

IHSS Public Authority Advisory Board Meeting
July 17, 2018
MINUTES

Members Present: Bob Stroughter; Cheryl Hewitt; Lori Andersen; Janie Whiteford (via tele-conference); Beverly Lozoff; Senon Hernandez; Dennis Schneider; Terri Possley (Ex-Officio)

Members Absent: Tonya York

PA Staff Present: Mary Tinker, Leticia Sabadin

Guests Present: Gianna Spina, ILS/PAS Coordinator for Silicon Valley Independent Living Center & Potential New AB Member; Linh Phuong, SEIU 2015 Internal Organizer; Yueh Pi Chang, SEIU 2015 Member & Guest; Chris Fitzgerald, SVILC Board Member & Guest; Wayne Glusker, Assistant to Cheryl Hewitt; Madonna Franklin, Guest

Announcements & Public Comment:

- Dennis Schneider shared the sad news that Deanne Denney passed away last month—our condolences.
- Beverly Lozoff distributed the NAMI Walks flyer. Event scheduled for September 22, 2018. It would be great to have everyone participate in this important event.
- Mary Tinker distributed a flyer “Heat” from KQED for a research project they are conducting a survey to identify the impact on seniors when heat waves hit and if they are able to get to cooling centers or how it affects them at home.
- Mary Tinker distributed and made comments about CICA currently looking to establish a schedule for holding Regional Trainings and assistance is needed by IHSS Advisory Boards/Committees.
- Mary also announced that CDSS will be holding a stakeholder meeting regarding Electronic Visit Verification (EVV) on July 23rd. The meeting will be held at CDSS in Sacramento and more information on this is located and noted in the CAPA report.

Approval of Minutes: Motion by Dennis Schneider to approve May 15, 2018 meeting minutes as written, seconded by Bob Stroughter and Beverly Lozoff, vote was unanimous.

CAPA Report: CAPA held a conference call meeting June 28th.

Paid Sick Leave: CDSS began mailing sick leave information to providers and recipients in waves. The new sick leave benefit went into effect July 1, 2018. The state plans to provide training webinars.

Electronic Timesheets (ETS): Santa Clara County continues to experience steady growth in IPs enrolling in ETs with over **4,904** IPs enrolled at this time. This equals **20.2%** of total IPs in

Santa Clara County and continues to grow daily; IPs who also enroll in direct deposit report getting paid within 3 days of submitting their electronic timesheets.

Electronic Visit Verification (EVV): CDSS will be holding a stakeholder meeting regarding EVV on July 23rd. It will focus on the self-directed or individual provider model for the In-Home Supportive Services (IHSS) and Waiver Personal Care Services (WPCS) programs. The meeting will take place as follows:

Date: Monday, July 23, 2018

Time: 1:00-3:00 p.m.

Location: CDSS, 744 P St., Sacramento. OB 9, Room 205 (CDSS auditorium) if you are interested in attending in person RSVP to: evv@dss.ca.gov.

Additional information about EVV can be found on the [CDSS EVV website](#). If you would like to be added to the CDSS EVV stakeholder distribution list, please submit your request by email, evv@dss.ca.gov, or mail, CDSS/APD/EVV, 744 P Street, MS 9-11-93, Sacramento, CA 95814.

Legislative Update:

AB 550 (Reyes): State Long-Term Care Ombudsman.

Current law requires the California Department of Aging to allocate federal and state funds for local ombudsman programs according to a specified distribution, but prohibits the department from allocating less than \$35,000 per fiscal year, except in areas with fewer than 10 facilities and fewer than 500 beds. This bill would increase the base allocation for local ombudsman programs to \$100,000 per fiscal year. The bill would appropriate \$2,250,000 from the General Fund to the California Department of Aging for the purpose of increasing base allocation funding for that purpose. ***This bill is currently in the possession of the Senate Human Services Committee. Recommended Position: Support***

AB 614 (Limon): Area Agency on Aging: Alzheimer's and Dementia specialist:

