

**IHSS Public Authority Advisory Board Meeting**  
**July 15, 2014**  
**MINUTES**

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**Members Present:** Janie Whiteford, Deane Denney, Dennis Schneider, Ellen Rollins, Robert Stroughter, Richard Rangel, Theresa Wright

**Members Absent:** JoAnn Disbrow, Senon Hernandez, Terri Possley (ex-officio)

**COA Staff Present:** Mary Tinker, Leticia Sabadin

**Guests Present:** Merina Au Yeung, SEIU Local 521 Internal Organizer, Mandy Lu, SEIU Local 521 Internal Organizer

**Announcements & Public Comment:**

Ellen Rollins distributed copies of the SEIU Western Regional Disability Conference registration forms that will be held August 22-23 at the Biltmore Hotel in San Jose. She encourages people to attend.

Ellen also distributed a People Working with Disability 2014 calendar.

Janie Whiteford distributed a draft version of the "Support of Senior Volunteer Programs" letter to all members in attendance. Janie asked for the group to review and approve. Ellen stated that she would take it to the Senior Commissions Meeting for review. Mary suggested that the advisory board allow her to have the County Council review and approve the letter to ensure that it is legally correct. They need to make sure that it is OK and it is coming from an educational stand point and there is no lobbying involved. Motion by Ellen Rollins to have Mary send the letter to County Council for legal review, seconded by Bob Stroughter, vote was unanimous.

**Approve Minutes:** June 17, 2014 meeting minutes approved as written. Motion by Janie Whiteford to approve minutes, seconded by Richard Rangel, vote was unanimous.

**CAPA Report:** Mary Tinker reported CAPA met June 26 via conference call.

**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](http://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. Santa Clara County full roll out will not take place until at least January 2015.

**CDSS FLSA Focus Groups:** CDSS conducted six focus groups around the state between June 16 and 27, 2014. The purpose of the focus groups was to obtain feedback from IPs and consumers on how difficult the draft timesheets are to complete and any issues they encountered while trying a sample timesheet.

The Public Authority recruited 15 IPs and a consumer to participate in the focus group held in Santa Clara County. SEIU recruited 10 IPs as well. PA staff also attended in order to provide assistance to CDSS and the IPs/consumer. The presenters from CDSS indicated this group was very helpful and their feedback was very valuable.

CDSS presenters were clear and did an excellent job of explaining the process, how to complete the draft timesheet and the difference between “travel time and regular time”. However participants were still very confused and had a lot of questions. This will be a tough educational process for all IHSS workers and consumers to understand.

**Legislative Report:** The legislature recessed for summer break on Thursday, July 3, and won’t reconvene until Monday, August 4. August will see the traditional end-of-session flurry of action surrounding both bills which CAPA has been watching make their way through the legislative process all session, and any “gut and amend” bills rearing their ugly heads. A synopsis, recent actions, and action which must be taken prior to the end of session, on the major bills which CAPA has been tracking:

**AB 485 (Gomez) WATCH:** This bill would make the implementation date for the assumption of duties for the Statewide Authority January 1, 2015, and would delete the reference to the "county" implementation date, and would make conforming changes. *This bill was referred to Assembly Human Services Committee on 3/3, where it has remained. Barring a rule waiver, we do not anticipate this bill moving this year. Further, due to the Harris v. Quinn decision, if this bill were to move, it is likely it would be amended substantially to either address a Harris v. Quinn fix, or at least, to ensure the effects of Harris v. Quinn are ameliorated.*

**AB 505 (Nazarian) SUPPORT:** This bill would require the State Department of Health Care Services to require all managed care plans contracting with the department to provide Medi-Cal services, except as specified, to provide language assistance services, which includes oral interpretation and translation services, to limited-English-proficient Medi-Cal beneficiaries, as defined. The bill would require the department to determine when a limited-English-proficient

population meets the requirement for translation services. *This bill is on the Senate Third Reading file, where we anticipate it being taken up for a vote in August.*

