

IHSS Public Authority Advisory Board Meeting
June 16, 2015
MINUTES

Members Present: Deane Denney, Robert Stroughter, Senon Hernandez, Ellen Rollins, Theresa Wright (via tele-conference), Janie Whiteford (via tele-conference), JoAnn Disbrow (via tele-conference),

Members Absent: Dennis Schneider, Terri Possley (ex-officio)

PA Staff Present: Mary Tinker, Leticia Sabadin

Guests Present: Leigh Monichon, Special Education Consultant-Aspire Advocacy & IHSS IP

Announcements & Public Comment:

Mary Tinker brought to the attention a fax that was received by a previous IHSS Care Provider-Cindy Campuzano. Ms. Campuzano would like her faxed documents to be brought to the attention of the Advisory Board. Her issue is with IHSS and not receiving her timesheets and paychecks in a timely fashion which is partly to due to not having a current viable address. We became aware of Cindy's situation and the urgency of it since it seems as though she may become homeless due to no income. Also, in reviewing the faxed documents Mary noticed that there was some information that should warrant and initiate an APS report for the Consumer Cindy provided care for. The Public Authority did in fact submit an APS report and Mary just wanted to bring this to the attention of the Advisory Board and for a future discussion with IHSS-Terri. Mary could not go into too much detail with members, but Mary did let everyone know that she sent an email to Terri Possley and would in fact escalate this case and have a Social Worker contacted.

Ellen Rollins announced the Disability People Movement meeting will be held June 26 at Sacred Heart from 1:00 to 5:00 pm. They will be framing issues of today and action items for the next four years. This is being held by SEIU to obtain input from stakeholders. Everyone is invited to participate.

Approve Minutes: May 12, 2015 meeting minutes approved as written. Motion by Bob Stroughter to approve minutes as written, seconded by Deane Denney, vote was unanimous.

Nominations and Selection of New Chair & Vice Chair: Janie Whiteford was selected to be the Chair for the new fiscal year and JoAnn Disbrow as the Vice Chair.

Advisory Board Member Recruitment/Reappointments Discussion: Mary Tinker reviewed the list of AB members who need to contact the appropriate Board of Supervisors office and request reappointment. The county website shows their term as expired. Those who need to

contact Supervisor Simitian's office are: Robert Stroughter, Jr., Senon Hernandez, JoAnn Disbrow; those needing to contact Supervisor Chavez's office are Ellen Rollins and Deane Denney.

Mary also reminded everyone there remains three vacant seats on the AB and asked for members to assist in recruiting new people.

Advisory Board Planning Ad-hoc Committee: Mary Tinker shared information regarding past planning sessions the AB held and the potential of doing it again to help focus the group and prepare for the new fiscal year. A motion was made by JoAnn Disbrow and seconded by Robert Stroughter to establish an ad-hoc committee to plan an off-site planning meeting for September.

CAPA Report: CAPA met May 28, 2015 in Sacramento.

State Budget: The passage of the Legislature's version of the 2015-2016 State Budget is not the final word in the state budget. Negotiations with the Governor and the two Democratic legislative leaders, Assembly Speaker Toni Atkins (Democrat – San Diego) and Senate President Pro Tem Kevin De Leon (Democrat – Los Angeles) will continue until a deal is reached on the higher revenue estimates and increased spending in the Legislature's version of the 2015-2016 State Budget that the Brown Administration has major concerns with.

Any budget deal that emerges within the next two weeks will mean another vote on another budget bill that will likely result in a revision of the revenue and spending numbers in the main 2015-2016 State Budget bill that the Legislature will approve today. Most observers expect any budget deal will mean some decrease in either or both the revenue estimates and increased spending in the budget plan that the Legislature will approve today.

A revised budget bill, and budget trailer bills covering major areas of the budget that have not been released yet and will likely not be acted on today, including health and human services and education, will likely be taken up and approved when a budget deal is reached within the next two weeks before the start of California's new budget year on July 1st. Any deal however would seem likely to mean some downward revision of either or both the revenue estimates and increases in spending in the Legislature's version of the main 2015-2016 State budget bill that will be passed and sent to the Governor later today.

The legislature passed restoration of the 7% hours cut to be effective July 1, 2015. This is already being prepared for by the state staff. CMIPS II is being programed and the NOA's are already in the mail notifying IHSS consumers/providers of the restoration of hours. Since the Governor put it in his proposed budget and may revise he will sign it.

