

IHSS Public Authority Advisory Board Meeting
July 21,2020
MINUTES

ZOOM VIRTUAL MEETING

<https://zoom.us/j/96149377357?pwd=MkVKMy9ZcUxldnQjhNKzdYSFRQdz09>

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*****This meeting is being recorded for purposes of capturing the meeting minutes.***

Members Present via Virtual/Conf. Call: Janie Whiteford; Beverly Lozoff; Dennis Schneider;
Terri Possley (Ex-Officio); Mathew Lubinsky, Lori Andersen; Senon Hernandez

Members Absent: Bob Stroughter

PA Staff Present via Virtual/Conf. Call: Edith Gong, Leticia Sabadin

Guests Present: Hugh Leigh, IHSS IP; Lilibeth Esposito, IHSS IP; Damaris Ellington, SEIU 2015;
Nick Ledo, PA Director, Monterey County

Announcements & Public Comment:

- Beverly Lozoff announced and showed the recent PA Consumer Connection Newsletter that was mailed out and wanted the board to know that the article, written by Bev, of Cheryl Hewitt's passing was included in this newsletter.
- Janie Whiteford suggested that the Advisory Board write an article to be included in each Consumer Connection newsletter going forward. Edith agreed with the idea since it's for consumers. She will ask Shannin Prather, training manager, to notify the AB of future newsletter deadlines for articles.
- Mathew Lubinsky wanted to make a comment. Below is a copy of Mathew's email with his comment that he wanted to go on record:
"Unfortunately, I've had another caregiver test positive for the coronavirus. I'm sure everyone knows it is very difficult to find any available caregiver at this time.

... I have a major point that I want to make, that I think this state needs to address immediately.

We need to allow any available caregivers to work more than 66 hours in a week during this pandemic. I currently have at my home two caregivers putting in extra hours that they cannot claim. They are putting in 12 to 14-hour days. Thankfully most of those hours are very relaxed but needed."

Mathew states that there are two care providers currently helping 5 IHSS consumers. They are working 6am – 10pm, but only getting paid for 9.5 hours a day.

Mathew also mentioned that he is having issues with regards to getting in touch with the Registry for a provider list. He wanted to connect with the Registry Department via internet and possibly leave his email address. Edith asked for clarification of Mathew's issue since emails can be sent to the registry. Edith took an action item to have this resolved immediately and have a provider list emailed to Mathew.

- Janie Whiteford commented and asked to add an agenda item next month regarding Congregate Living Arrangements or Shared Housing and asked that Mathew Lubinsky take the lead since he lives in a Shared Housing arrangement. Janie feels that the State needs to address this even though it is an unusual circumstance; more people need to be aware of the challenges. CICA and CAPA have looked into this and it has been mentioned that an All County Letter or waiver needs to be put in place to better address this issue. At a minimum, more needs to be understood about shared living. Edith asked guest Nick Ledo if Monterey County is experiencing any issues with Shared Housing, etc. and he said no. Janie asked if Mathew can check the ILC.

Approval of Minutes: Motion by Janie Whiteford to approve the May 19, 2020 meeting minutes as written, seconded by Mathew Lubinsky, vote was unanimous.

- **With the June 16, 2020 meeting minutes, Janie Whiteford wanted to note a correction to be added to a comment that was made under the CICA agenda item on page 7. She wanted this comment added: "However, there are plenty of opportunities for collaboration between the Unions and CICA".

Motion by Mathew Lubinsky to approve the June 16, 2020 meeting minutes as written, seconded by Dennis Schneider, vote was unanimous.

Annual Report Recommendations: Edith Gong presented the recommendations to the board that were drafted by Beverly Lozoff, Janie Whiteford and Lori Andersen, as follows:

Draft Recommendations:

With the COVID pandemic still in full force, consumers, especially those with chronic diseases, respiratory issues and those over 65 are even more vulnerable to the disease. Therefore, these recommendations are vitally important in the new fiscal year.

- Continue on-going relationships and meetings between the IHSS Advisory Board and the Board of Supervisors and Policy Aides so the IHSS consumer challenges and those of their caregivers are understood and addressed.
- Increase number of IHSS social workers to address expanding needs, or at a minimum, do not reduce current staffing levels.
- Ensure timely assessments conducted for hospital and nursing home patients to initiate IHSS application or reassessment process prior to discharge.
 - When assessments are delayed for IHSS applications of patients awaiting discharge from hospitals or nursing facilities, they experience delays in the discharge planning that results in prolonged stays and increased costs.
- Continue online initial assessments/re-assessments in the consumer's home for determination of services and hours to ensure a timely application process, and protection of the IHSS social worker and consumer during the COVID crisis.

