

IHSS Public Authority Advisory Board Meeting
March 22, 2016
MINUTES

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

Members Absent: Deane Denney, Dennis Schneider

PA Staff Present: Mary Tinker, Leticia Sabadin

Guests Present: Victoria Krivtsova, IHSS IP; Otilia Ioan, IHSS Consumer & Potential AB member; Valenitaini Tarifa, IHSS IP; Vera Sokolova, IHSS IP & SEIU Local 2015 Steward

Announcements & Public Comment: Janie Whiteford distributed a flyer for the Aging Services Collaborative. They are having an event on April 16, 2016 at 2pm at the Campbell Community Center. Free of charge.

Approve Minutes: Motion by Robert Stroughter to approve the January 2016 meeting minutes as written, seconded by JoAnn Disbrow, vote was unanimous. (It was noted to do one change regarding the attendance of Terri Possley).

Advisory Board Membership Appointments Report: Leticia Sabadin reported that she had been in contact with the Clerk of the Board via Les Clark and Megan Doyle with regards to the re-appointment status for certain advisory board members with an expired seat. Leticia reported that unfortunately she has not been successful in getting these members' expired seat status changed. For each member showing an expired seat status the re-appointment paperwork had already been submitted over a year ago, yet the Board of Supervisors did not do their re-appointments. There have been several email exchanges and correspondence but no final outcome as of this date. Mary Tinker strongly suggested that the members with expired seats complete the Advisory Board online application again, re-do the applications and submit them online. Leticia will be sending out the County website link so members can do this as quickly as possible.

Additionally, potential member Otilia Ioan has submitted her online application and we have confirmed with the Clerk of the Board that they received it and it is under review.

Conference/Meeting Reports: Janie Whiteford provided reports for the following meetings she attended:

- a) CARA Board Retreat, Oakland Airport Hilton 12-2-15

Janie shared handouts of information from the meeting. It was a CARA full board retreat. Janie sits on the Board of Directors for CICA and was also there representing IHSS. Fran Smith from YOLO County was in attendance. There were quite a few topics they discussed, among them were Senior Issues, Seniors with Disabilities, Top Priorities within IHSS, How FLSA is going forward and what it will look like, Social Security reform. Very good meeting and so much information presented.

b) Empowered Elder Workshop, Train the Trainer, Oakland 1-21-16:

Janie reported there were two training sessions. CICA was very supportive of this endeavor. Janie passed around a binder with all the information presented, topics included: value of life, hospital stays, being an advocate while in the hospital, medical directive and additional resources. Once again, another successful meeting with very good information provided.

c) CARA Board Meeting, Oakland 1-27-16:

Janie reported and shared information regarding the board meeting that reviewed financial statements and budgets and went over committee reports.

CAPA Report: Mary Tinker reported:

FLSA OT: T4T (Training for Trainers) was starting February 9th. The new DVD and training materials were not made available to PAs or counties until this first training session which made it difficult to move forward with provider training until afterwards. PA finally received one DVD in the mail about two weeks ago.

CDSS is working on exceptions #2 to for overtime but no details are available at this time.

There are over 8,000 providers in SCC that have not returned their SOC 846 forms yet. A letter is being mailed to them reminding them of the importance of getting it in ASAP. They are directed to the PA website to download a copy of the form if they can't find the one they were mailed by the state. (See PA Website screen shot) www.pascc.org/overtime

Mary forwarded to AB members the email that included the letters sent to the Assembly Budget Subcommittee #1 and Senate Budget Subcommittee #2 "Making FLSA Work in IHSS: Improving Outcomes for All. This was a joint effort by CSAC, CWDA, CAPA, DRC, UDW and SEIU. (See copy of the letter)

MCO Tax: The legislature passed the newly negotiated MCO tax and Governor Brown signed it. This creates stability to firm up CCI for the next three years as well as maintaining the MOE for IHSS funding. The tax was submitted to the Feds for their approval and if approved it will need to be renewed in 3 to 5 years.

