



Kendall Warren



Located Just North of  
Midland Country Club!



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<b>Liability Issues When You Hire Your Caregiver</b>	<b>Use an HCA Caregiver</b>	<b>Hire Your Own</b>
<p>If you hire a caregiver directly as an "independent contractor" to save money, the caregiver is really an "employee." That exposes you to all expenses, liabilities and risks of having an employee.</p> <p>Caregivers who work the hours you specify, follow your directions, and use your home and equipment (e.g., dishwasher, washer &amp; dryer, vacuum, kitchen and household equipment) are legally your employees – not independent contractors.</p> <p>If the caregiver is injured on the job (for example, a back injury that won't heal), who is liable?</p>	<p><b>HCA is Liable</b> HCA caregivers are covered by Workers Compensation insurance. That is an expense we cover for you.</p> <p>The caregiver cannot make a claim against you or sue you for medical bills, loss of income, or pain &amp; suffering damages. Workers Compensation insurance is the caregiver' exclusive remedy for those things, by law.</p>	<p><b>You are legally Liable</b> Without Workers Compensation insurance, you are liable for your injured caregiver's damages.</p> <p>Even if you and the caregiver have an agreement that the caregiver won't sue you, that "agreement" is not legally binding and you are <i>still</i> legally liable for \$10,000's or \$100,000's - even if the injury was not your fault.</p> <p><b>That's the truth! Ask a Workers Compensation attorney.</b></p>
<p>Who has to withhold the caregiver's income taxes (federal and state) and Social Security and Medicare taxes?</p>	<p><b>HCA is Liable</b> The caregiver is our employee and we withhold these taxes from the caregiver's paycheck and pay the money to the government.</p>	<p><b>You are Liable</b> The caregiver is your employee. You must withhold the taxes from the caregiver's pay and pay it to the government. The IRS and Texas hold you liable.</p> <p>Even if you and the caregiver have an agreement that you won't be liable, you are still legally liable.</p>

## Use a HCA Caregiver (or hire your own?)

When You Look At The Liabilities, Which Choice Really Costs More?

Over →