

**IHSS Public Authority Advisory Board Meeting**  
**March 28, 2017**  
**MINUTES**

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**Members Present:** Janie Whiteford, Robert Stroughter, Theresa Wright (via tele-conference), Otilia Ioan, Dennis Schneider, Ellen Rollins, Terri Possley (Ex-Officio)

**Members Absent:** Deane Denney, Judy Pipkin, Senon Hernandez

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

**Guests Present:** Barbara Suarez, IHSS Payroll Manager, Lori Andersen, Operations Director for Santa Clara Family Health Plan & Potential AB Member; Beverly Lozoff, Board Member for NAMI & Potential AB Member; Linh Phuong, SEIU Local 2015 Internal Organizer, Shannin Prather, Public Authority Services Training Coordinator

**Announcements & Public Comment:** Mary Tinker announced that last year's annual report has will be presented to the CSFC (Children, Seniors and Families Committee) of the Board of Supervisors in June. The report will not be distributed to anyone until after it has been presented to the CSFC. Advisory Board members are encouraged to attend the meeting.

**Approve Minutes:** Motion by Janie Whiteford to approve February 21, 2017 meeting minutes as written, seconded by Bob Stroughter, vote was unanimous.

**Training Overview:** Shannin Prather provided an overview of the training provided for consumers and providers in Santa Clara County for IHSS:

Core value of the PA training program: All training materials and activities – consumer and Provider – follow and reinforce the consumer directed model of care. Every piece of training material that we have developed, or will develop in the future, is meant to empower IHSS consumers to maintain control of their lives and situations.

- Yearly presentation to instructors reminding them of this and other expectations.
- All IP training class curriculums
- The Consumer Connection Newsletter
- The monthly Call and Connect Sessions

**Expansion of training classes over the past three years**

**For IHSS Providers:**

- Nine class subjects increased to 15 subjects as well as overtime training
- Instituted end of class quizzes to test knowledge and improve curriculums
- Expanded class locations from one to six throughout the county
- Increased availability of classes and are now offered in the morning, afternoon, and early evening as well as on Saturday s

- Most classes are offered in 4 different languages, English, Vietnamese, Spanish and Mandarin
- Between the 2013/2014 and 2015/2016 fiscal years 5,694 total IPs trained
  - 239 certificates of completion were issued
  - Increased from 75 classes per year to 160 classes per year

**For IHSS Consumers**

- Increased the number of Consumer Connection Newsletters frequency from one to two times per year to quarterly publication mailed to over 22,000 consumer households
  - Cover subjects about changes in IHSS, tips and advice on consumer direction, information about community resources, health and safety tips, and more.
- Since Feb 2016 – hosted monthly Call and Connect session conference calls offered to all IHSS consumers and their authorized representatives.
  - Different subject each month, topics published on the PA website and in newsletter, calls are toll free
  - Calls include expert quests
  - Subject materials mailed or emailed prior to the calls
- Dedicated training staff in place to assist consumers and providers with their questions and training needs.

Plans for further expansion and improvement:

**Providers**

- Survey sent to statistically representative sample of providers to assess training preferences.
  - Times, days, new subjects, obstacles for attending classes, etc.
- IHSS timesheet training video (online) and a timesheet training class.
- Develop a Neurological Disorders class.

**Consumers**

- Finding a practical and secure text and e-mail based reminder system to remind consumers about Call and Connect Sessions.
- Create more consumer directed care based training webinars and/or videos to place on our website. Some ideas include:
- Updating the Consumer Handbook Training Modules that are currently on our website

Shannin is setting up an Ad-hoc committee for training. Volunteers for the ad-hoc committee: Dennis Schneider, Ellen Rollins and Janie Whiteford.

**New Peer Mentoring Program Discussion:** Otilia Ioan reported that she is working with Janie, Shannin and Mary on this consumer based peer mentoring program. She is in the process of gathering information and trying to reach out to other counties to see what types of programs they offer in relation to peer mentoring.

In LA county there are some consumers (13) who are not compensated for their time to help mentor other consumers with advocacy for consumers and hiring practices and conflict resolutions to name a few.

