

IHSS Public Authority Advisory Board Meeting
October 18, 2016
MINUTES

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

Members Absent: Deane Denney, Dennis Schneider, Judy Pipkin

PA Staff Present: Mary Tinker, Leticia Sabadin

Guests Present: Barbara Nolley IHSS IP; Kris Zankich, Parent of IHSS Consumer; Beverly Lozoff, Board Member for NAMI and Potential AB Member; Asena Tuakalau, IHSS IP for AB Member Otilia Ioan

Announcements & Public Comment: Theresa Wright announced she attended a conference with her son David, where he made a presentation. It was the International Association for Geoscience Diversity (IAGD). Theresa's son is very involved, he is interested in, or actively pursuing a career in the geosciences.

Janie Whiteford announced the CICA Annual Meeting to be held on October 19th at 10am.

Mary Tinker reminded the group about the email she sent regarding "Silence Equals Violence" and encouraged everyone to check their email and review the article. Mary also distributed an "Emergency Assistance Network" flyer to all AB members.

Lastly, Mary reminded the AB about the upcoming IHSS Caregiver Appreciation Event to be held November 18th. She encouraged all members to attend; invitations were mailed with detailed information regarding time and location.

Approve Minutes: Motion by Janie Whiteford to approve September 6, 2016 meeting minutes as written, seconded by Theresa Wright and Senon Hernandez, vote was unanimous.

CAPA Report: CAPA met in Sacramento September 22nd.

CDSS: CDSS promoted Sue Quichoco as Branch Chief for CMIPS Data & Systems Integration and continue recruiting for a replacement of Eileen Carroll who will be retiring soon.

FLSA update: Department of Social Services will be posting new updated data that shows violations and exemptions. We have been concerned that the number of exemptions has been so low and the criteria is extremely narrow and there is no appeals process if the county doesn't approve the exemption.

IHSS Paid Sick Leave: CDSS held a very small work group meeting on September 15th and the

next meeting is scheduled for October 26th. The state has asked CAPA along with CWDA to gather information on backup programs that are currently in place, all of which are basically administered by Public Authorities.

Electronic Visit Verification System: Federal legislation HR 26, has a requirement that all states with personal care programs funded by Medicaid implement an electronic visit verification system. There are about 16 states that have already done so and some of the components of their programs are deeply disturbing. IL and TX have their systems automated so it requires the consumer and provider to come up with a rigid schedule and if the provider does not show up within 15 minutes of the scheduled start time then Adult Protective Services is automatically notified on the assumption that the consumer has been abandoned. There may be an opportunity at the federal level to get the US Senate to amend out Section 207 that has this electronic verification requirement. The legislation was passed the House of Representatives without a no vote in July. So advocates focus will be on the Senate. They will be completing their action by the end of this year.

The Freedom Foundation: *Lastly, there is a federal organization called The Freedom Foundation that has received a multi-million dollar grant. The sole purpose of the foundation is to undermine labor unions, including talking IHSS providers out of being union members.*

C4A Allied Conference: CAPA will be holding its November Board meeting in Los Angeles at the annual C4A conference. CAPA is sponsoring two workshops on: Alzheimer's/Dementia and Caregiver Support.

Legislative Report: As he was constitutionally required to do so, the Governor took final action on all bills which passed out of the Legislature during the final weeks of the Legislative Session by September 30, 2016.

AB 1584 (Brown): Public Social Services: SSI/SSP: This bill reinstates as of January 1, 2018 the cost-of-living adjustment for the State Supplementary Program (SSP) for the Aged, Blind and Disabled and indexes the maximum Supplemental Security Income/State Supplementary Payment (SSI/SSP) benefit to the federal poverty level (FPL) AB 1584 passed off the Senate floor on a 39/0 vote (one member was absent) and the Assembly concurrence vote was 79/0 (another member was absent) –and the bill is now on the Governor's desk. The Department of Finance is opposed and has estimated state costs to be about \$860 million for the six months the COLA would be in effect for FY 17/18 and \$1.73 billion for FY 18/19. ***This bill was vetoed by the Governor on September 25, 2016. His veto message reads as follows:***

I am returning the following five bills without my signature:

Assembly Bill 492
Assembly Bill 885
Assembly Bill 1584
Assembly Bill 1770

Assembly Bill 1838

Each of these bills make changes to a worthy program that results in increased funding, a few of which received increases in this year's budget. These bills are an end run of the budget process, and would commit us to spending an additional \$240 million every year.

The budget process allows for all spending proposals to be weighed equally through public hearings, negotiations and, finally, approval of a balanced budget. This is the best way to evaluate and prioritize all new spending proposals, including those that increase the cost of existing programs. This process is even more important when the state's budget is precariously balanced.

The budget process begins again on January 10, 2017, which is the appropriate time to discuss these proposals.

AB 1797 (Lackey): In-Home Supportive Services: which requires the county, upon receipt of an IHSS application, to provide the applicant with a confirmation number. ***This bill was signed into law by the Governor on September 21, 2016, as Chapter 402, Statutes 2016.***

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 was vetoed by the Governor on September 30, 2016. His veto message reads as follows:***

I am returning Assembly Bill 1930 without my signature.

