

IHSS Public Authority Advisory Board Meeting
September 15, 2020
MINUTES

ZOOM VIRTUAL MEETING

<https://zoom.us/j/98937925339?pwd=OFN3eXViUmU4SWh3ZDR3L00xUTFiQT09>

Meeting ID: 989 3792 5339

Passcode: 883356

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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; Bob Stroughter; David Forderer (David was not introduced as he joined late and had to leave the meeting early)

Members Absent: n/a

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

Guests Present: Wayne Glusker, Assistant to David Forderer

Announcements & Public Comment:

- Edith Gong showed everyone a copy of the newly printed Annual Report. However, it cannot be distributed until it is presented and approved by the Board of Supervisors. The meeting will be scheduled some time in October. Beverly Lozoff asked to be informed as soon as the date is set so they can attend the virtual meeting.
- Beverly Lozoff officially announced the appointment of new member David Forderer. David was appointed on June 23, 2020 and he is in Seat 06, District 3-Dave Cortese. Once David attends the meeting, we will give him a warm welcome.
- Lori Andersen spoke briefly about Long Term Care at Home and how this will not be a topic of discussion at this time. This endeavor could not get the approval by the State Legislature. However, it may be re-appear later in some other form. They are looking at a strategy for MSSP, Managed Care, LTSS, etc under the Master Plan but more stakeholder input and thought is required.

Approval of Minutes: Motion by Janie Whiteford to approve the July 21, 2020 meeting minutes as written, seconded by Dennis Schneider, vote was unanimous. (No meeting minutes to approve for 8-18-2020 due to no quorum.)

Update on the Change in By-Laws: Terri Possley sent the ledge file to County Counsel. At this point we are at a standstill as there is debate on the language of the by-laws. County Counsel is asking what

happens if this board changes their mind and wants to change back from 9 members to 11. Terri worked with Edith to come up with wording of “up to 11 members” on this board with a minimum of 9.

There needs to be clarification and a good response in case there is questioning from the Board of Supervisors. Terri is waiting for a response from County Counsel on this language.

Shared Housing Overview: Janie Whiteford is still researching and gathering more information on this topic. Janie apologizes that she was unable to have more information and should be able to speak about this topic next month. Janie asked Leticia to send her an action item email reminder and to keep this on the agenda.

PROGRAMS REPORT

The Public Authority staff continue to work from home, except when monthly benefits mailings need to go out and when EPG requests need to be prepared and shipped. Social distancing protocols (symptom checking, face masks, frequent cleaning/disinfecting and limiting on-site staff) are closely followed and monitored. The staff continues to operate at a high rate of efficiency despite the main challenge being able to receive calls at home. We are implementing a new capability that allows for outbound phone calls using MS Teams and a headset, thereby eliminating the need for cell phone blocking.

The Annual Report for FY19-20 has been completed and printed copies are expected to arrive in mid-September.

See below for report and information; highlights are noted with an asterisk*.

Benefits Administration: The benefits team continues to see a high volume of telephone calls and handled nearly **1,700** calls this month.

There are **12,240** IPs enrolled in the Valley Health Plan with **4,044** of those in the Classic Plan and **8,196** in the Preferred Plan. **12,862** IPs are enrolled in the Dental/Vision plans. There were **76** Smart Pass VTA Cards issued. There are approximately 184 IPs who have requested protection from termination of benefits due to COVID 19, since this protection was announced in mid-May. Of those that requested protection, 47 do not need it at this time as they have been paid enough hours to continue benefits.

Enrollment:

Number of IPs enrolled: **465**

Number of IPs partially done: **668 (cumulative)**

Fingerprints needing to be redone to date: **11**

Scheduling an email/phone appointment is approximately 12 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:

Referral lists continue to be given over the phone, emailed and mailed remotely. There are **342** active IPs on the registry and **1,644** active consumers.

The Registry:

- Completed **57** new consumer intakes and reactivated **32** consumers
- Attained **49** matches
- Provided **477** new interventions with over 226 hours spent on the interventions
- IPs using the new automated monthly check-in: **159**

Care Coaching: The Registry received **23** referrals for Care Coaching in August.

- **27** remote care coaching consultations were conducted
- Total active consumers **57**
- Total inactive consumers **251**

Urgent Care Registry: There were **30** hours of urgent care services authorized to 5 consumers.

***Emergency Backup Registry:** There were **4** requests for emergency backup providers in August with IPs working from 4-59 hours per week. The registry staff has a total of **53** providers on the emergency backup registry.

***Registry Introductory Training (RIT):** **Two** remote RITs was held in August, one held in Spanish.

- **5** interviews were conducted
- **15** references were called with **11** completed reference checks
- **8** providers were added to the registry (3 Spanish/5 English)

EPG (formerly PPE): A total of **46** kits were mailed with **36** sets going to IPs and **10** sets to Consumers for a total of **580** masks and **710** pairs of gloves.

Public Authority Phone Calls: 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 **5,432** voicemails/phone calls. Breakdown of the calls:

- **Registry** **1,232**
- **Enrollment** **1,323**
- **General** **110**
- **Benefits** **1,697**
- **Training/PPE** **1,070**

The call volume dramatically increased on the Training queue (4x) because of fall semester training class registrations.