No actual vote is needed for these recommendations to be included in the annual report. Beverly asked if anyone had comments or additional feedback; none were brought up.

Mathew asked if his issue with regards to IPs and allowing them to work more than 66 hours a week, could be added to the recommendations. Beverly stated that this is not the platform to try to resolve this issue and needs to be resolved separately. Terri stated that it would have to be taken to the State.

Janie made a comment about the AB recommendations in conjunction with the Harvey Rose Audit. In other words, incorporate any relevant items from Harvey Rose Audit that match recommendations from the Advisory Board. There was additional discussion on release of the Harvey Rose Audit and if the findings will be available before the Annual Report is printed at the end of August. The AB decided to continue with the current recommendations as it was unlikely that the Harvey Rose Audit document would be available prior to the printing deadline.

Update on the Harvey Rose Audit: Terri Possley reported they are waiting to hear back from Harvey Rose for the final audit. There was some delay on the IHSS side because multiple levels of review were required from different departments. Terri stated that they are happy with the suggestions, one in particular that resulted in IHSS getting 26 additional positions. Terri and her staff are ecstatic. Meeting members were very excited as well.

Terri thanked the AB and Lori Andersen, specifically for suggesting the Harvey Rose audit in the first place. Terri's gave a heartfelt thank you to the members for advocating on IHSS' behalf and insisting on this audit. It allowed a close examination of IHSS in a way that had not been done before. Lori Andersen said it was really a group effort and recalls an AB meeting with Supervisor Cindy Chavez was the catalyst for the audit. Terri reiterated her thanks and respect to each and every AB member for their support and advocacy.

Update on the Change in By-Laws: Terri Possley reported that County Counsel, Luke Edwards, will put a draft together in August. Terri requested to keep this item on the agenda. Beverly stated that the change in by-laws will be approved it's just a matter of when. Once approved, this will help with the meeting quorum issue.

PROGRAMS REPORT

The shelter in place order is still in effect in Santa Clara County so the PA Staff continues to work remotely as much as possible. Activities such as benefits administration and mailing of EPG must be done in the office. The leadership staff is discussing all County Social Distancing Protocol requirements and provisions before opening the lobby to the public and declaring the PA as "COVID-19 Prepared". The PA has purchased plexiglass shields, social distancing decals, hand sanitizer stations, EPG, and other items to be as contactless as possible when enrolling providers. The lobby will need to be reconfigured and there are still some items that need to be procured, but the PA will be in full compliance when we re-open.

Benefits Administration:

There are **12,331** IPs enrolled in the Valley Health Plan with **4,130** of those in the Classic Plan and **8,201** in the Preferred Plan. **12,959** IPs are enrolled in the Dental/Vision plans. There were **46** Smart Pass VTA Cards issued.

Enrollment:

Number of IPs enrolled: **433**

Number of IPs partially done: **600 (cumulative)**

Fingerprints failed to date: **15**

The enrollment team processed almost the same number as June 2019 (447) so email/phone processing continues to be effective. While the volume of enrollments per month remains at nearly the same levels as the previous year, scheduling an email/phone appointment is approximately 10 days out from the time an IP completes the viewing of the orientation videos.

Group sessions with the union are still suspended due to the shelter in place order. LiveScan locations continue to be opened and IPs are getting background checks completed without issue.

Registry Services: The Registry team increased consumer intakes by 36% over May. Referral lists continue to be given over the phone, emailed and mailed remotely. Calls continue to be returned quickly after voicemails are retrieved. There are **356** active IPs on the registry and **1,510** active consumers.

The Registry:

- Completed **67** new consumer intakes and reactivated **31** consumers
- Attained **44** matches
- Provided **508** new interventions with nearly 180 hours spent on the interventions
- IPs using the new automated monthly check-in: **149**

Care Coaching: The Registry received **17** referrals for Care Coaching in June.

- **8** remote care coaching consultations were conducted
- Total active consumers **51**
- Total inactive consumers **252**

Urgent Care Registry: There were **24** hours of urgent care services authorized to 4 consumers.