DCAD: CAPA participated in the annual Disability Capitol Action Day held at the Capitol on May 20th. The event was very successful with a large turnout of IHSS consumers and a smaller number of providers. Since the unions withdrew their funding support there hasn't been as much union participation so the legislators heard from IHSS consumers this year more so than in past years.

Legislation:

AB 11 (Gonzalez): Employment: Paid Sick Days: In-Home Supportive Services: Current law provides that an employee under the Healthy Workplaces, Healthy Families Act of 2014 does not include a provider of in-home support services, as described. This bill would revise the definition of an employee under the Healthy Workplaces, Healthy Families Act of 2014 to, as of July 1, 2016, include providers of in-home support services. ***This bill was held under submission on the Assembly Appropriations Committee Suspense File. (did not move will be a 2 year bill)***

AB 43 (Stone): Personal Income Taxes: Credit: Earned Income: This is one of two bills moving through the legislature which seek to establish a state-specific Earned Income Tax Credit (EITC.) AB 43 would, for taxable years beginning on or after January 1, 2016, and before January 1, 2021, in modified conformity with federal income tax laws, provide for an earned income credit to an eligible individual that is equal to unspecified percentages of the earned income tax credit allowed by federal law that would only be allowed in those taxable years in which an appropriation is made by the Legislature. The bill and would provide that in those years in which an appropriation is made by the Legislature, the credit would be refundable. ***This bill passed out of the Assembly on June 3, and is awaiting policy committee referral in the Senate.***

AB 67 (Gonzalez): Double Pay on the Holiday Act of 2015: This bill would require employers to pay employees (as defined: specifically excluding those subject to a valid collective bargaining agreement (meeting specified requirements); executive, administrative, and professional employees exempt from overtime, pursuant to Industrial Welfare Commission wage orders); employees employed by employers with 25 or fewer employees; and, first responders) double-pay if required to work on Thanksgiving. The bill did not specifically exempt IHSS workers (although, arguably, any such IHSS workers subject to a collective bargaining agreement which met the specified requirements of the bill, would be so exempted.) ***This bill was taken up for a vote on the Assembly Floor on June 4, but failed passage with a vote of 29 (aye) to 34 (nay), with 17 members absent or abstaining.***

AB 97 (Weber): In-Home Supportive Services: Provider Wages: This is a UDW sponsored bill which would require the Department of Social Services (DSS) to reprogram the Case Management Information Payrolling System (CMIPS II), the current In-Home Support Services (IHSS) payroll system, to enable it to receive payment from managed care health plans for the additional personal care service and related domestic service hours. ***This bill passed out of the Assembly on June 1, and is awaiting policy committee referral in the Senate.***

AB 211 (Gomez): In-Home Supportive Services: Current law requires the California In-Home Supportive Services Statewide Authority no sooner than March 1, 2013, to assume specified responsibilities in a county upon notification by the Director of Health Care Services that the enrollment of eligible Medi-Cal beneficiaries described in specified provisions of law has been completed in that county. Under current law, the date of assumption of these responsibilities by the Statewide Authority is known as the county implementation date. This bill would,

instead, make the implementation date January 1, 2016, would delete the reference to the "county" implementation date, and would make conforming changes. ***This bill passed off of the Assembly on June 2, and is awaiting policy committee referral in the Senate.***

AB 470 (Chu): In-Home Supportive Services: Fingerprinting: This bill is our CAPA sponsored bill to address problems of delay in completion of provider background checks we've been experiencing. The bill was substantially amended in order to get the bill off of the Assembly Appropriations Suspense File. The bill, as originally drafted, would have authorized Department of Justice to capture and expend monies to undertake obligations associated with IHSS provider background checks. The bill was amended to require DOJ and CDSS to jointly develop protocols to better ensure the timely completion of background checks. ***This bill passed out of the Assembly on June 3, and is awaiting referral in the Assembly.***

AB 1436 (Burke): In-Home Supportive Services: Authorized Representative: This is one of our co-sponsored bills with CWDA. The bill would authorize an applicant for, or recipient of, in-home supportive services to designate an individual to act as his or her authorized representative for purposes of the In-Home Supportive Services program. The bill would define an authorized representative to mean an individual who is appointed in writing, on a form designated by the State Department of Social Services, by a competent person who is an applicant for or recipient of in-home supportive services, to act in place or on behalf of the applicant or recipient for purposes related to the program. ***This bill passed off of the Assembly Floor on May 26, and was referred to the Senate Committee on Human Services.***