There appears to be commitment from the Governor indicating there will be a permanent repeal of the 7 percent hour's reduction completely separate from the MCO tax; this will likely show up in the May Revise.

Legislative Report:

AB 1584 (Brown): Public Social Services: SSI/SSP: This bill would reinstate the cost-of-living adjustment for SSI/SSP beginning July 1, 2017. The bill would successively increase aid grants for specified applicants and recipients by the amount of \$21 on January 1, of the years 2017,

2018, 2019, and 2020. ***This bill is has been referred to the Assembly Human Services Committee. Recommended position: Support***

AB 1655 (Dodd): Medi-Cal: beneficiary maintenance needs: personal needs allowance: This bill seeks to increase the personal needs allowance under Medi-Cal from \$35-\$80 per month, while a person is a patient, and would require the DHCS to annually increase this amount based on the percentage increase in the California Consumer Price Index. ***This bill is has been referred to the Assembly Health Committee. Recommended position: SUPPORT.***

AB 1797 (Lackey): In-Home Supportive Services: application: This bill would authorize a person to apply for in-home supportive services in person or through electronic means, and would require the county, if an application is filed through electronic means, to provide the applicant with a confirmation number. ***This bill has been set for hearing in Assembly Human Services Committee on 3/29. Recommended position: Pending coordination with CWDA.***

AB 1930 (Lackey) In-Home Supportive Services: family caregivers: advisory committee: This bill would establish the In-Home Supportive Services Family Caregiver Benefits Advisory Committee, for the purpose of studying the impact of the denial of state Unemployment Insurance benefits and federal Medicare and Social Security benefits on individuals who provide supportive services to a spouse or child. ***This bill is scheduled for hearing before the Assembly Human Services Committee on 3/29. Recommended position: CAPA requested an amendment to clarify a seat on the advisory committee be for a PA representative. That amendment was accepted. We recommend co-sponsorship this measure with UDW.***

AB 2158 (Wagner): Home Care Services: in-home supportive services: registration and training: Would require an independent IHSS provider to be listed on the home care aide registry prior to providing home care services to a client, and would require an independent IHSS provider to complete the specified training required for an affiliated home care aide. The bill would define "independent IHSS provider" to mean an IHSS program provider who is not employed by a private, 3rd-party agency to provide home care services under the IHSS program. ***This bill is currently in the possession of Assembly Human Services Committee. Recommended position: Oppose.***

AB 2565 (Salas): Independent Living Centers: State Funding: Current law provides for the operation of independent living centers, which are private, nonprofit organizations that provide specified services to individuals with disabilities, in order to assist those individuals in their attempts to live fuller and freer lives outside institutions. The Department of Rehabilitation has the responsibility and authority for the encouragement of the planning, developing, and funding of independent living centers. This bill would delete the above provisions excluding the centers that were previously established and maintained with federal funding, thereby making those centers eligible for the prescribed state funding. ***This bill is currently in the possession of the Assembly Rules Committee awaiting referral. Recommended position: Support (Sponsored by the CFILC).***

AB 2721 (Rodriguez): Elder and Dependent Adult Fraud: Informational notice: Would require the Department of Justice to develop and distribute an informational notice that warns the public about elder and dependent adult fraud and provides information regarding how and where to file complaints. The bill would also require the notice to be made available on the Internet Web site of the Attorney General. ***This bill is currently in the possession of the Assembly Rules Committee awaiting referral. Recommended position: Support.***

AB 2754 (Grove): Public Employment: employee bargaining representatives: financial information: Would require an organization that provides representation to public employees in labor negotiations with a state or local public employer to hold an election every 2 years to determine if the current labor union should continue to represent those members of the organization. This bill grants members the right during that election to affirmatively select another public employee organization to represent them. ***This bill is currently in the possession of the Assembly Rules Committee awaiting referral. Recommended position: Oppose.***