For San Francisco County there are currently 15 consumer mentors who are compensated monetarily who assist with such things as helping clients get through the IHSS program, and assistance with their care providers and how to hire care providers.

Otilia is asking AB members for any help and feedback and suggestions for this program. She would like to develop something new and complete and successful for the consumers. She distributed a hand out to all members with additional information. She needs volunteers and consumers to help.

Beverly Lozoff mentioned that NAMI has a peer mentoring program called Peer Pals. Beverly told Otilia that she would like to help her with this venture.

**CAPA Report:** CAPA met in Sacramento February 23<sup>rd</sup>.

**MOE/CCI:** There has been a lot of turmoil regarding the shift of \$623 million cost to counties due to the elimination of the MOE as part of dismantling CCI. CSAC leadership met with the Governor and DOF and left with their promise to make the IHSS cost shift their top budget priority.

Thirteen counties have authorized participating in a suit that the Department of Finance erred in the cost savings calculations regarding CCI. In light of the Governor's pledge to waive the legal timeline to file the suit CSAC, the Governor and DOF will continue to work to develop mutual solutions.

The Assembly Speaker's office developed a unique conceptual solution. As described by Matt Cate, Executive Director for CSAC email dated March 9, 2017.

*"Assembly Budget Subcommittee No. 1 met yesterday on the IHSS issue and was poised to adopt a conceptual solution that would have reestablished the IHSS County MOE by adding in the \$623 million in IHSS costs and creating a new special revolving fund to provide supplemental funding to counties to mitigate any gaps between the new MOE amount and 1991 Realignment revenues. Under this proposal, counties could access funds from the revolving fund until 1991 sales tax revenues grew enough to cover the new MOE. At that point, any excess sales tax revenue that is available after fully funding 1991 base and caseload needs would then return to the revolving fund. The proposal would have also shifted the responsibility for collective bargaining of wages and benefits for IHSS providers from counties to the state. While this approach certainly addresses cash flow issues and counties are appreciative of the Assembly's efforts on this issue, questions regarding whether it requires counties to incur reportable debt and concerns about reductions in available sales tax funding for health and mental health programs in the near future remain. Additional details on the proposal can be found in the agenda for yesterday's hearing, starting on page 13.*

*Executive Director Cate testified before the committee, outlining the serious consequences of shifting all \$623 million in costs to counties and in the future. CSAC did not take a position on the Assembly proposal, rather asking for more time to examine it and work with all stakeholders to arrive at a comprehensive solution. The Committee agreed to hold off on voting for the proposal until their March 22 hearing.*

**FLSA update:** CDSS stated there will be no further exceptions or reprieves for providers who attain a third violation. Everything that can be done to assist IPs to avoid getting violations is being done so if they reach the third violation it will be enforced. The numbers continue to remain low for violations across the state.

Santa Clara County IHSS continues to work well in preventing violations and still did not have anyone with a third violation.

**Paid Sick Leave:** CDSS held a very small workgroup that included representatives from CWDA, CAPA, Disability Rights California and the unions. CDSS made it clear they intend to keep this as simple as possible. Still details to be worked out such as how time will be counted for IHSS workers. Likely they will use simple calendar days for IHSS. It would take 30 days for an IP to accrue and 90 days to be eligible to use sick leave. Discussions regarding a back-up system are on hold until the MOE mess is decided.

**Electronic Timesheets:** Public stakeholder meetings were held in January 2017. CDSS selected Yolo, Sacramento and Riverside counties to pilot Electronic Timesheets (ET) beginning in May. A draft ACL will be disseminated in March for stakeholder review. April CDSS will send mailing to consumers and providers in the pilot counties informing them of the opportunity to participate. Participation in electronic timesheets will be optional in the pilot as well as once it is fully operationalized. July is the target for statewide implementation depending on outcomes from the pilot.