Current law requires the California Department of Aging to adopt policies and guidelines to carry out the purposes of the Alzheimer's Day Care-Resource Center Program, whereby direct services contractors receive funding to provide services to meet the special care needs of, and address the behavioral problems of, individuals with Alzheimer's disease or a disease of a related type. This bill would require each area agency on aging to maintain an Alzheimer's and dementia specialist to provide information, assistance, referrals, and options to families. ***This bill is currently on the Senate Appropriations Suspense File, where it will be taken up for consideration later in the month. Recommended Position: Watch***

AB 1017 (Santiago): Collective Bargaining Agreements: arbitration: litigation. Current law, with regard to disputes concerning collective bargaining agreements for private employment, requires a court to award attorney's fees to a prevailing party in an action to compel arbitration of the disputes unless the other party has raised substantial and credible issues involving complex or significant questions of law or fact regarding whether or not the dispute is arbitrable. Current law also creates, in this context, a right to attorney's fees for a prevailing party in a court action to compel compliance with the decision or award of an arbitrator or grievance panel regarding the disputes, or for a prevailing appellee in the appeal of the decision of an arbitrator regarding the disputes, unless the other party or appellant, respectively, has raised substantial issues involving complex or significant questions of law. This bill would apply these provisions to public employment. ***This bill is currently in the possession of the Senate Desk. Recommended Position: Watch.***

AB 1909 (Nazarian): In-Home Supportive Services: written content translation. Would clarify that the State Department of Social Services is required to provide translations of written content, as defined, in languages spoken by a substantial number of providers of in-home supportive services. The bill would permit the department to work with counties and the County Welfare Directors Association to repurpose existing, county-produced translations of written content. ***This bill is currently in the possession of the Senate Human Services Committee, where it is scheduled to be heard on June 12.***
Recommended Position: Co-Sponsor.

AB 1937 (Santiago): Public Employment: payroll deductions. Current law prescribes various duties of the Controller in connection with deductions requested by employee organizations and other bona fide organizations regarding requests for deductions from the salaries and wages of their members. Current law prescribes the duties of the governing boards of school districts in regard to requests by certificated employees for deductions from the salaries and wages, and prescribes similar duties for the governing boards of community college districts. Current law authorizes a trial court employee or interpreter to permit a dues deduction from his or her salary in the same manner provided to public agency employees pursuant to specified law applicable to the state and the Controller, as described above. This bill would revise and recast these provisions. ***This bill is currently in the possession of the Assembly Appropriations Committee, where it is awaiting hearing.*** **Recommended Position: Watch.**

AB 2159 (Chu): Elder and Dependent Adult Financial Abuse. Current law requires persons designated as mandated reporters of suspected financial abuse, as defined, to report known or suspected instances of elder or dependent adult financial abuse and makes failure to comply with these requirements subject to a civil penalty not exceeding one thousand dollars (\$1,000) or if the failure to report is willful, a civil penalty not exceeding five thousand dollars (\$5,000). Current law defines “mandated reporters” for purposes of these requirements as all officers and employees of financial institutions. This bill would also include within the definition of mandated reporters for these purposes, a money transmitter. ***This bill is currently in the possession of the Assembly Appropriations Committee, where it is awaiting hearing.*** **Recommended Position: Watch.**

AB 2430 (Arambula): Medi-Cal: program for aged and disabled persons. Current law requires the department to exercise its option under federal law to implement a program for aged and disabled persons, as described. Current law requires an individual under these provisions to satisfy certain financial eligibility requirements, including, among other things, that his or her countable income does not exceed an income standard equal to 100% of the applicable federal poverty level, plus an income disregard of \$230 for an individual, or \$310 in the case of a couple, except that the income standard determined shall not be less than the SSI/SSP payment level for a disabled individual or couple, as applicable. This bill would instead require, upon receipt of federal approval, all countable income over 100% of the federal poverty level, up to 138% of the federal poverty level, to be disregarded, after taking all other disregards, deductions, and exclusions into account for those persons eligible under the program for aged and disabled persons. ***This bill is currently in the possession of the Assembly Appropriations Committee, where it is awaiting hearing.*** **Recommended Position: Support.**