AB 2853 (Gatto): Public Records: The California Public Records Act defines the term "public record," for purposes of that act, to mean any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. This bill would express the intent of the Legislature to subsequently amend this bill to include provisions that would clarify that the term "public record," for purposes of that act, includes those writings kept on the private cellular phone or other electronic device of an elected official, official, or employee or a public agency if those records relate to the public's business. ***This bill is currently in the possession of the Assembly Rules Committee awaiting referral. Recommended position: Oppose.***

SB 1140 (Moorlach): Legislature: operation of statutes: Current law specifies the dates by which enacted statutes go into effect. Current law also provides that a statute may be repealed at any time, except when vested rights would be impaired. This bill would require the automatic repeal of a statute that expressly or implicitly authorizes an executive agency to promulgate regulations two years after the statute goes into effect, unless the Legislature amends the statute to state its intent that the statute not be repealed, or unless the statute was passed in response to an emergency. ***This bill is currently in the possession of the Senate Rules Committee awaiting referral. Recommended position: Concerns.***

SB 1142 (Moorlach): Disability access: Would provide that when there is a conflict or difference between the federal Americans with Disabilities Act of 1990 and any state law, standard, or regulation relating to the access of individuals with disabilities to any place to which the general public is invited, the federal Americans with Disabilities Act of 1990 shall control. ***This bill is currently in the possession of the Senate Rules Committee awaiting referral. Recommended position: Oppose.***

Programs Reports: Mary Tinker reported:

Benefits Administration: There were 9,866 IPs enrolled in the Valley Health Plan with 7,185 of those in the Classic Plan and 2,681 in the Preferred Plan. There were 10,476 IPs enrolled in the Dental/Vision plans during the month of February. There were 167 Eco Pass Clipper Cards issued.

Enrollment:

Number of IPs in February: 554

The PA experienced a large increase of providers enrolling in IHSS during February. The number of individuals attending the group enrollment sessions remained high during February with approximately 100 per session. Group sessions are held twice every Friday and continue to have high participation rates.

The Enrollment staff continued doubling up appointments two to three days per week in order to handle the increased numbers. Enrollment processed 554 new providers during February which is more than 100 above normal.

Enrollment appointments were increased to meet the higher demand. It was necessary to double up appointments to prevent the lengthy wait times to become enrolled as an IHSS provider. This trend is being closely watched to see if it levels off or continues to rise. The PA attempts to maintain appointments within a two week period so people can get into the system in a reasonable amount of time.

FLSA Overtime: T4T (Training for Trainers) was provided by CDSS for counties and PAs starting February 9th. The Training Coordinator from this PA attended along with one Registry Specialist.

The volume of provider and consumer calls increased due to the mailings generated by CDSS regarding the FLSA OT implementation process. Most questions/concerns about overtime and understanding violations are handled over the phone by PA staff. Since the majority of providers will not be impacted by overtime it helps to simplify the discussion.

The PA website has a vast amount of information regarding overtime and is maintained with the most relevant info as it becomes available. Ross Graham, the PA Benefits Coordinator developed a calculator that is on the website to assist consumers and providers in understanding how to manage their authorized hours. This was shared with CWDA and CAPA as a tool they can use as well.

IHSS and PA staff meets monthly to collaborate on best practices for implementing FLSA OT and meeting the needs of IHSS consumers and providers in the most efficient, effective way. Information sharing is essential and this group is working hard to provide as much support and information as possible for those impacted.

Targeted group training is scheduled for those who will be impacted by overtime. There was one Call and Connect session for IHSS consumers that dealt with overtime. More calls are scheduled; this is a good method to reach IHSS consumers and their providers when coming to a group meeting is not viable.

PA mailed 882 Over-Time Violation warning letters to IHSS providers, the letters identify what would have caused the violation and offer training if they need further assistance.

Registry Services: There are 538 active IPs on the registry.