**Legislative Update:** List of some bills tracked by CAPA this legislative session. As you will note, many of the bills CAPA is tracking are still in “spot bill” form. Go to the CAPA website anytime to review bills in more detail. [www.CAPAIHSS.org](http://www.CAPAIHSS.org)

**AB 432 (Thurmond): Personal Care Services**

Would authorize the California In-Home Supportive Services Authority and certain other entities to meet and confer in good faith regarding wages, benefits, and other terms and conditions of employment with representatives of recognized employee organizations for an individual who is employed by a recipient of waiver personal care services and would make conforming changes. This bill contains other related provisions and other existing laws. ***This bill has been referred to Assembly Human Services, but has yet to be scheduled for hearing. This is CAPA’s Sponsored bill.***

**AB 675 (Ridley-Thomas): Medi-Cal: In-Home Supportive Services: funding.**

Would appropriate \$650,000,000 from the General Fund to the Department of Health Care Services for the purpose of continuing to make IHSS available to Medi-Cal beneficiaries through Medi-Cal managed care health plans under the Coordinated Care Initiative. ***This bill has been referred to the Assembly Committee on Health, but has not yet been scheduled for a hearing.***  
**Position: Support in Concept.**

**AB 763 (Salas): Independent Living Centers: funding**

Under current law, each independent living center, except those centers that have been both established and maintained using specified federal funding as a primary base grant, is required to receive, to the extent funds are appropriated by the Legislature, at least \$235,000 in base grant funds allocated by the Department of Rehabilitation. This bill would delete the above

exception for centers that were previously established and maintained with federal funding, thereby requiring those centers to also receive at least \$235,000 in base grant funds allocated by the department. ***This bill has been referred to the Assembly Committee on Human Services, but has not yet been scheduled for a hearing.*** Position: Support

**AB 796 (Kalra): Public Social Services: SSI/SSP**

Current law prohibits, for each calendar year, commencing with the 2011 calendar year, any cost-of-living adjustment from being made to the maximum benefit payment unless otherwise specified by statute, except for the pass along of any cost-of-living increase in the federal SSI benefits. Existing law continuously appropriates funds for the implementation of SSP. This bill would reinstate the cost-of-living adjustment beginning January 1 of the 2018 calendar year. ***This bill has been referred to the Assembly Committee on Human Services, but has not yet been scheduled for a hearing.*** Position: Support

**AB 806 (Kalra): Personal Income Taxes: credit: family caregiver**

The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2018, in an amount equal to 50% of the amount paid or incurred by a family caregiver during the taxable year for eligible expenses, as defined, not to exceed \$1,000. This bill would take effect immediately as a tax levy. ***This bill has been referred to the Assembly Committee on Revenue and Taxation, but has not yet been scheduled for a hearing.*** Position: Support

**AB 1174 (Harper): Right to Work: labor organizations**

Would, commencing January 1, 2018, prohibit a person from requiring an employee, as a condition of obtaining or continuing employment, to contribute financial support to a labor organization or financially support a charity or other organization sponsored by, or at the behest of, a labor organization. This bill would permit an employee or potential employee to seek injunctive relief or monetary damages, or both, for violations or threatened violations of these provisions. This bill would exempt specified employers and employees covered by federal law and would exempt circumstances that would be preempted by federal law from these provisions. ***This bill has yet to be referred to committee.*** Position: Oppose.

**SB 218 (Dodd): The Qualified ABLE Program: tax-advantaged savings accounts.**

Would authorize the transfer of all amounts in the designated beneficiary's ABLE account to an ABLE account for another individual specified by either the designated beneficiary or the estate of the designated beneficiary upon the death of the designated beneficiary. The bill would prohibit the state from seeking distribution of any amount remaining in the designated beneficiary's ABLE account for any amount of medical assistance paid under the state's Medicaid plan and would prohibit the state from filing a claim for the payment, as specified. ***This bill has been referred to Senate Governance and Finance Committee, but has not yet been scheduled for a hearing.*** Position: Support.

Mary also distributed the hand out "Effects of the Coordinated Care Initiative" to all attendees at today's meeting.

## **PROGRAMS REPORT**

**Benefits Administration:** There were 10,497 IPs enrolled in the Valley Health Plan with 6,251 of those in the Classic Plan and 4,246 in the Preferred Plan. There were 11,161 IPs enrolled in the Dental/Vision plans during the month of February. There were 610 Eco Pass Clipper Cards issued.

