

# Exhibit A



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April 24, 2017

FREEDOM OF INFORMATION ACT REQUEST LETTER

Wage and Hour Division  
U. S. Department of Labor  
Room S3016  
Attn: WHD FOIA Coordinator  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Re: *Freedom of Information Act Request*

Dear Sir or Madame:

This is a request under the Freedom of Information Act.

The documents and records requested are related to companionship services, also referred to as home care services, as defined by 29 C.F.R. § 552.6. The workers who provide home care services are direct care workers who provide services in the home of the consumer of these services. There are a number of occupational titles such as certified nursing assistants, home health aides, personal care aides, caregivers, and companions.

1. This request is for all documents or other records containing information about **third-party intermediaries** who facilitate the provision of direct care services by performing any of the tasks with respect to direct care workers as set out below. Third party intermediaries include, but are not limited to, any nongovernmental person, company, or other business entity that facilitates the provision of home care services but is not the consumer of such services. Such third party intermediaries often provide financial management services in consumer directed home care programs funded through a state agency, often under Medicaid or state funded programs.

By way of illustration only, one such third-party intermediary is Public Consulting Group (PCG) Public Partnerships, Limited, also known as PPL. PPL performs some or all of these services in several states, including but not limited to Pennsylvania or Virginia, through an arrangement with state agencies charged with responsibility to deliver home care services in those states. There is reason to believe that similar services are provided in other states by PPL and other entities similar to PPL. PPL and other entities like it are often referred to or known as “common

**COHENMILSTEIN**

April 24, 2017

Page 2

law employers” in the home care industry. Documents related to such entities are included in this request.

2. An additional request concerns any document or record that included the delivery or management of home care services through **managed care companies**. Managed care companies are entities that are contracted by state agencies to coordinate and manage the delivery of health care services to eligible recipients, often through Medicaid programs. The services provided by these managed care companies may include home care services such as assistance with activities of daily living and instrumental activities of daily living. By way of illustration Humana, Inc., through its subsidiary, Humana at Home, Inc. is one such managed care company, contracted by agencies in Connecticut to provide, home care services.

3. Finally, I request any document or record referencing any company that sells franchises that provide home care services. These include but are not limited to Home Instead, Interim, Visiting Angels, and Right At Home.

Among the employment-related tasks each of the entities identified in paragraphs 1-3 may perform include the following:

- Advertising for and/or recruiting workers to perform homecare tasks;
- Performing screening or background checks of workers;
- Hiring;
- Training;
- Monitoring;
- Supervising;
- Assigning tasks to be performed by the direct care worker;
- Receiving and/or tracking hours worked by direct care workers;
- Withholding any taxes from wages paid to direct care workers;
- Providing workers compensation coverage to direct care workers;
- Providing unemployment insurance coverage to direct care workers;
- Providing alternative or substitute workers to the consumer as necessary;

**COHENMILSTEIN**

April 24, 2017

Page 3

- Scheduling the hours when services will be provided to the consumer by the direct care worker;
- Determining the wages that will be paid to the direct care worker (including either setting wage rates or calculating the amount due for a particular workweek);
- Issuing paychecks or otherwise paying direct care workers for work performed;
- Assessing performance of the work performed by direct care worker;
- Disciplining direct care workers;
- Discharging or otherwise terminating the employment of direct care workers; and
- Any other tasks performed in relation to the employment of direct care workers and/or providing home care services to consumers.

I am willing to pay fees for this request up to a maximum of \$500. If you estimate that the fees will exceed this limit, please inform me first.

Thank you for your consideration of this request. I further request that you reply to this request within the time limits allowed by law and if you seek to extend that time, contact me at your earliest convenience to discuss the anticipated delay.

Finally, I am available to discuss and clarify this request if it will allow you to timely and fully comply with this request. You can reach me at 202-285-7785.

Sincerely,

*/s/ D. Michael Hancock*

D. Michael Hancock

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