

IHSS Public Authority Advisory Board Meeting
March 15, 2011
MINUTES

Members Present: Deane Denney, JoAnn Disbrow, Cindy Faulkner, Richard Patterson, Jim Ramoni (ex-officio), Janie Whiteford, Theresa Wright, Ellen Rollins via tele-conference

Members Absent: Kai Lu, Elissa Young

COA Staff Present: Leticia Sabadin, Mary Tinker

Guests Present: Merina Yeung, Internal Organizer from the SEIU Local 521 Union Office, Sharon Wright (Mother of Theresa Wright)

Approve Minutes: February minutes approved as written.

Announcements & Public Comment: Janie Whiteford announced the Adult Transition Fair hosted by Parents Helping Parents scheduled for Thursday, March 17th from 9am – 12noon. Janie and Theresa Wright will have a table there with handouts and/or pamphlets to distribute with information regarding IHSS and the Public Authority.

Ellen Rollins announced SEIU Local 521 held a regional meeting which Janie Whiteford attended. At this meeting the New Director of Home Care was announced, Robert Li. Mr. Li will be taking over Elsa Caballero's position as she is relocating to Texas with her family. Ellen mentioned that Janie spoke to Robert Li about home care and IHSS issues. She wanted to thank Janie for attending and speaking to Mr. Li. Ellen speaks highly of Mr. Li and feels confident that he will lead in a positive direction because he is very committed and passionate in the work he does.

CAPA Report: Mary Tinker reported CAPA met February 24 in Sacramento.

The Governor and democratic leaders have completed negotiations on the IHSS provisions of the budget. The Governor's goal to achieve \$486 million in savings will be met with legislation to enact:

- Medical/Health Care Certification required as a condition of eligibility (\$120.4 million scored savings)
- Caseload Savings (\$83.2 million scored savings)
- Community First Choice Option (\$128 million scored savings)
- New Medication Compliance program (\$153.1 million scored savings)

- Repeal of county mandate for IHSS advisory committees, however the PA mandate for IHSS advisory committees will remain. (\$1.4 million scored savings)

There will be a trigger to implement across-the-board cuts in FY 12/13 if the Medication Compliance program doesn't achieve the estimated savings.

The good news is the Governor's proposal to cut Domestic & Related Services for IHSS consumers in shared housing arrangements will not be adopted, nor will the legislation enact across-the-board cuts (beyond the current 3.6% cut) in FY 11/12.

Legislation CAPA is Following:

AB 138 (Beall) Elder Economic Planning Act of 2011: This bill would require, if specified conditions are met, the department to report data from the Elder Economic Security Standard Index, as defined, for each service area included in the state plan.

CAPA Position: Support

AB 479 (Nestande) In-Home Supportive Services program: This bill would provide that it is the intent of the Legislature to enact legislation that would implement reforms in the IHSS program, as specified, secure choice of provider for all eligible IHSS recipients within the chosen model, and ensure coordination of programs for the aging to emphasize the most cost-effective care for each IHSS recipient. *(It is appears to some that the intent of this bill is to build market share for contract mode of service for a specific vendor. Assembly member Nestande worked for a contract agency prior to becoming an elected official).*

CAPA Position: Oppose

AB 876 (Valadao) In-Home Supportive Services program: This is a spot bill.

CAPA Position: Watch

AB 889 (Ammiano) Domestic Work Employees: This bill would specially regulate the wages, hours, and working conditions of domestic work employees, as defined. Specifically, this bill would, among other things, provide a private right of action for a domestic work employee when those regulations are violated by his or her employer; provide an overtime compensation rate for domestic work employees; require annual pay increases, paid vacation, and paid sick days for domestic work employees; and require that a domestic work employer provide written notice of termination 21 days in advance.

CAPA Position: Amend & Watch

SB 21 (Liu) Long-Term Care assessment & planning: This bill would require a hospital that is required to provide, as part of its discharge policy, information to patients anticipated to need post-hospital care, to provide the information both orally and in writing to the patient and, if necessary, to his or her representative, at the earliest possible opportunity prior to discharge.

CAPA Position: Support in Concept

SB 33 (Simitian) Elder & Dependent Adult Abuse: This bill would make a technical nonsubstantive change to existing provisions of the law. The Elder Abuse and Dependent Adult Civil Protection Act establishes procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. The act requires persons, defined as mandated reporters, to

report known or suspected instances of elder or dependent adult abuse. Under the act, care custodians of elder or dependent adults and local law enforcement agencies are mandated reporters. A violation of the reporting requirements by a mandated reporter is a misdemeanor.

