, NY 10022
Recruiting.NYC@homeinstead.com
Phone: 212-614-8057

Kingsborough Comm. College, Marisa Joseph
2001 Oriental Blvd, Brooklyn, NY 11235
marisa.joseph@kbcc.cuny.edu
718-368-5563

Konedu Home Care, LLC, Carie Jones Smith
140 Captain Thomas Blvd West Haven, CT 06516
helpingfamilies@koneduhomework.com
Phone: [800 418-3299](tel:8004183299)

Mercy Center, Mary Ellen Gianino
377 East 145th Street, Bronx NY 10454-1006
meg@mercycenterbronx.org
(718) 993-2789

Reliable Homecare Solutions LLC
Contact: Reshmi Maharaj, Director
104-28 117 St, 2E, Richmond Hill New York 11419
917 378 5769
caresolutions09100@gmail.com

New York City College of Technology
NYC Technical College Placement Office
300 Jay St, Brooklyn, NY 11201
employmentsvc@citytech.cuny.edu
(718) 260-5050

Northern Manhattan Improvement Corp
Evan Hess
76 Wadsworth Ave, New York, NY 10033
evanhess@nmic.org
212-822-8300

Our Planet Management Institute, Lisa Ying
116 John Street, #200, New York, NY 10038
lisa@opmi.org, 212-269-4000

YWCA of NYC, Anne Alfred
50 Broadway, New York, NY 10004
aalfred@ywcanyc.org
718-723-6170

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(cost determined by number of weeks)
<http://newyork.backpage.com/MedicalHealthJobs/>

Classified Ads, Cost Free
<http://www.classifiedads.com/post.php>