

# HOME CARE CONNECTION



## Council on Aging Silicon Valley Public Authority Services



PUBLIC AUTHORITY  
SANTA CLARA COUNTY

## STATE BUDGET IMPACTS TO IHSS

After a record 100 days without a budget the State Legislature finally came to agreement and the Governor signed the budget on October 8, 2010. The total amount of cuts for In-Home Supportive Services (IHSS) was \$300 million for both fiscal years 2010/11 and 2011/12. The impact to IHSS consumers and providers is substantially less than what the Governor proposed back in January but is still rather drastic. An overview of the how the cuts were scored is listed below:



- Actual budget reduction in IHSS is \$35 million through enacting a 3.6% across the board reduction in IHSS authorized hours. There are no exceptions everyone will have their hours reduced by 3.6%. All IHSS consumers will receive a letter from the state explaining the number of hours to be cut. This goes into affect February 1, 2011 and will sunset (end) June 30, 2012.

- IHSS Provider Fee \$190 million. This assumes a full fiscal year of revenues and approval from the Federal Government. **This will have a zero impact on IHSS providers.** It is a method to bring additional federal dollars into the State. No money will be deducted from provider checks but they will see the transaction on their check stub. More information on how this will be managed should be out soon.

- Due to lower case loads than projected \$75 million was scored as savings because the budget is based on IHSS case loads. Typically there has been growth in IHSS case load which is projected and built into the budget. This past year the number of cases in IHSS leveled out which has the impact of fewer dollars being spent in IHSS than was originally budgeted.

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## IHSS EXPANDED LIST OF DISQUALIFYING CRIMES

All IHSS providers are required to undergo a Department of Justice criminal background check. Last November was the beginning of implementation of the new enrollment requirements, including the DOJ check. Early in 2010 a lawsuit was successful in reducing the number of disqualifying crimes to three however with the passage of the new budget an expanded list was adopted. Effective February 1, 2011 the new expanded list will become effective for all new providers. This will work in a two tier system, as described below:



•**TIER ONE:** The current list of disqualifying crimes as specified under Welfare and Institutions Code 12305.81 (a): 1) Fraud against a government health care or supportive services program; 2) A violation of subdivision (a) of Penal Code (PC) section 273a (specified abuse of a child); or 3) A violation of PC section 368 (abuse of an elder or dependent adult). Federal law prohibits exceptions or expungements.

•**TIER TWO:** The expanded list of crimes and contains the list of “Serious and Violent” felonies as defined under Proposition 36. There are no misdemeanors on the list. Expungements and dismissals will be honored (meaning those crimes are NOT grounds for termination by a county/Public Authority).

•**Appeal Rights:** Any IHSS provider with a disqualifying felony conviction under the expanded “Serious and

Violent” felonies list may appeal to be reinstated as a provider by:

1. Reinstatement through consumer approval: Any provider who is terminated due to a Tier Two conviction must be notified by the county of their right to be reinstated upon approval of their IHSS consumer. Consumers have an absolute right to approve the provider they select no matter what kind of convictions are on the DOJ record (**for Tier Two convictions only**). There is no county discretion to override the consumers’ choice. This reinstatement applies only for the individual consumer who has reinstated that provider; if the provider wants to work for an additional consumer, that consumer also must request the exception.

2. General Exception Process: Any provider may appeal first to the CDSS Provider Enrollment Appeals Unit to be reinstated upon showing evidence of rehabilitation. The CDSS Appeals Unit must consider each appeal on its own merit. Any provider who has not been reinstated by the CDSS Appeals Unit may go to a higher level appeal to an Administrative Law Judge.

•**The use of the expanded list of disqualifying crimes is prospective – any provider who has been determined eligible for payment is not subject to a new clearance based on the expanded list of crimes.** Any provider who currently has an appeal on file with the CDSS Provider Enrollment Appeals Unit (because they were terminated by a county/Public Authority) may attempt to be reinstated by securing approval from their consumer or by using the General Exception process.

