

IHSS Public Authority Advisory Board Meeting
January 19, 2016
MINUTES

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

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

PA Staff Present: Mary Tinker, Leticia Sabadin

Guests Present: Victoria Krivtsova, IHSS IP; Lupe Martinez, SEIU Local 2015 Internal Organizer; Linh Phuong, SEIU Local 2015 Internal Organizer; Otilia Ioan, IHSS Consumer & Potential AB member; Ashley Partch, IHSS IP

Announcements & Public Comment: There were none.

Approve Minutes: Motion by Ellen Rollins to approve the September 2015 meeting minutes as written, seconded by Robert Stroughter, vote was unanimous.

Conference Reports: Janie Whiteford provided reports on the following conferences:

- a. CARA Convention in Ontario, Ca. on October 19-20, 2015
 - Janie participated on a panel discussion for LTSS during one of the breakout sessions.
 - There was a wealth of information shared during the conference—heard perspectives of workers, employers and advocates.
 - There was a great workshop on the “Future of Long Term Supports and Services in Managed Care”.
 - There was a session covering Empowered Elders—Take Charge of Your Future.
- b. SCAN Foundation Conference in Sacramento, Ca. on October 27, 2015
 - Very intense conference with a variety of excellent speakers, among them was Secretary Diana Dooley who spoke on “Long-Term Services and Supports in California: Where We Are and Where We Are Heading?”
 - Stressing LTSS and the future of Coordinated Care Initiative
- c. California Collaborative for Long Term Services and Supports; California Community of Constituents Conference in Sacramento, Ca. on October 28, 2015
 - Advocacy issues on a regional basis
 - LTSS payment reform—Janie was on a panel for this topic
 - This was a very informative meeting with specific agenda topics such as the 1115 Waiver and the State budget.
 - There were quite a few breakout sessions with a variety of different topics.
 - They provided a Congressional update.

CAPA Report: Mary Tinker reported Governor Brown released his budget proposal January 7th. The revenues are much greater than projected in the current budget year which has had a positive impact on the proposed budget.

There are really no surprises in the Governor’s budget proposal for IHSS. We knew the Governor would tie continuation of the 7% restoration to the MCO – and that is in his budget proposal along with a new variation on the MCO tax. The Governor proposes to continue the CCI if a new MCO tax is enacted. There’s funding for the FLSA and the underlying fiscal assumptions are best guesses – not set in concrete.

The budget proposal doesn’t answer many of the FLSA questions that have been under discussion for months. There are no answers about retroactive payment of overtime. There are no answers about exemptions for consumers and providers who will be harmed by the cap on compensable hours. These issues will continue to be “under construction” for some time.

The Budget includes \$9.2 billion (\$3 billion General Fund) for the IHSS program in 2016-17, an 8.4-percent increase over the revised 2015-16 level. Average monthly caseload in this program is estimated to be 490,000 recipients in 2016-17, a 4.9-percent increase from the 2015 Budget Act projection. General Fund costs in this program have doubled since 2010-11, while caseload has increased 12 percent.

The Budget proposes to restore the current 7-percent across-the-board reduction in service hours with proceeds from the managed care organization tax effective July 1, 2016. The cost to restore the 7-percent reduction is estimated to be \$236 million in 2016-17.

To allow for an orderly transition, minimize confusion, and permit time for IHSS automation changes, implementation of the federal overtime rules for IHSS providers is anticipated to begin February 1, 2016. Increased rates to cover these costs for developmental services providers became effective December 1, 2015.

Coordinated Care Initiative

The budget continues the CCI in seven counties through calendar year 2016 (Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Mateo, and Santa Clara). It also notes that if the MCO tax is not extended, and participation is not improved by January 2017, the CCI trigger would be pulled and the program would cease operating effective January 2018. Approximately 83 percent of IHSS recipients are opting-out of the CCI, and the Administration indicates it will seek ways to improve participation in the coming year. Because the county IHSS MOE and collective bargaining are tied to the continuation of the CCI, collective bargaining and county share-of-cost in the IHSS program could also revert in 2018.

