

IHSS Public Authority Advisory Board Meeting
May 27, 2014
MINUTES

Members Present: Janie Whiteford, Deane Denney (via tele-conference), Dennis Schneider, Terri Possley (ex-officio), Robert Stroughter, JoAnn Disbrow, Richard Rangel

Members Absent: Ellen Rollins, Theresa Wright, Senon Hernandez

COA Staff Present: Mary Tinker, Leticia Sabadin

Guests Present: None

Announcements & Public Comment: Mary Tinker announced Satnam Chahal resigned from the advisory board.

Approve Minutes: March 18, 2014 meeting minutes approved as written.

CAPA Report: Mary Tinker reported CAPA met April 23 in Sacramento.

CCI Update: DHCS is working with the CCI counties to hold stakeholder's meetings as much as possible to inform/educate beneficiaries of the upcoming changes and the need to make educated choices. They are releasing via email a Coordinated Care Initiative Outreach Weekly Update as a vehicle to keep interested stakeholders informed about activities around the state. To obtain information regarding CCI or Cal MediConnect go to www.calduals.org . Copies of information and documents can be downloaded from this website. Regular updates are added to the site as the process continues.

Fair Labor Standards Act/Overtime Pay: The National Association of Medicaid Directors submitted a letter to the US-Department of Labor requesting an additional 18 months for implementation of the FLSA rules for personal care attendants. It is anticipated this will have no impact on delaying implementation.

There were no surprises regarding the Governor's May Revise and what he proposed in his January draft budget regarding over time and IHSS. It is anticipated that there will be a compromise between the Governor and Legislature as the budget negotiations move forward.

Legislative Report:

AB 485 (Gomez D) In-Home Supportive Services

This bill is sponsored by SEIU and is intended to shift collective bargaining to the Statewide Authority for all counties January 1, 2015.

CAPA Position: Concerns Administration is still firm in not permitting this to happen. Will require Assembly Committee hearing and probably won't happen until June.

AB 1522 (Gonzalez D) Employment: Paid sick days

Summary: Would enact the Healthy Workplaces, Healthy Families Act of 2014 to provide that an employee who works in California for 7 or more days in a calendar year is entitled to paid sick days, to be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th calendar day of employment. The bill would authorize an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each calendar year.

This bill would need an IHSS carve out or it will most likely die in committee due to the costs associated with implementation. So far the author has been unwilling to discuss carve outs however CAPA will seek to meet with the author to educate about the vast costs associated with such a bill as it pertains to IHSS.

CAPA Position: Concerns This is the author's high priority, it's very strangely written and is a very costly bill.

AB 1533 (Waldron R) This bill is DEAD

In-Home Supportive Services: criminal background checks

Summary: Current law requires a county, public authority, or nonprofit consortium, as applicable, to conduct an investigation of the qualifications and background of an IHSS provider applicant, including specified criminal background checks. This bill would require, as part of those criminal background checks, the Department of Justice to request federal summary criminal history information from the Federal Bureau of Investigation, and to review the information returned from the Federal Bureau of Investigation and provide it to the county, public authority, or nonprofit consortium.

CAPA Position: Concerns

AB 1703 (Hall D) In-Home Supportive Services: reading services for blind and visually impaired

Summary: Would include within the definition of supportive services designated reading assistance services to a recipient of services under the IHSS program who is blind or visually impaired, or who has another disability that affects his or her ability to read. By expanding the scope of available services under the IHSS program, this bill would impose a state-mandated local program.

CAPA Position: Co-Sponsor PASSED out of Assembly Appropriations Committee. It was passed out with a "Do pass as amended". It passed out on a partisan vote. Heads next to the Assembly floor – and if approved there, heads to the State Senate.

AB 2641 (Patterson R) This bill is DEAD

In-Home Supportive Services: provider exclusions: crimes

Summary: Current law, subject to provisions authorizing waivers and exemptions, also prohibits a person from providing or receiving payment for providing services for 10 years following a conviction for, or incarceration following a conviction for, a serious or violent felony, a felony for which registration as a sex offender is required, or a felony misuse of CalFresh funds. This bill would repeal the provisions that authorize a waiver or exemption from the 10-year exclusion for a person who has committed a serious or violent felony, a felony for which registration as a sex offender is required, or a felony misuse of CalFresh funds.