## 2011 ECO PASS WILL BE MAILED

The Eco Pass is an employment benefit that is available to all Santa Clara County IHSS providers. This FREE pass can be used on all Santa Clara County Valley Transit Authority (VTA) buses, express buses and VTA light rail. This year all Eco Pass stickers will be mailed to eligible providers.

**Do not visit our offices to pick up an Eco Pass sticker as they are ONLY handled by mail.** The mailing will include full instructions on its use and restrictions.

Every year the County of Santa Clara reviews this benefit and decides if it can continue to offer it. This annual review is still in process, and there are no guarantees that this benefit will continue. However, we are hopeful that it will.

## IHSS GETS AUTOMATED!

On August 20th 2010, IHSS added an automated feature to the telephone system as part of our continuing efforts to provide the best customer service we can. Providers and consumers can now access certain information about an IHSS case without having to speak with a live person.

To access the system, recipients will need their social security number. Providers will need their social security number and ten digit IHSS client case number, which can be found on the time sheet or pay stub.

Call the IHSS main number, 408-975-4899, or toll-free at 1-866-668-2412. Callers will choose a language first. In addition to English, there is Spanish, Vietnamese, Russian, Mandarin, and Cantonese. Follow the prompts and

enter the information requested.

Consumers will be able to check the number of monthly service hours available and the status of the case.

Providers will be able to find out when the timecards have been processed and when checks have been sent out.

At any time during the call, you can press zero to speak with an agent. In addition, referral information is available for related services.



## IHSS CAREGIVER APPRECIATION

The COA Public Authority in partnership with the IHSS Advisory Board and SEIU Local 521 hosted a home care worker appreciation event at the union office. As part of the celebration the Santa Clara County Board of Supervisors proclaimed the week of November 7th through November 13th as Santa Clara County IHSS Caregiver Week. The proclamation plaque was presented to the attendees by Daisy Chu, Board Aide for Supervisor George Shirakawa and Jim Ramoni, IHSS Program Manager.

The proclamation is for all IHSS caregivers as a way to express appreciation for the tireless efforts you put into the important work you do. Unfortunately due to limited funds and capacity constraints a random list of 400 IHSS providers received invitations to attend the celebration.

On behalf of the Santa Clara County Board of Supervisors, IHSS staff, COA Public Authority staff and IHSS Advisory Board thank you!

Special thanks to Liberty Dental and Vision Service Plan for contributing funds to pay for the event.





PUBLIC AUTHORITY  
SANTA CLARA COUNTY



COA Public Authority Services  
2115 The Alameda  
San Jose, CA 95126

- (p) (408) 350.3206
- (f) (408) 296.8340
- (e) info@publicauthoritiesantaclara.org
- (w) www.publicauthoritiesantaclara.org

## IMPORTANT PHONE NUMBERS:

- COA Public Authority Services:** ..... **(408) 350-3206**  
For information concerning provider benefits, Eco Pass, training or other services of the Public Authority
- COA Public Authority Services Registry:** ..... **(408) 350-3251**  
To join the registry or to report any changes if you are already listed on the registry
- COA Public Authority Services Benefits:** ..... **(408) 350-3290**  
For general information about benefits, benefits eligibility, or the status of your benefits application  
Contact your health care provider listed below for specific information about your health or insurance claims.
- Medical - Valley Health Plan.** ..... **(408) 885-4760**
- Dental - Liberty Dental.** ..... **1 (888) 703-6999**
- Vision - Vision Service Plan.** ..... **1 (800) 877-7195**

## OTHER NUMBERS:

- IHSS Social Services:** ..... **(408) 975-4899 or**  
For information regarding authorized hours & services or to speak with a social worker . . **1 (866) 668-2412**
- IHSS Payroll:** ..... **(408) 975-4899**
- UNION SEIU Local 521:** ..... **(408) 678-3300**  
For information about the Union & payroll deductions
- COA Information and Assistance:** ..... **(408) 296-8290**
- Adult Protective Services 24-hour Hotline:** ..... **(408) 975-4900 or 1 (800) 414-2002**  
For help if you or someone you know suspect abuse of a senior or dependent adult