SUPPLEMENTAL SECURITY INCOME/STATE SUPPLEMENTAL PAYMENT (SSI/SSP)

The budget proposes to pass through an annual federal cost-of-living adjustment (COLA) based on the Consumer Price Index to the SSI portion of the grant, which is projected to equal a **1.7** percent increase in 2015, and a projected 1.7 percent increase effective January 1, 2017. In addition and for the first time in several years, the budget proposes an increase to the SSP portion of the grant, equivalent to the California Necessities Index (CNI), which is projected to be **2.96 percent** (Note: this index is typically updated in the May Revise).

FLSA OT: CDSS began mailing information packets December 7, 2015 to all IHSS consumers and providers. Mailing to consumers included the TEMP 3002 – Recipient important information form and a sample timesheet. Provider’s received the TEMP 3001 – Provider Important Information, SOC 846 – Provider Enrollment Agreement, Return Envelope for the SOC 846 and Sample Timesheet. Calls began coming into IHSS and the Public Authority with questions regarding the packets received.

The state released ACL 15-97 early December regarding implementation of provisions of Senate Bills 855 and 873 relating to the IHSS and waiver personal care services. This ACL states that funding has been made available for counties to support the hiring of additional staff for the implementation activities related to these new program requirements. This funding also extends to Public Authorities to increase provider registries and hiring additional providers.

Additional ACLs will be forthcoming as the state works out more extensive details for implementation of the new overtime regulations.

A more detailed ACL was released on January 7, 2016 which included several forms. This document provides further guidance for counties and PAs to prepare to implement overtime.

Training video to be posted on the CDSS website January 15, 2016 and train the trainer schedule is due out by January 18, 2016. Counties and PAs are collaborating in preparing to provide training for consumers and providers on the new OT regulations.

The implementation of OT commences February 1, 2016 with no violations until May 1, 2016. The state is providing a three month grace period in order for consumers and providers to become familiar with the complexities of the OT regulations and prevent violations to the extent possible; offering education opportunities as much as possible.

Additionally, travel time, workweek agreements and wait time are part of the training and implementation process as it moves forward.

Programs Reports: Mary Tinker provided the following information:

Benefits Administration: There were 9,789 IPs enrolled in the Valley Health Plan with 7,386 of those in the Classic Plan and 2,403 in the Preferred Plan. There were 10,389 IPs enrolled in the Dental/Vision plans during the month of December. There were 111 Eco Pass Clipper Cards issued.

Enrollment Session:

Number of IPs in December: 382

Registry Services: There are 510 active IPs on the registry.

The registry:

- Completed 47 new consumer intakes
- Attained 68 matches
- Provided 348 interventions

Urgent Care Registry: authorized 12 hours of service for the month of December.

Care Coaching: The Registry received 14 referrals for Care Coaching in the month of December. One referral came from Anthem Blue Cross.

IP Trainings Provided: Public Authority offered 20 classes; due to very low registration 5 classes were cancelled so total provided was 15 classes training 137 IPs.

Two Senior Employment/Title V workers have been recruited to assist the Public Authority with the new FLSA/Overtime Regulations. Their primary function will be to scan and enter the SOC 846 forms into REVA. Title V only permits them to work a maximum of 16 hours/week so they are desk sharing, one in the morning and one in the afternoon.

The new training class schedule was mailed January 1, 2016 to over 23,000 IHSS providers. Classes are filling up fast.

Call and Connect sessions will start in February 2016 for IHSS consumers. This will be a new opportunity for consumers to participate in training sessions from their own home. They will pre-register and receive either via email or regular mail handouts and information for calling in to the session. This is in partnership with Senior Center without Walls. Shannin Prather, Training Coordinator will conduct these sessions and have guest speakers for specific topics.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reported that CICA members currently represent 25 counties. She also provided information regarding the monthly conference call held the 3rd Wednesday of every month from 10-11am. She encouraged all members to get on this call. There is always a vast amount of information shared and excellent discussions, a valuable investment of time.

Janie mentioned the Empowered Elder Workshop and the many topics of discussion with this: workshops on being your own advocate during a hospital stay; having the proper paperwork and discharge plan in place; having someone else there to help you advocate for yourself; “vile of life”; pertinent financial and health directives/documents.

Report from Social Services Agency: Terri Possley was not in attendance.

Next Meeting:

The next meeting of the Advisory Board is scheduled for **Tuesday, February 16, 2016 from 11:30 pm – 2:00 pm**, at the Sourcewise main office located at 2115 The Alameda, San Jose, CA. 95126.