Emergency Backup Registry: There were **no requests** for an emergency backup provider in June and **1** provider who was assigned in May and still working for the consumer in early June. The registry staff added an additional 3 people to the emergency backup registry for a total **53** providers.

Registry Introductory Training (RIT): **Two** remote RITs were held in June.

- **17** interviews were conducted
- **44** references were called with **39** completed reference checks
- **8** providers were added in June

EPG (formerly PPE): A total of **197** kits were mailed with **179** sets going to IPs and **18** sets to Consumers for a total of **3,110** masks and **3,580** pairs of gloves. The Registry team continued making outbound calls to active registry IPs to see if they would like EPG. The majority of the kits distributed to IPs went to those on the Registry. Both IHSS and the Union were reminded that IPs and Consumers should call the training line to request EPG.

Public Authority Phone Calls: Total call volume was up about 7% from May to June. Calls continue to go to voicemail, are retrieved by staff and called back remotely. Therefore, only total inbound calls are reflected below and will continue until all staff return to the office. The PA received a total of **4,783** voicemails/phone calls. Breakdown of the calls:

- **Registry** **1,337**
- **Enrollment** **1,367**
- **General** **87**
- **Benefits** **1,584**
- **Training/PPE** **408**

IP Trainings Provided: There were **no** training classes held in June due to the continuing shelter-in-place order. We are currently preparing to print and mail the Fall semester schedule. At this time **24** of **77** classes have been scheduled and **4** classes are planned to be held via the Web. Alzheimer's classes will not be offered this fall and the Sobrato Centers will be closed until 10/31.

Electronic Time Sheets: Santa Clara County has **85.8 %** of IPs and consumers enrolled in electronic timesheets. The IP percentage continues to be higher than the consumer enrollment rate at **88.8%** and **82.8%** respectively.

Direct Deposit: **58.7%** of IPs are using direct deposit, which is 2% higher from May.

Sick Leave Update: A total of **22,290** active IPs have accrued 8 hours of sick leave, **4,039** have claimed some hours, while **3,842** have claimed all 8 hours so far, this fiscal year.

Damaris Ellington asked about contacting the Registry. She received a phone call from a recipient who was having difficulty getting a provider. Edith asked Damaris if they could take this off-line and address the issue with the Registry Manager.

Mathew Lubinsky wanted confirmation of how many gloves and masks are in a kit. He also stated that the Public Authority does not give out enough masks and gloves. The demand is much higher than the supply and it's unfortunate since the recipients and providers are going through them very quickly. Mathew had to order from Amazon and he ended up with the food service gloves. Edith agreed that there's not enough EPG for all IPs and the PA is trying to be as fair as possible to give as many IPs EPG as possible.

Nick Ledo also stated that in Monterey County they are sharing the same frustrations with PPE/EPG. They are having issues with meeting demand and distributing EPG to as many as possible. The state supply for EPG is limited which is not an ideal situation. They recently had a distribution effort at the DSS office where they had over 100 cars lined up to pick up one box of gloves. Nick also mentioned that they have less than 10 providers on their Emergency Back-Up list.

Beverly stated that unfortunately this situation is not going away anytime soon. The shortages that folks are encountering will continue to be problematic.

CAPA REPORT

CAPA held its virtual board meeting on June 25.

Legislative/Budget Report

The leadership and governor reached an agreement on June 23 and passed the budget with several trailer bills. A summary of the compromise includes:

- Assumes federal funds
- Uses more of rainy-day funds/reserve accounts and new revenue sources/funding
- Lower caseload estimates
- Higher revenues anticipated
- 7% reductions rejected
- Payroll responsibilities moving to state rejected
- COVID provisions
 - Deferred re-assessments are to be completed by 12/31/20
 - QA and Program Integrity activities can be deferred until 12/31/20
 - Provider emergency backup monies through 12/31/20
- New hire social workers required to do online hourly task guideline training
- Protective supervision – ending pro-rating of hours if an IP is doing work for two consumers in the same household
- MediCal re-determination and IHSS synchronization; approved but delayed implementation
- MSSP and ADHC funding was reinstated/not cut, however the budget in January 2021 will be much worse. These programs were saved but could be affected in the future.

An addition to the Public Records Act that allows the union to receive IP applicant and prospect IP information. Primary language spoken is also included in the information to the union.