CAPA Position: Oppose

Senate Budget Subcommittee #3 and Assembly Budget Subcommittee #1 voted to reject the Governor's proposal to avoid overtime pay by capping IHSS providers to 40 hours a week and approved an augmentation of \$66 million for costs to implement payment for overtime. The subcommittee also voted to eliminate the 7% cut and added \$140 million to the budget to cover the costs of restoring services to IHSS consumers, with the restoration of hours to take effect on October 1, 2014. Both actions were party-line votes

PROGRAMS REPORT

Benefits Administration: There were 9,003 IPs enrolled in the Valley Health Plan and 9,586 IPs enrolled in the Dental/Vision plans during the month of April. There were 320 Eco Pass Clipper Cards issued.

Enrollment Session:

Number of IPs in April: 384

Registry Services: There are 468 active IPs on the registry.

The registry:

- Completed 56 new consumer intakes
- Attained 75 matches
- Provided 139 interventions

The **Urgent Care Registry** authorized 27 hours of service for the month of April.

Provider Training: Public Authority provided 8 training sessions in April with 185 participants being trained.

MOA with SEIU Local 521: The Public Authority and SEIU Local 521 have scheduled the first meeting for May 29, 2014. This Labor/Management meeting will be used as the first to establish dates for the following committees: Retirement Planning, Training, Respite Research, and Health & Safety. This meeting will include discussions regarding the annual joint community outreach plan and how the Public Authority will provide information to IPs about becoming Certified Enrollment Counselors.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reminded everyone of the monthly conference calls which are scheduled for the 3rd Wednesday of the month. Janie distributed CICA's new brochure. She also mentioned she attended the Disability Capital Action Day at the State Capital. There were approximately 2,000 people in attendance. Janie noticed there were not fewer people representing the Unions in attendance. There were large numbers of people advocating and pushing for the legislature to pay for overtime among other big issues.

-Janie stated the CICA dues for the coming fiscal year were due and the Advisory Board needed to vote to authorize a \$500.00 payment to CICA. Motion by JoAnn Disbrow to pay CICA dues, seconded by Robert Stroughter, vote was unanimous.

Also needed to select a delegate and alternate for CICA from the members. Dennis Schneider was selected as the delegate and Janie Whiteford as alternate.

Senior Volunteer Programs Support Letter: Discussion: Richard Rangel distributed and shared a letter with regards to opposing the President's FY 2015 Budget request that will virtually eliminate the Retired Senior Volunteer Program (RSVP). Basically they are in opposition with any cuts in funding for several senior volunteer programs. Richard is asking for member approval to advocate on behalf of this effort.

Mary Tinker explained to the members that they cannot lobby and/or advocate and be in opposition for this type of request. The members can do an "educational" letter as the Advisory Board or they can do it as individuals. However they cannot lobby or advocate IHSS Advisory Members. They must always make the distinction.

The group voted to have Janie Whiteford draft an educational letter and the members would review and send out.

Report from Social Services Agency: Terri Possley reported there have been quite a few inquiries with regards to individuals coming to Clients' and Care Provider's homes and as to why these visits are occurring. It is the Union and they are trying to get union membership signatures and sign-ups. There seems to be quite a bit of confusion as to who these people that are coming door to door are, and some folks have said that the people have identified themselves as IHSS social workers.

Terri also reported that there was a special request from a consulting firm Harbage that is in need of IHSS consumers willing to participate on a panel for that will be held in Sacramento. Apparently there are two separate events, one with the Health Care Strategy and one with the Santa Clara Family Health Plan.

Terri also stated that IHSS is in full hiring swing with interviews scheduled next week with eight applicants. These folks hired will start sometime in July.

New County Ordinance Regarding Lobbyists: Mary Tinker reported and distributed the County memo with regards to the Compliance by Boards, Commissions and Committees with the Brown Act and the County's Open Government Ordinance.

--Posting of Agendas on the Internet

--Public Report of Actions Taken—VOTING by all members of the board

--As members remember that you advocate and perform your lobbying as an educational and/or informational way

Next Meeting: The next meeting of the Advisory Board is scheduled for **Tuesday, June 17, 2014** from **11:30-1:30PM**, at the Sourcewise main office located at 2115 The Alameda, San Jose, CA. 95126.