AJR 8 (Brown): Older Americans Act of 1965: This is one of our co-sponsored bills. This measure would recognize the 50th anniversary of the Older Americans Act of 1965, affirm the Legislature's continuing support for the goals of the act, and memorialize the United States House of Representatives and United States Senate to reauthorize the act. ***This bill passed out of both houses, and was signed into law (Chaptered as Chapter 53, Statutes 2015) on June 2.***

SB 3 (Leno): Minimum Wage: Adjustment: Would increase the minimum wage, on and after January 1, 2016, to not less than \$11 per hour, and on and after July 1, 2017, to not less than \$13 per hour. The bill would require, commencing January 1, 2019, the annual automatic adjustment of the minimum wage to maintain employee purchasing power diminished by the rate of inflation during the previous year. The adjustment would be calculated using the California Consumer Price Index, as specified. This bill contains other related provisions. ***This bill passed out of the Senate on June 2, and is awaiting policy committee referral in the Senate.***

SB 33 (Hernandez): Medi-Cal: Estate Recovery: The bill would limit any claims against the estate of a decedent to only the real and personal property or other assets the state is required to seek recovery from under federal law. ***This bill passed out of the Senate on June 4, and is awaiting policy committee referral in the Senate.***

SB 38 (Liu): Personal Income Taxes: Earned Income Credit: This is the Senate version of the Earned Income Tax Credit bill which Would, for taxable years beginning on or after January 1, 2015, in modified conformity with federal income tax laws. ***This bill passed out of the Senate on June 3, and is awaiting referral in the Assembly.***

SB 128 (Wolk): End of Life: The California Medical Association formally and publicly removed their long standing opposition to end-of-life legislation. This was a game-changer for this bill, which, despite continued opposition from DRC, ***passed out of the Senate on June 4. It is currently awaiting policy committee referral in the Assembly.***

SB 199 (Hall): In-Home Supportive Services: Reading Services for the Blind and Visually Impaired: This is one of CAPA's co-sponsored bills. The bill would, commencing January 1, 2017, include within the definition of supportive services up to 2 hours per month of assistance in reading and completing financial and other documents for a recipient of services under the IHSS program who is blind. ***This bill passed out of the Senate on June 4, and is awaiting policy committee referral in the Assembly.***

Programs Report:

The PA budget for FY 2015/16 is scheduled for the June 23rd Board of Supervisors meeting. It includes restoration of the HTS component of the registry.

Benefits Administration: There were 9,446 IPs enrolled in the Valley Health Plan with 8121 of those in the Classic Plan and 1325 in the Preferred Plan. There were 10,029 IPs enrolled in the Dental/Vision plans during the month of May. There were 315 Eco Pass Clipper Cards issued.

Enrollment Session:

Number of IPs in May: 300

Provider Enrollment Orientation Sessions: The Public Authority began group orientations May 17th at the union office. PA staff is providing two, one hour orientation sessions every Friday immediately followed by a 30 minute presentation by the union. Meetings are scheduled every Friday 9:00 am and 2:00 pm. The PA Enrollment website has been updated to reflect the new requirement for individuals seeking to enroll as an IHSS provider in Santa Clara County. This is working well so far.

Registry Services: There are 546 active IPs on the registry.

The registry:

- Completed 65 new consumer intakes
- Attained 69 matches
- Provided 315 interventions

Urgent Care Registry authorized 21 hours of service for the month of May.

Registry Recruitment: The Registry provided one recruitment introductory training in English with 25 participants. Staff is following up checking references and scheduling interviews as next steps in the process individuals must go through to be accepted on the Registry.

IP Trainings Provided: Public Authority provided 9 training sessions in May with 170 participants being trained.

Work continues in building partnerships throughout the county for expanding the training sessions to new locations, instructors and specific expertise.

A video recording was made of the Caregiver Support Class. In an effort to determine the viability of developing web based training for IPs and consumers this will be a first step. PA will begin developing the recording into a possible online video once the proper editing software has been received.

Milpitas Adult Education School is confirmed to offer four classes for IHSS providers in the fall schedule. These subjects are First Aid, Nutrition, Diabetes, and Last Phase of Life. Classes will be in English to start with First Aid also in Vietnamese. Additional instructors are being recruited for Spanish and Mandarin.