AB 2872 (Carrillo): In-Home Supportive Services: peer-to-peer training. Current law authorizes a county board of supervisors to contract with a nonprofit consortium, or to establish a public authority, to provide in-home supportive services and requires those entities to perform specified functions, including providing training to providers and recipients. This bill would require the department to designate the hours, per county, to compensate providers of in-home supportive services for educating other providers, using peer-to-peer training, in subject areas relating to the program, including how to enroll as a new provider and how to navigate the program, as specified. ***This bill is currently on the***

Assembly Appropriations Committee Suspense Calendar, where it will be taken up for consideration next month. Recommended Position: Watch.

AB 3082 (Gonzalez-Fletcher): In-Home Supportive Services. Would require the department, on or before July 1, 2019, in consultation with interested stakeholders, to develop a program to address the issue of sexual harassment of IHSS providers. The bill would require the program to include a uniform statewide protocol to follow whenever a provider reports sexual harassment, a continuing program of sexual harassment education for providers and recipients, a procedure for providers to report sexual harassment with guidelines and timelines for investigation, and a procedure to ensure protection against retaliation. The bill would require the department, on or before July 1, 2020, and annually thereafter, to submit a report to the Legislature summarizing the outcomes of the program. ***This bill is currently in the possession of the Assembly Appropriations Committee, where it is awaiting hearing. Recommended Position: Support.***

AB 3114 (Thurmond): Personal Care Services. Would authorize a county board of supervisors to contract with a nonprofit consortium or to establish a public authority to provide waiver personal care services. The bill would authorize certain 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. The bill would also make conforming changes. ***This bill did not meet the policy committee deadline in its house of origin, and accordingly is dead for the 2018 Legislative year. Recommended Position: Sponsor.***

AB 3200 (Kalra): Public Social Services: SSI/SSP. Under current law, benefit payments under SSP are calculated by establishing the maximum level of nonexempt income and federal SSI and state SSP benefits for each category of eligible recipient, with an annual cost-of-living adjustment, effective January 1 of each year. 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. Current law continuously appropriates funds for the implementation of SSP. This bill would reinstate the cost-of-living adjustment beginning January 1 of the 2019 calendar year. ***This bill is currently on the Assembly Suspense File, where it will be taken up for consideration later this month. Recommended Position: Support.***

SB 120 (Committee on Budget) In-Home Supportive Services Provider Wages: emergency caregiver payments for foster care: civil immigration detainees: recording fees. The California Values Act prohibits state and local law enforcement agencies from contracting with the federal government for use of their facilities to house individuals as federal detainees, except as specified. This bill would specify that state and local law enforcement agencies are prohibited from contracting with the federal government for use of their facilities to house individuals as federal detainees for purposes of civil immigration custody, except as specified. ***This bill is currently on the Assembly Inactive File. Recommended Position: Support.***

SB 1040 (Dodd) In-Home Supportive Services: natural disaster resulting in a state of emergency. The California Emergency Services Act authorizes the Governor to declare a state of emergency under specified conditions and requires a county, including a city and county, to update its emergency plan to address, among other things, how the access and functional needs population, as defined, is served by emergency communications, evacuation, and sheltering. This bill would require a county to use a void and reissue warrant process for any provider who lost or had damaged an uncashed warrant because of a natural disaster resulting in a state of emergency. The bill would require a county, including a city and county, at the next update to its emergency plan, to integrate and require the assessment and provision

of supportive services to IHSS recipients. *This bill has been dual referred to Assembly Human Services and Assembly Housing Committees, where it has yet to be scheduled for hearings.* Recommended Position: Sponsor.

PROGRAMS REPORT

Benefits Administration: There were **11,261** IPs enrolled in the Valley Health Plan with **5,245** of those in the Classic Plan and **6,016** in the Preferred Plan in June. There were **11,941** IPs enrolled in the Dental/Vision plans during the month of June. There were **431** Smart Pass VTA Cards issued.