CAPA Position: Support

SB 176 (Emmerson) In-Home Supportive Services: This is a spot bill

CAPA Position: Watch

SB 930 (Evans) In-Home Supportive Services: enrollment and fingerprinting: This bill would delete the requirements pertaining to obtaining fingerprint images of IHSS recipients, and the requirement that the provider timesheet include spaces for provider and recipient fingerprints.

CAPA Position: Sponsor

Mary also discussed the importance of Governor Brown's tax extension being placed on the June ballot and gaining voter approval. This is imperative to avoid deeper cuts if it does not go through there will be major cuts in various education programs as well as health and human services. It would mean another round of cuts to close an additional \$12.5 billion hole.

PA Programs Report: Mary Tinker reported the following:

Benefits Administration: There were 7,333 IPs enrolled in the Valley Health Plan and 7,842 IPs enrolled in the Dental/Vision plans during the month of February. Staff issued 93 Eco Passes during February.

IP Enrollment Sessions:

Number of IPs processed in January: 436 (REVA).

Number of IPs completely processed as of February 28th: 18,195

Number of IPs partially done: 774

Fingerprint Processing:

- Rejected prints: 11
- Pass: 18,432
- Failed: 66
- Delay: 25

Mary also mentioned that there have been 20 appeals submitted with failed background checks. Out of the 20 appeals, 15 cases were overturned and 5 cases were upheld.

Registry Services: There are 449 active IPs on the registry. The Registry completed 51 new consumer intakes, 41 matches and provided 187 interventions.

The Urgent Care Registry authorized 8 hours of service for the month of February.

Provider Training: The Public Authority offered nine classes during February training 217 IPs.

Mary reported that the latest Consumer Newsletter was mailed out last week. Mass mailing was sent out to all IHSS consumers in Santa Clara County and they should have received the newsletter by now. Copies were distributed to AB members.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reported that CICA is working on various projects but one specific focus they have is on the Advisory Committees and additional funding for this effort. CICA has mailed out membership dues invoices for fiscal year 2012 and are asking folks to submit the membership forms and possibly have them pay for multiple year membership now before the funding is gone. Janie also reported that they cancelled the October CICA conference due to the instability of the current economic environment and unknown cuts in the future. CICA is working on seeking grant funding to help with the reduction in available funds under the next fiscal year budget proposal.

CICA is planning to provide regional training for Advisory Committees potentially using grant money if they are successful in obtaining it.

Janie also reported CICA will be providing a legislative training session scheduled for May 24th in Sacramento. This is scheduled the day before the Disability Capital Action Day (DCAD) event set for May 25th. The training will be from 10am – 6pm and it is a free training. Registration will begin April 1st and Janie will send members the forms and additional information in order to register. She is hoping that everyone can attend the training and the DCAD event in Sacramento. It will be a great opportunity for everyone.

Janie expressed appreciation for Karen Kessler and CAPA for the support she/they have given in maintaining some funding for Advisory Committees going forward. It is greatly appreciated.

Report from Social Services Agency: Jim Ramoni reported that the county budget for the Social Services Agency was submitted last week with a \$15 million target in budget cuts. This will require elimination of several positions within Adult Protective Services and Public Administrator Guardian Conservator. They plan to delete twelve positions, and out those twelve there will be three managerial positions, one in APS and two in Public Administrator/Guardian/Conservator eliminated. There will no longer be contract work for Fraud Units within the DA and Social Services departments. Also, IHSS has hired a six-week-term consultant “Intelli-Bridge” to assist IHSS in identifying efficiencies that could be implemented with payroll, call volume and caseload issues. Jim also announced that the IHSS department will move their office to the facility on Senter Road in November 2011.

Reports Back from Janie Whiteford: Mary Tinker reminded the group that there are certain compliance guidelines in statute due to AB 1234 implemented a few years ago. It requires members to provide a report back to the full body whenever they attend meetings, conferences and events and claiming reimbursement for such activities. Janie recently submitted reimbursement for several meetings she participated in over the past few months and she is providing her reports for each as follows in order to have it on record.

-11/19/10 IHSS Stakeholder Meeting in Sacramento

Janie Whiteford reported that CAPA, Union members and CWDA were in attendance. The focus of this meeting was in regards to the requirement of fingerprints on timesheets.

Janie was there as an advocate for consumers, and pushing back on this issue since it would be difficult for consumers to provide their own fingerprints on the IPs timesheets. This may be a moot point now since there is legislation to repeal the statute.

-12/13/10 & 2/7/11 CA Collaboration AARP/SCAN Foundation Meeting in Sacramento

Janie reported that there were several organizations in attendance: CAPA, CICA, Union members, and representatives from some Hospital and Nursing Organizations, Senior Organizations and Adult Protective Services. This is a State wide collaboration to assist in developing a Long Term Care strategy for seniors and people with disabilities integrating the medical and social models of care. At the 2/7 meeting attendees met in small groups to develop mission and vision statements to help move the group forward with solid direction. These were very productive meetings.