Peer trainer interviews were held in an effort to secure additional languages for new training sessions. This brings us to a total of four peer trainers have been selected, two of whom can teach in English and Spanish, and two can teach in English and Vietnamese. This is important in order to provide sessions in other areas of the county.

Summer session classes are scheduled and staff is contacting providers on the waiting lists to fill these sessions. Sessions to be offered are First Aid, CPR, Tips for Transfer and the Last Phase of Life. These are the most popular classes and it provides an opportunity for those on waiting lists to finally get into the sessions.

Outreach Activities: Outreach activities with IHSS and SEIU have begun as per the MOU. Staff from IHSS and volunteers from SEIU attended an event held at Happy Hollow, they spoke with approximately 50 to 60 people who stopped by the IHSS table. There were IHSS information flyers in English, Spanish, Vietnamese and Mandarin as well as magnets with the IHSS logo and phone number. More events will be attended as the year progresses.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford stated the Regional Center is holding a demonstration in downtown San Jose Friday June 19. The budget is such that programs are being shut down. Janie will forward via email specifics regarding this action to AB members.

Janie Whiteford reported CICA held its first annual Advisory Board Summit one-day training for PA Advisory Board members in Sacramento May 19th. It was well attended with about 70 people in attendance. It provided Advisory Board members opportunities for networking, learning how to speak with legislators and what role AB members should play in their county. An end of session survey was conducted and is available on the CICA website.

The presentations were recorded and can be found on the CICA website for anyone who was unable to attend.

CICA participated in DCAD (disability capitol action day) the following day. CICA shared a table with CARA. This was well attended and it was interesting that there were no purple shirts this year. Due to legislative hearing going on there were no legislators who attended but they did have staff in their place.

The CICA monthly call will be held tomorrow June 17, with Karen Keeslar who will provide a thorough update on the budget and legislative items.

Ellen Rollins also attended the CICA training and DCAD. She reported the training was quite good, provided excellent information and opportunities for networking. DCAD was also a success and provided additional opportunities to network and speak with legislative staff.

Report from Social Services Agency: Terri Possley is busy with the final weeks of Contract Negotiations. She emailed her report; Mary Tinker read it for the group.

- Santa Clara County is in its final week of Contract Negotiations. IHSS Caseload Standard is being discussed.
- The new CCI Social Services Program Manager has been hired. His name is Kingston Lum and he has been working at IHSS for the past several years as an IHSS Social Work Supervisor. Kingston began his new position several weeks ago.
- Kingston, as the new Social Services Program Manager, will be overseeing the CCI Unit and the Application Readiness Unit. He has already hired the new CCI Social Work Coordinator I who will be supervising the 4 social workers and clerical person. Her name is Kate Sarkar and she worked previously for the Public Guardian's office in Department of Aging and Adult Services.
- We hired a temporary Application Readiness Supervisor and her name is Martha Holland. She works as a Social Worker in Adult Protective Services. We are still working on hiring a permanent replacement for this position.
- IHSS, in collaboration with SEIU and Public Authority, had its first outreach event on 6/6/15. Mary Tinker has more details on this event.
- We received approval from the BOS to post positions on the Transfer Line for 1 Social Work Supervisor and 8 Social Workers which is one entirely new unit. We still have not determined how we will accommodate these 9 individuals into our already over packed space. We anticipate getting lists for these positions in the next couple of weeks so we

can begin interviews. Hiring this new unit will bring caseloads down to the high 200's for each social worker. Currently, they're at about 325 cases each.

- For the Blind and Visually Impaired (BVI) pilot, we have about 23 identified recipients in our county who wish to be accommodated. They need to give their PIN numbers to their social workers so the social workers can enter it into CIMPSII. What triggers the BVI accommodation is that the recipient does not sign the time sheet. Once this happens, it goes to an exception queue and they will be then identified as a BVI client. However, a PIN number is essential.

Janie Whiteford indicated she spoke with Lori Anderson from Santa Clara Family Health Plan and the health plans will come to either the August or September AB meeting to present the Coordinated Care Initiative and update the group on how enrollment and implementation of CCI is going.

Next Meeting: The next meeting of the Advisory Board is scheduled for **Tuesday, July 21, 2015** from **11:30-1:30PM**, at the Sourcewise main office located at 2115 The Alameda, San Jose, CA. 95126.