Enrollment:

Number of IPs enrolled: **437**

Fingerprints Failed: 0

Estimated number of individuals attending group enrollment sessions was 40 to 60 per session. Group sessions are generally held on Fridays with approximately **437** attending in June.

Registry Services: There are **466** active IPs on the registry and **1053** active consumers.

The registry:

- Completed **59** new consumer intakes and reactivated **81** consumers
- Attained **56** matches
- Provided **586** new interventions

Consumer Training: There was one Call and Connect session scheduled for June, “Understanding IHSS Hours and Services” with **11** consumers pre-registered and **5** participating.

Public Authority Phone Calls: The Public Authority handled a total of **5,479** phone calls during June. Breakdown of the calls:

- Registry **3,493**
- Enrollment **567**
- General **279**
- Benefits **1,140**

Care Coaching: The Registry received **18** referrals for Care Coaching in the month of June. **One** referral was received from Santa Clara Family Health Plan and none from Anthem Blue Cross. **No** home visits were conducted at a hospital or other facility to prepare for discharge of the individual. There were **42** in-home visits made.

- Total active consumers **128**
- Total inactive consumers **228**

Urgent Care Registry There was **18** hours of services authorized in June.

Registry Introductory Training (RIT): There was **1** RIT session held in April with **9** individuals invited and **7** actually participating.

- Conducted **11** interviews

- Called **38** references
- Completed **14** reference checks
- Added **6** new IPs to the registry

IP Trainings Provided: There were no training sessions held in June. The next semester of classes will start in September.

Over Time Training: There were **12** IPs who were provided training/counseling on overtime issues and how to properly complete their timesheet.

Timesheet Training Video on PA Website: The Public Authority developed a great new video that instructs providers on how to complete their timesheets and prevent OT issues. It is quite thorough and easy to understand. As of July 1st **it has been viewed over 59,282 times since its launch May 10, 2017.** The video is on the PA website and available to anyone who wants to view it at: <http://www.pascc.org/services/TimeSheetVid.html>

Mary Tinker also announced the resignation of the Registry Manager, Araceli Gaona. Araceli was great to work with and she will be missed, but she has decided to pursue another venture and we wish her all the best. Terri Possley stated that folks over at IHSS were “sad” to hear that Araceli is leaving.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reported that there is not much more to add to this topic since Mary covered most in her CAPA report. Janie reminded and encourages everyone to participate in the CICA monthly conference calls that are scheduled on the 3rd Wednesday of the month at 10am. CICA continues to work collaboratively with CAPA and the current issues at hand. Mary Tinker sent out email with the conference call information and call in number.

Report from Social Services Agency: Terri Possley made a few announcements:

- Electronic Services Portal (ESP) Screen Changes for E-Timesheets, Direct Deposit, IP Paid Sick leave
 - Navigation Bar enhanced
 - Recipient/Provider Home Page enhanced
 - Payments page enhanced
 - Account page enhanced
 - Training page enhanced
 - FAQ page added
 - In late August, a mass email communication will be sent to all ESP users prior to implementation of changes
 - Mass email communication will be in English only, but looking at getting translated to threshold languages as well (Spanish, Chinese, Armenian)
 - IHSS will be trained on this at All Staff Meeting in August
- Paid Sick Leave – IHSS will be trained on this at All Staff Meeting on 7/24/18. Currently, staff are instructing recipients and providers to read the mailers that were sent in June from CDSS. Also referring them to CDSS website.