### **Enrollment:**

Number of IPs enrolled: 368

The number of individuals attending the group enrollment sessions was 35 to 70 per session. Group sessions are held Friday so approximately 405 in February.

**Registry Services:** There are 538 active IPs on the registry and 1040 active consumers.

The registry:

- Completed 58 new consumer intakes
- Attained 65 matches
- Provided 443 interventions

**Care Coaching:** The Registry received 21 referrals for Care Coaching in the month of February. One referral was received from Anthem Blue Cross.

**Registry Recruitment:** One Registry Introduction Training session was held in February. This session was held in English. There were 33 individuals prescreened and invited to participate with 26 attending.

**Urgent Care Registry:** There was no hours of service authorized for the month of February.

**Expedited Registry:** Expedited Registry received 7 referrals in February.

### **Training for Consumers and Providers:**

**Consumer Training:** One Call and Connect session was held in February with 1 participant. The session was titled "Tips for Training New Providers." Four consumers pre-registered for the session.

Consumer Connection Newsletter was mailed to 21,600 IHSS consumers in February. An electronic version can be downloaded from the PA website at: [www.pascc.org](http://www.pascc.org).

**IP Trainings Provided:** The Public Authority provided 9 training sessions in February training 124 providers.

**Registry Introductory Training (RIT):** There was one RIT session held in February with 25 individuals invited to attend and 22 actually participating.

- Held 29 interviews
- Called 90 references

- Completed 42 reference checks
- Added 23 new IPs to the registry

**Over Time Training:** The Public Authority provided over the phone training/counseling for 3 IHSS providers on overtime issues and how to properly complete their timesheet.

**California IHSS Consumer Alliance Report (CICA):** Janie reported that CICA is doing a lot of work similar to that of CAPA. Currently they are working and still in the planning process for the workshop scheduled on May 24<sup>th</sup> in Sacramento. Janie will send out additional information, an email with all the details which include hotel information. This is a workshop offered to all consumers. This is a free event, with free lunch but you have to sign up in order to attend. They are still planning a CARA Lobby Day on May 25<sup>th</sup>, more information to follow.

**Report Back:** Janie Whiteford attended two meetings and did a report back:

- a.** Santa Clara County CCI Stakeholder Meeting, this is an open quarterly meeting that was very informative and gave a lot of feedback with what is happening within CCI.
- b.** Yolo County Presentation with Fran Smith. Janie and CICA provided a presentation for the PA and it was very well received with a lot of valuable information given.

**Report from Social Services Agency:** Terri Possley introduced Barbara Suarez, Admin. Support Officer (Payroll Manager) from IHSS.

Terri reported the IHSS office at 1888 Senter Road was displaced for 2-5 days due to the flooding. The office had to be closed and re-deployed over to the Julian Street location temporarily. This interruption did not seem to be a big impact on services staff conducted business as usual much as possible. Jim Ramoni authorized IHSS staff to contact IHSS Consumers who were directly impacted by the floods and/or consumers who resided in the flood zone areas. They were given resources and assistance during this time.

The request for 33 additional IHSS positions is not moving forward and not approved at this time. They will retain the current level of staff and move forward as is. They are in the “wait and see” mode and at this point it is not in the 2018 budget to get an increase in staff.

Barbara Suarez reported that there are not many escalated cases with delayed paychecks at this time. Some of the main incidents with delayed paychecks are once again as follows:

- IP not signing the timesheet
- Client not signing the timesheet
- Hours not entered on the timesheet
- Torn/Damaged timesheets
- IP entered hours on timesheet but the Client is in the hospital
- Excessive hours

There was some discussion around the violations that IPs are receiving because timesheets are not filled out.

**Next Meeting:**

The next meeting of the Advisory Board is **Tuesday, April 18, 2017, from 11:30 pm – 1:30 pm,**  
at the **Sourcewise Main Office at 2115 The Alameda, San Jose, CA. 95126.**