**AB 1522 (Gonzalez) CONCERNS:** Would enact the Healthy Workplaces, Healthy Families Act of 2014 to provide that an employee who on or after July 1, 2015, works in California for 30 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 is currently in Senate Appropriations Committee, and is scheduled to be heard on August 4. The bill is actively opposed by CSAC. The bill does not provide for an opt-out for IHSS, rather, it provides for a quasi-opt-out where a county collective bargaining agreement that provides an incremental hourly wage adjustment in an amount sufficient to satisfy the accrual requirements of the measure. Further, as the bill provides for the quasi-opt-out, in conjunction with an express mandate for public authorities to comply with the measure, the MOE may provide protection to counties for the costs associated with providing paid sick leave (although a county would not necessarily be so protected, if it chose to go the alternate, wage increase route.) However, the bill is not sufficiently clear about the interaction with the county MOE and we are having conversations with CSAC to determine the impact of AB 1522 on the county MOE.*

**AB 1703 (HALL) CO-SPONSOR:** Would include within the definition of supportive services assistance in reading and completing financial and other documents essential for completing activities of daily living for a recipient of services under the IHSS program who is blind or visually impaired, or who has another disability that significantly impairs his or her ability to read. *This bill is currently in Senate Appropriations Committee, where it is scheduled to be heard on August 4.*

**AB 2623 (Pan) SUPPORT:** Current law requires every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties to complete an elder and dependent adult abuse training course certified by the Commission on Peace Officer Standards and Training within 18 months of assignment to field duties. Current law also requires the commission to consult with the Bureau of Medi-Cal Fraud and Elder Abuse and other subject matter experts when producing new or updated training materials. This bill would add to that list of subjects the legal rights of, and remedies available to, victims of elder or dependent adult abuse. *This bill is currently in Senate Appropriations Committee, where it is scheduled to be heard on August 4.*

**SB 1124 (Hernandez) SUPPORT:** Current law provides for certain exemptions that restrict the State Department of Health Care Services from filing a claim against a decedent's property, including when there is a surviving spouse during his or her lifetime. Current law requires the department, however, to make a claim upon the death of the surviving spouse, as prescribed. This bill would provide that the department shall make these claims only in specified circumstances and would define health care services for these purposes. The bill would additionally provide that health care services that federal law or guidance authorizes the state

to eliminate from recovery shall also be exempted. *This bill is currently on the Assembly Appropriations Suspense File, which will be taken up late August.*

#### **THE RESIDENTIAL CARE FACILITIES FOR THE ELDERLY PACKAGE:**

CAPA has registered support for many of the bills in the RCFE package (including AB 1572, SB 894, SB 895, SB 911, and SB 1153.) These bills seek to achieve a variety of oversight and protection reforms, to better ensure the care and wellbeing of elderly RCFE residents. These bills continue to make their way through the legislative process, and CAPA continues to advocate on their behalf.

**Programs Report:** Mary Tinker reported:

**Benefits Administration:** There were 9,165 IPs enrolled in the Valley Health Plan and 9,764 IPs enrolled in the Dental/Vision plans during the month of June. There were 282 Eco Pass Clipper Cards issued.

#### **Enrollment Session:**

Number of IPs in June: 382

**Registry Services:** There are 511 active IPs on the registry.

The registry:

- Completed 55 new consumer intakes
- Attained 64 matches
- Provided 329 interventions

The **Urgent Care Registry** authorized 15 hours of service for the month of June.

**IP Trainings Provided:** No training was provided during June, the next series of classes will start in September.

**MOA with SEIU Local 521:** The Training Committee met twice in June. They worked on a draft survey, developed a timeline for the survey project and discussed various aspects of future training for IPs. This committee has two meetings scheduled in July and the last one in October to discuss the results of the survey.

The MOA was signed by everyone involved in the negotiations of the new agreement. The final document can be reviewed and downloaded from the Public Authority website at: [www.pascc.org](http://www.pascc.org)

MOA with the Union and the Training Committee—the training survey is in full planning mode due to go out to approximately 2500 independent providers. We are asking for results to be returned to the Public Authority by August 15<sup>th</sup>.