This bill establishes an advisory committee within the Department of Social Services to study and report to the Legislature on issues related to employee contributions to Social Security benefits, Medicare and unemployment benefits for In-Home Supportive Services family providers.

The In-Home Supportive Services Stakeholder Advisory Committee, with its composition of consumers, providers, labor representatives and advocates, has the ability and expertise to examine these issues and produce information necessary to advise the departments involved as well as the Legislature on this topic.

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 was signed into law by the Governor on September 9, 2016, as Chapter 275, Statutes 2016.***

SB 1234 (DeLeon): Retirement Savings Plans: This bill provides legislative approval for the California Secure Choice Retirement Savings Program (SCRSP) and sets forth recommendations and requirements for the design and implementation of that program. Assembly Amendments further clarify the California Secure Choice Retirement Savings Investment Board's (Board) role in developing and administering SCRSP, including a requirement to set up managed accounts invested in treasuries or similar securities for the first three years following implementation; add provisions clearly indemnifying employers from any liability resulting from employees' participation in SCRSP and clarifying that employers always retain the right to provide their own employer-sponsored retirement plans in lieu of SCRSP; clarify requirements that must be met in order to include in-home supportive services workers in SCRSP; and make technical changes to ensure consistency among the bills various provisions and requirements. ***This bill was signed into law by the Governor on September 29, 2016, as Chapter 804, Statutes 2016.*** (CAPA was informed by someone from Secure Choice that they won't have the program up and running for at least two years. It could take longer to bring IHSS providers into the program due to major legal issues that need to be resolved.)

PROGRAMS REPORT

Benefits Administration: There were 10,243 IPs enrolled in the Valley Health Plan with 6,578 of those in the Classic Plan and 3,665 in the Preferred Plan. There were 10,900 IPs enrolled in the Dental/Vision plans during the month of September. There were 161 Eco Pass Clipper Cards issued.

Enrollment:

Number of IPs enrolled: 490

The number of individuals attending the group enrollment sessions was 50 to 65 per session. Group sessions are held twice every Friday so approximately 565 in September.

Registry Services: There are 557 active IPs on the registry and 1061 active consumers.

The registry:

- Completed 70 new consumer intakes and 53 reactivations for a total of 123 consumers with a status change to active
- Attained 113 matches
- Provided 500 interventions
- Created new consumer profiles in the database for each person added to the registry

Care Coaching: The Registry received 16 referrals for Care Coaching in the month of September. none came from either of the health plans.

Registry Recruitment: One Registry Introduction Training session was held in September. There were 23 individuals prescreened and invited to participate with 22 attending. Thus far 11 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.

Urgent Care Registry authorized 15 hours of service for the month of September.

Expedited Registry: Expedited Registry received 4 referrals in September with 1 consumer receiving service.

Training for Consumers and Providers:

Consumer Training: There was no Call and Connect session offered in September.

Consumer Connection newsletter was mailed to 21,919 IHSS consumers on September 9, 2016.

IP Trainings Provided: The new training schedule was mailed September 11, 2016 to 21,405 providers. The Public Authority offered 17 classes during September training 251 IPs.

Over Time Training: The Public Authority provided one in-person overtime training session with 2 providers participating.

Over Time video will be available on the PA website.

Additionally staff provided over the phone training/counseling for 13 IHSS providers on overtime issues and how to properly complete their timesheet.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford gave a brief overview of recent CICA activities. Janie stated the Senate Human Services Committee is going to hold a hearing regarding the delay in IHSS Payroll in Los Angeles on November 1st. This came about from an earlier request for an audit of the payroll system where individuals shared with Legislators problems with the payroll system and not getting paid. The audit is expected to be released in February. There are four Legislators planning to attend.

CICA has three representatives on the Advisory Committee for the Statewide Authority. The Statewide Authority is responsible for collective bargaining for the seven CCI counties as their contracts expire. The Advisory Committee members have been told they cannot include anything concerning collective bargaining as part of their meetings. They are pushing back hard on this issue..

Report from Social Services Agency: Terri Possley reported that IHSS is very busy. They are getting ready for the Annual Report to Children, Senior's and Family Committee of the Board of Supervisors. Terri will be presenting with the main theme for this year is the improvements IHSS has made such as:

- Home visits
- Case loads
- Provider OT Unit

- State review with Quality Assurance (not on the State's radar anymore!)

Terri also mentioned new staff has been trained. Also as far as violations with overtime, there have not been many, very few, and possibly 10 are about to get a 3rd violation. Terri reported there are over 100 phone calls on the overtime hotline per week. There were over 22,000 forms that were mailed out to providers and consumers.

CICA Survey: Janie requested 20 minutes on the next agenda to discuss the CICA Survey.

Next Meeting:

AB members agreed to move the meeting due to scheduling conflicts.

The next meeting of the Advisory Board is **Tuesday, December 6, 2016, from 11:30 pm – 1:30 pm**, at the Sourcewise main office located at 2115 The Alameda, San Jose, CA. 95126.