Additional changes in the Trailer Bill language include the following:

- Statue allows unions go first in the in-person orientation; PAs do not actively tell IPs they do not need to attend, but if an IP asks if they must attend, they are told this portion is optional. Note: if an agreement with union exists and they're fine with going later in the program, then the orientation can continue as is. The Union/PA MOU is applicable to the specific county.
- Orientation must be scheduled at least 10 days in advance and notice of changes must be done 3 days in advance.

Essential Protective Gear (EPG – formerly referred as PPE)

The state is now referring to the PPE as EPG. In FY20-21, CDSS is giving counties the ability to work from a combined fund that covers PPE admin and distribution costs **and** supplemental \$2/hour payment for emergency backup IPs. Based on feedback from PAs across the state, backup registry deployment is much lower than projected. However, EPG distribution continues to be time-

consuming and costly and still needs to be funded in FY20-21. Counties will submit expenses for either category on the SOC448 form and if the amount for EPG admin exceeds the allocation, CDSS will work on the back end to handle movement of emergency backup funds to cover EPG costs. PAs/Counties need to track the total amount allocated to both categories and not exceed the total of the two.

Public Authority Advisory Boards

The CAPA Executive Director clarified and reiterated that Public Authorities are mandated by the state to have a consumer-majority Advisory Board. There was confusion and misunderstanding that an Advisory Board was optional or not required. The ED also spoke about the importance of CICA and while speaking to the President of CICA, she noticed that Advisory Boards are getting weaker and weaker because of little participation from ABs in the monthly calls. CICA has been a solid partner for CAPA and therefore PA needs to cultivate and set up Advisory Boards if they do not have one. Several PA Directors spoke of the importance of their AB and that there's annual funding for Advisory Board activities (training, travel, supplies, etc.) Santa Clara stated that we have a strong AB and if any PAs needed assistance, they could reach out for guidance.

It was noted that changes to the Brown Act need to be revised to allow remote participation in AB meetings because of difficulty of the consumers to make in-person meetings especially during COVID.

Master Plan on Aging

The Long Term Care at Home Benefit presented by Administration a few days after May Revise was of specific concern to LTSS Subcommittee, CAPA, CWDA and other agencies and formally rejected because it was way too broad. The Concept paper looks a lot like the Coordinated Care Initiative (CCI) from 2012. It is more of a medical model, transitional services and no CBO's are included. The Administration wants to get people out of skilled nursing facilities as a MediCal benefit, because of COVID, but it is very light on details.

FY20-21 PA Admin Allocation Process

- The state is looking to use the same allocation and budget from FY19-20.
- They are looking to develop other options for better equity; several PAs are affected disproportionately in terms of the allocation.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reported that CICA is also trying to get the Brown Act modified. There need to be revisions to allow remote participation in Advisory Board meetings because of difficulty of the consumers to make in-person meetings in general, but especially now during the COVID 19 pandemic. Janie states that they will be working along with other organizations throughout the State to get a waiver.

Outside of the pandemic there are on-going issues with members attending meetings in person due to transportation issues, and rural communities where it is hard to get to a meeting, and/or folks having to travel a long way to get to a meeting. In addition, those with disabilities have other issues with attending in person and caregiver availability. Janie encouraged members to participate in statewide calls. Leticia will forward the details of the Zoom meetings.

Janie once again mentioned that the CICA Executive committee is doing a big push for webinars with training for Advisory committees and also looking at doing trainings for Consumers. They are in partnership with Greg Thompson, the PA Director for LA County (Personal Assistance Service Council).

CICA will be partnering with PASC much more closely to provide consumer education. PASC has specific information for LA County but they also have shared general information for the entire state, and most recently information on COVID. Janie asked Leticia to forward the CICA emails to the Board. Leticia mentioned she is not on the mailing list and Edith will ensure Leticia will receive CICA emails.

Edith stated that the biggest challenge is consumer training during COVID; can consumers navigate on Zoom or have the ability to get online? Janie stated that the numbers are going up with more consumers getting smart phones, iPads, computers. With EVV there is much progress getting consumers online. Janie feels that the biggest problem is reaching consumers and letting them know what is going on; are there emails for mass communications? There was discussion with respect to consumer emails in CMIPS and how to get access to consumers that way.

Lori Andersen had a comment about Long Term Care at Home. She would like the board to keep track and review the program in-depth as more information is provided. At this point, there are too many details to look at, but Lori knows that IHSS would be a part of this package and it would be interesting to see how it is integrated. How will the long-term care overlay on top of the IHSS? Beverly asked Lori to discuss progress on the Long Term Care at Home program next month.