**Consumer Newsletter** is at the printer and should be in the mail by Friday. It is also available now on our website.

**California IHSS Consumer Alliance Report (CICA):** Janie Whiteford reported that the next CICA conference call is Wednesday, July 16<sup>th</sup> at 10am. All members are encouraged to participate in the call. Karen Keesler will be on the call and her update will be very similar to that of Mary's CAPA's report. There will be a special topic on the agenda regarding Federal Waivers by Elissa Gerson, from Disability Rights of California. She will give some information and awareness on the waivers and how it works under the Fair Labor Standards Act. It is a complicated topic but there has to be awareness with the Consumers since it affects them. Nursing Home Waiver

The CICA membership drive is doing well. CICA is trying to reach out to other counties and they are doing quite a bit of collaborative work with other Public Authorities around the State. Working with LA County and Greg Thompson and also Charles Calavan from Alameda County. With Alameda County they are trying to develop a prototype for all kinds of media training. They are developing a class to take out on the road and present to other CICA's. They are also looking into several other different topics. Janie mentioned that Charles Calavan has done some creative financing in obtaining funds from the State. He is willing to share this information with other counties in order to help them with some financing opportunities.

Janie is very involved with the California Collaborative Organization who worked with the SCAN Foundation to set up a sub-committee for Consumers to review and/or setup a Bill of Rights for IHSS Consumers into the Welfare and Institutions code.

**Report from Social Services Agency:** Mary Tinker reported on behalf of Terri Possley who was unavailable to attend the meeting:

- We have hired 3 new supervisors (1 from a vacancy, and 2 from the new positions created). They have start dates of 7/21/14 and 8/4/14.
- The 2 new supervisors are in the process of interviewing all of the social worker candidates this week and next week. They are conducting interviews in a 3 person panel. There is one seasoned IHSS Supervisor who is also on the panel.
- The 2 new supervisors and seasoned supervisor are also interviewing social worker Lead candidates. Four experienced social workers are interviewing for chances at 2 available Lead positions for the new units. We expect the new workers will be starting in mid to late August.
- The IHSS Leadership has taken on the task of training all of the new staff and will be sharing that responsibility. There is one training on Enrolling Providers and the Role of Public Authority. We were hoping to get a Sourcewise/Public Authority representative such as Ross Graham to facilitate that 1 – 1.5 hour training.
- Central Services expects that all of the new office spaces will be built and ready to go by the end of July. Fortunately, we already have office spaces for the supervisors and Leads.

- A couple of meetings ago, I expressed that one of the Health Plans as well as Harbage Consulting was looking for recipients to speak about their experiences within IHSS. That need no longer exists, but we were thanked for our outreach efforts.
- Now that the implementation date of 7/1/14 is here, we are working more closely with the health plans on the Coordinated Care Initiative (CCI). We have identified a contact person within IHSS who will be taking all of the calls/emails/faxes from the health plans. We are working on starting a CCI task force that will create a Coordination Guide for Santa Clara County. This document will be created by one representative from each health plan a few IHSS staff members. We expect to know who will be on the CCI Task Force by next week. We will then set up monthly meetings over the next 3 months.

Janie mentioned the CCI Communications Committee and the meetings that have been held with the Health Plans and Health Trust. Terri sits in for IHSS and Janie sits in for the IHSS Advisory Board. There is still the issue of figuring out how to let all the consumers know about CCI and what health plan to choose. How to get the word out, etc. , but the problem is who will do what? There is a possibility of doing “robo” phone calls to all consumers, having an outside vendor do this. They would need phone numbers, and maybe IHSS can give out phone numbers but they do not have as easy access to all the phone numbers needed as does the Public Authority. The PA could potentially give the phone numbers to the outside vendor but there are confidentiality and liability issues to consider because Sourcewise has a problem giving out information and numbers to an outside organization.

Janie asked about the “Hard to Serve” Registry; maybe bring back into place through the Public Authority?

In the communications meeting, it was brought up as to why can’t the Social Workers bring the CCI paperwork information out to the consumers’ home during the reassessments?

Janie suggested that the Advisory Board write a letter to the Union to ask them for help and support in getting the IHSS Social Workers to distribute and assist in notifying the Consumers and IPs with assistance and education on CCI.

Motion by Janie Whiteford to write and send a letter to the Union, seconded by Deane Denney, vote was unanimous. Copy of letter will be sent to IHSS Admin. and the Board of Supervisors.

**Action Item List:** Advisory Board reviewed and they agree to the format of list. The action items will be a separate document that the members can review.

**Next Meeting:** The next meeting of the Advisory Board is scheduled for **Tuesday, August 19, 2014** from **11:30-1:30PM**, at the Sourcewise main office located at 2115 The Alameda, San Jose, CA. 95126.