- Implementation of the Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act (AB 959)
 - Intent of AB 959 is to understand diversity of state program recipients and to collect accurate data to deliver services. Requires CDSS, DHCS, Department of Public Health, and Department of Aging to collect **voluntary** self-ID information pertaining to sexual identity and orientation
 - Statewide implementation 7-1-18
 - County of Santa Clara implementation 8-1-18
 - Changes the way we collect gender identity information
 - Old SOC 295 form revised from CDSS to capture new information (no longer just male or female boxes to check). Also added sexual orientation answers to check.
 - CMIPS II has been updated with new fields for Gender Identity and Sexual Orientation with pull down menus for staff to capture data
 - IHSS will be trained on this at All Staff Meeting on 7/24/18
- FLSA (Provider OT) Voice Mail implemented 6/29/18
 - After navigating through phone tree to speak to someone about Provider OT, press # to leave a voice mail
 - Translated in Vietnamese and Spanish
- Recruiting for Case Carrying IHSS Social Worker's in Vietnamese, Mandarin, Cantonese, and Russian languages. Please help us in spreading the word. To apply, visit <https://www.governmentjobs.com/careers/santaclara>

With regards to E-Timesheets, this new process has a very quick turnaround and pay is processed within 3 days. It is very beneficial. Also, note that you can always revert back to paper timesheets if you wish to do so. Also as a reminder, the Consumer has to agree to do electronic timesheets.

Linh Phoung from SEIU 2015 announced that the union office will be conducting sick leave trainings this week at the Zanker Road office.

Disability Capitol Action Day Report: Cheryl Hewitt reported that she has pictures on her cellphone that she could share with us today. Unfortunately her written report got lost but she was able to give us a brief update on this event. There was a large turnout. Quite a bit of new vendors and tables showcased. Cheryl thought that attending DCAD was well worth her time. She also mentioned that the AB budget paid for her and her assistant to attend. Cheryl stated that one of the highlights of this trip was the opportunity to meet and speak to the Senators that were there. Cheryl had some key points as people with disabilities feel it's important for:

- folks to understand IHSS and advocating for IHSS Consumers
- no special treatment, no coddling
- importance of living independently
- willing to work for what they need, no special handouts
- there are folks out there fighting for everybody's rights not just their own

June Meeting with BOS Aides Report: Lori Andersen, Beverly Lozoff and Gianna Spina were able to share their report back with this meeting that was held with the Board of Supervisors

Aides'. Most aides did show up for this meeting which worked out nicely. And even though this meeting was setup "late in the game" as far as assisting with budgets within IHSS, they were able to initiate good talks and introductions as to what we would like to see happen in the future. This definitely sets the table for talks and assisting with strategy for the next year IHSS budget.

Lori specifically stated that the talking points that Mary Tinker provided were very helpful and used in forming an agenda. Two board aides seemed knowledgeable of IHSS, its growth and staffing, whereas the other two not so much. This was a good opportunity to bring them up to speed and the board aides agreed that this was a good start to get more information and learn more about how to assist in the budgeting for IHSS, except the timing was off.

Gianna stated that one of the board aides asked for specifics, as to wanting to see numbers of growth, staffing, etc. Also that some of the aides were familiar with the program and that some even had family members in IHSS.

So bottom line is to get ready and layout a plan for next year. There will be a mid-year adjustment that may have some impact. But not to count on that, prepare for next year's budget.

AB members need to make appointments and advocate and state who they are, who they are representing and let the board aides know that the AB members need to build a relationship in order to succeed in this endeavor.

Relationship with Board of Supervisors Report: Lori Andersen stated that the above agenda item was a good starting point for this. This brought up the topic of the annual report and the three recommendations that the AB should vote on, in which this exact agenda item is listed as #2 here:

1. Increase staffing at IHSS

Motion by Dennis Schneider, seconded by Beverly Lozoff

2. Ongoing relationship with board aides, the BOS and the AB members, meet more than once a month, email, use other modes of communication

Motion by Dennis Schneider, seconded by Janie Whiteford

3. Update MOU between Health Plans, Medical Managed Care Plans and IHSS

Motion by Lori Andersen, seconded by Janie Whiteford

Operational Issues Ad hoc Committee Report: Defer to next agenda. Need to find out what tasks were originally set up for this agenda item.

Next Meeting: The next meeting of the Advisory Board is **Tuesday, August 21, 2018 from 11:30 – 1:00pm** at the Sourcewise Main Office, 2115 The Alameda, San Jose, CA. 95126.