The registry:

- Completed 59 new consumer intakes and 60 reactivations for a total of 119 consumers
- Attained 68 matches
- Provided 387 interventions

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

Care Coaching: The Registry received 11 referrals for Care Coaching in the month of February. No referrals came from the health plans. PA has brought on another Care Coaching Specialist, Ahmeena Cutts.

Registry Recruitment: There were two Registry Introduction Trainings in February. There were 46 individuals prescreened and invited to participate with 39 attending. Thus far 22 of those have been fully processed, screened, background checked and added to the registry. Interviews and reference checks are in process for the balance of the attendees.

IP Trainings Provided: The Public Authority offered 12 classes during February training 213 IPs.

Call and Connect Session=training for Consumers. First interactive one conducted on the FLSA and Overtime rules and guidelines. It went well.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reported that the CICA call from last week on March 16th had a speaker, Tony Anderson from ARC of California. They reviewed many topics, some of which were the utilization of IHSS within the group of children and adults and highlights with Alzheimer's and Dementia patients.

Janie announced that Disability Capitol Action Day in Sacramento has been canceled due to the grounds of the Capital being re-seeded. Not very good news and quite a few people are upset to hear about this.

Janie also announced that there are some Elder Empowerment Workshops that will be set up in August or September this year. Be on the lookout for more information on this in the near future.

Report from Social Services Agency: Terri Possley gave quite a few updates since she was not in attendance last month. There is a lot of hiring of new staff due to the new FLSA/overtime regulations being put in place. They are in the process of getting 4 new clerical workers and 4 new Social Workers. There are now 2 new clerical workers in place that have started entering forms into CMIPS and partnering with PA with this task. They are half way done with this hiring process and hope to have it complete by the end of April.

Terri also mentioned the T4T Training in Sacramento in which Rene Bader and Kingston Lum, IHSS employees, attended.

At this time IHSS has 146 staff. All Social Workers should have the most updated information while conducting home visits. They will take the forms TEMP 3000 with them and have the Clients sign during the home visits.

There is a hotline for the FLSA/Overtime program. Callers can now call the main number and have an option to press for the overtime/travel time line and be able to get forwarded. There is one Social Worker who is dedicated to this line. Santa Clara County is the only county with this hotline as of now.

At this point IHSS is referring all callers to the PA Website for more information regarding the FLSA Overtime new regulations and where they can obtain help and what forms need to be submitted.

IHSS hours remain 8-5 pm. Phones are still busy, but the telephone tree prompts callers to go to the specific department they need. There is not enough staff to answer calls directly.

Last month in February there was a State QA audit conducted with IHSS. There were 70 cases pulled and reviewed. These cases were relevant to protective supervision and minor children. Overall the audit went pretty well and Terri was very happy with the results. Terri stated that a year in a half ago they were 55% in compliance with home visits and cases and now they are 79% in compliance. They were working with a “no case load contract” before and they were very short staffed. Now with the new MOE in place it has helped tremendously with catching up on their caseloads.

Terri also said that they plan on asking for more staff. They plan to add 26 more staff in order to be in line with the new demands within IHSS, FLSA and overtime regulations. With more staff coming on board the need for more space is required and this has become an obstacle since currently they are out of space. With the Social Workers they are transitioning them to a more remote access with laptops and phones. They are basically moving them towards “teleworking” a process of working remotely and not having to come into the office as much. This will create more room for on-site staff. The morale is improving with the Social Workers. Terri says that it’s about time IHSS gets with it, and since we live in Silicon Valley, “tech valley” it’s nice that they are finally upgrading to a more efficient teleworking environment. There’s a lot going on and it’s very exciting and good news so far.

Janie thanked Terri for all the questions being answered and also thanked her and her staff who were in attendance at the PHP Faire.

Next Meeting:

The next meeting of the Advisory Board is scheduled for **Tuesday, April 19, 2016, from 11:30 pm – 2:00 pm**, at the Sourcewise main office located at 2115 The Alameda, San Jose, CA. 95126.