Report from Social Services Agency: Terri Possley reported earlier that one of Harvey Rose Audit recommendations for more staff has already been approved and under way. 26 additional staff positions consist of:

- 2 Social Work Supervisors
- 19 Social Workers
- 5 Clerical:
 - o 1 call agent
 - o 1 intake staff in the application/readiness unit
 - o 2 payroll staff
 - o 1 admin assistant for the payroll manager

There is now a total of 11 units of 99 Social workers.

Beverly asked about the approval of hiring even more staff. Terri stated that this is the first part of the hiring plan for a 3-year period. IHSS has started the recruitment for the new positions. Terri further stated that of the 19 Social Workers that 16 need to be bilingual, mostly Vietnamese, but some staff with Mandarin, Russian and Tagalog fluency. The remaining 3 social workers are English speaking/monolingual. There has not been a need for Indian, Punjabi language Social Workers at this time. Mathew asked if it was difficult to find new staff and Terri stated that it has not been that hard, but there are specific qualifications in order to apply.

Terri also reported, however, that the recent All County Letter (ACL) requires that beginning August 4, 2020 all new IHSS applicants are required to have face-to-face intake assessments by the Social Workers. This is a source of concern for all the Social Workers. Two main issues are: (1) it is still not

safe to conduct home visits due to the pandemic and (2) clients may not let the Social Worker into their homes.

The ACL has an exception that if the applicant/recipient had tested positive for COVID, or if someone in their home has tested positive, or they are under quarantine then a phone intake can take place versus a home visit. Terri is working with her staff to establish a safety protocol for home visits which includes PPE/EPG guidelines and addresses other concerns shared by the Social Workers. Terri has completed her rough draft of the protocol and sent it to Mary Ann Warren, DASS Director. Once reviewed by Mary Ann, it will be forwarded County Counsel and Department of Public Health for a final review.

The State has told IHSS that if the Social Worker is denied access to the recipient's home for the initial assessment, then no hours will be authorized, which means the recipient cannot receive IHSS. Terri has instructed Social Workers to conduct the majority of the home visit over the phone, to the best of their ability, and then spend approximately 5 - 10 minutes finishing up the intake at the recipient's home.

Janie asked about what intakes are included in the ACL and Terri stated that this is for new applicant assessments only. Annual re-assessments can still be done via phone up until December 31st. Janie and Edith expressed deep concern about new applicants not getting IHSS because they may not allow in-person assessments because of the risk of COVID. There was discussion if a waiver could be requested, although unlikely because of the state mandate. Janie suggested that Terri speak with the Public Health Director, Sarah Cody and Terri thought it was a good idea and would take the idea into consideration.

Edith asked Nick if Monterey County had a protocol for in-home assessments, and Nick said that he reached out to his IHSS Program Manager, but at this time he had no additional information.

Terri also heard from Dr. Jeff Smith (Santa Clara County Chief Executive Officer), that county employees will be tele-working until February 2021.

Next Meeting: The next meeting of the Advisory Board is **Tuesday, August 18, 2020 from 12 noon to 1:30 pm** via ZOOM Virtual/Conference call.

Agenda items:

- Shared Housing – Mathew Lubinsky
- Update on the Change in By-Laws – Terri Possley
- Update on the Harvey Rose Audit -Terri Possley
 - Janie asked Terri if she could send out a copy of the actual audit document and Terri said she would as soon as it was available and OK to share with all
- Annual Recommendations, review and add, edit – Beverly Lozoff, Edith Gong
- Long Term Care at Home – Lori Andersen
- Review the AB Roster, seats, and vacancies – Beverly Lozoff, Leticia Sabadin (explanation on the current members and their expired status)
 - **Beverly wants clarification on the expired seats even though there are current members filling the seats.

**Edith asked about approval from the BOS to re-appoint members.

--What members need to do is get re-appointed? An AB member must call the board aide of appointed seat and ask to be re-appointed.

Mathew pointed out the guidelines when becoming a member and the training that is required. There is a sexual harassment training and the ethics class. Due to COVID, he has not been able to complete all the trainings. The trainings need to be done within the first 6 months. These courses/training need to be done every 2 years.

There needs to be clarification as to how to proceed in completing the required trainings under our current situation with COVID and SIP.

Leticia will research the topics and issues, email her contact at the Clerk of the Board, Les Clarke, to get additional information and clarification on the expired status of current members serving on the board.