-1/19/11 IHSS Coalition Meeting in Sacramento

Janie, Ellen Rollins and Mary Tinker attended this meeting. This was the annual strategic planning meeting. The IHSS Coalition usually meets via conference call weekly and once a year the group meets face-to-face. This meeting also provided opportunity to discuss and strategize on the current budget crisis. Deb Roth from SEIU was a featured speaker.

-1/20-1/22/11 CICA Strategic Planning Meeting in San Diego

Janie reported the meeting revolved primarily around the proposed budget cuts and elimination of Advisory Committees and funding for them. They discussed strategies on how to advocate towards maintaining the committees. Out of this meeting CICA developed the “Have a Heart Day” encouraging AC members to contact legislators to educate them on the importance of maintaining a consumer voice in IHSS. They also decided they needed to start grant writing to help provide funds for the work CICA does in light of a severely reduced budget on the horizon.

-2/17/11 Legislative Visit with Assemblyman William Monning’s Office in Monterey, Ca.

Janie reported that Assemblyman Monning’s district has very unusual district boundaries that stretch from Palo Alto to Monterey to Salinas, and includes Morgan Hill but not Gilroy. Assemblyman Monning is a very nice man. Janie and JoAnn Disbrow spent time educating him on IHSS, the proposed impact to consumers and providers as well as the loss of consumer voice if the Advisory Committee’s are eliminated. The meeting went well and he seems to be very interested and supportive of the AB’s efforts.

Legislative Visits Report: JoAnn Disbrow reported that over the last month some of the AB members have scheduled meetings Legislators in their district offices. JoAnn reported that these meetings have been productive and an excellent opportunity to educate legislators on the various aspects of the proposed issues in the Governor’s budget. It was impressive how everyone worked together to get these visits setup in a short period of time. She expressed her appreciation to all members who were able to attend the meetings and participate in the process.

Below is a report back of these meetings:

- JoAnn Disbrow, Janie Whiteford, Cindy Faulkner and Theresa Wright met with Assemblyman Jim Beall’s Board Aide, Sunshine Borelli. It was a good meeting and Sunshine is very knowledgeable about what’s going on with the budget and the issues at hand. Assemblymember Beall’s office is supportive and involved with AB’s efforts. Also Jim Beall will be running for the Senate.

- JoAnn Disbrow, Theresa Wright, Richard Patterson and Cindy Falkner met with Assemblymember Nora Campos' Aide. Apparently Nora Campos was newly elected in November and sworn in January 2011. Her Aide was very interested in what the AB has to say. It seems as though Assemblymember Campos' Aide needs to review what issues are important and pressing at this current time as the questions she sent via email after the meeting are no longer relevant issues. This was a great opportunity to educate her on IHSS and build a relationship with someone new.
- Cindy Falkner, JoAnn Disbrow and Janie Whiteford met with Senator Elaine Alquist's Aide. The gentleman was very nice, polite and young. Not much info given except that they are planning a Town Hall Meeting in June and more information will follow.
- Deane Denney, Janie Whiteford and JoAnn Disbrow met with Senator Joe Simitians' Aide. Several comments were made regarding how young the staff aides are and how important it is to educate them on the various issues. Senator Simitian is very supportive of IHSS and the related issues, but it was made clear Senator Simitian's priority is education.
- Janie Whiteford and JoAnn Disbrow met with newly elected Santa Clara County Board of Supervisor Mike Wasserman from District One. Supervisor. Wasserman use to be the Mayor of Los Gatos. The visit went well, and Supervisor Wasserman was very receptive and somewhat surprised with some of the issues brought to his attention. He indicated he will be supportive and try to "straighten" things out.

Richard Paterson stated that these meetings with legislators were very good and purposeful. He said that the AB needs to make sure that their messages get to the appropriate people and organizations and this is definitely a good start.

As prep for the next months' agenda it was decided the Ad-Hoc Budget Committee will meet and report back to the full group. It was decided to try to meet Tuesday, April 5th at 11:30 at COA. Mary will reserve a conference room and send out an email invite. Those planning to attend are JoAnn Disbrow, Janie Whiteford, Ellen Rollins and Theresa Wright and Mary Tinker.

Next Meeting: The next meeting of the Advisory Board is scheduled for **Tuesday, April 19, 2011** from **11:30-1:30PM**, at the Council on Aging Public Authority Services Office at 2115 The Alameda, San Jose, CA. 95126.

Note: JoAnn Disbrow will not be available to attend the next meeting so Richard Patterson, as the Vice Chair will facilitate in her absence.