***IP Trainings Provided:** After the fall semester schedule was printed and mailed to IPs, the Cupertino facility cancelled all in person classes and Milpitas cancelled two classes, however they were rescheduled as online classes. The revised fall schedule includes **23** in-person classes and **24** online classes held via Zoom. Nearly all classes are booked as well as having a full waitlist. The first in-

person class is Sept 10 and the first online class is Sept 15. We expect to learn a lot from this first set of online classes and adapt our processes as we move forward.

Staffing: The Public Authority is fully staffed at this time.

Electronic Time Sheets: Santa Clara County has **88.1%** % of IPs and consumers enrolled in electronic or telephonic timesheets. Consumers continue to be lower than IP enrollment at 85%, while IPs have reached 91.1%.

Direct Deposit: **61.2%** of IPs are using direct deposit, almost a one point increase from July.

Sick Leave Update: **26,045** active IPs have accrued 16 hours of sick leave. **607** have claimed some hours and **861** have claimed all 16 hours so far.

Beverly Lozoff asked if live, in-person classes, were really happening. Edith Gong responded by saying that there are quite a few changes that have been made with in-person classes, such as lower headcount for each class. For example, in the CPR and First Aid classes, participant will get a temperature check and all care providers have to wear masks.

The on-line classes also have some new guidelines to ensure that care providers are paying attention to the online content. Instructors are doing a “roll-call” three times during the three-hour online class. Participants must share their video screen so the instructors can ensure the care providers are visibly there, and in attendance the entire time.

Janie Whiteford ask about any type of statistical analysis of what the Care Coaching does exactly when assisting the Consumer. Edith Gong responded and stated that there are many ways that the Care Coordinator helps the Consumer, whether it be contacting the care provider for an interview or attending the interview with both the consumer and the provider as well. There are times when the Care Coordinator assists and is more of a mediator. Mostly the Care Coordinators help consumers to advocate for themselves and make sure they get the help that they need and communicate their needs to the provider.

Janie was asking mainly to try to get some consumer training done and to try to figure what to focus on. There are many issues the consumer deals with and it would be good to focus on some of these issues and to help with training. Edith states that she has had discussions about this with the PA Training Manager, Shannin Prather. They have discussed some ways to do consumer trainings which at this point would have to be virtual and online. Some type of webinar with possibly and Q&A session at the end. This is something Janie will look into for the future.

CAPA REPORT

CAPA held an online board meeting on August 27, 2020. There was general discussion on when in-person meetings would occur and the current thought is to resume them in April 2021, but all would depend on the current state of the shelter-in-place order for most of the state.

See below for report and information; highlights are noted with an asterisk*.

Legislative Report

The legislature is in the final days of session (ending 8/31/20) and there were a few hundred bills that were still active. The Executive Director noted that there was a positive case of COVID 19 in the Senate and the floor had to be cleared so there was a lot of uncertainty as to whether the session would be discontinued in general per the constitution or if they could extend the session a few more days. Any bill that didn't have an urgent clause would not be considered.

Here is a summary of the bills under consideration:

- **SB 1257 (Durazo)** – Cal-OSHA: Household Domestic Services. Non-IHSS private pay providers looking to get protections under CAL-OSHA. Trying to carve out part that removes IHSS from the bill. Issue: if there's an unsafe household, then charge would be filed with CAL-OSHA and IHSS consumer might have to go into SNF because of unsafe work environment unless the issue is remedied. Both unions are in support of the bill, however if there's no carve out for IHSS it would be a big issue.
- **AB 685 (Reyes)** – Employer Responsibilities: COVID-19 exposure, notification and violations. Not a clean bill and should not apply to IHSS as it would make things muddled in terms of the consumer's responsibilities as the "employer" in terms of COVID exposure, notification to various entities (OSHA, Dept of Industrial Relations) given all the HIPAA and privacy issues.
- **SB 275 (Pan)** – PPE Stockpiling (includes IHSS). Requires there to be a 45 day stockpile of PPE for health care workers and essential workers. The Department of Public Health would be the "employer" and stockpile PPE, then distribute to CDSS.
- **AB 1993 (Kamlager)** – Unemployment Insurance benefits for IHSS parent & spouse providers. Sponsored by UDW and supported by CAPA. Likely to get passed, but no monies exist to fund the benefit.
- **SB 115 (Budget)** – Unemployment Insurance for IHSS and Long-Term Care at Home. Considered "budget bill jr"; this piece or some piece of the budget needs to be amended. This bill would address the monies needed for AB 1993. This bill also includes information for LTC at Home funding and how the administration would handle. It is unlikely this will pass given the current state of the LTC at Home proposal.

COVID 19 Flexibilities and CDSS Roundtable

There was general discussion with respect to all the COVID 19 waivers and flexibilities that had or were about to expire. The table below describes the primary flexibilities and their associated status and how/if they affect Santa Clara County.

Topic	ACL	Issue/Concern	SCC Response
*Enrollment/ Orientation	20-75	<ul style="list-style-type: none"> For PA that paused orientation of any form (online or in person), must resume effective 9/1/20. New AB 79 Requirement: PA must provide union 10 day advance notice of location, date time of orientation and three days' notice of changes of orientation dates. 	<p>SCC continuing remote enrollment; no issue</p> <p>Union not holding in-person orientation so new requirement will not apply even after they resume as Union hosts the orientation.</p>
*Provider ID Documentation	20-75	<ul style="list-style-type: none"> The waiver of the requirement to photocopy original documentation and authority to accept ID documentation remotely is extended through December 31, 2020. Effective on July 6, 2020, per the release of ACL 20-75, counties/PAs can no longer waive the ID requirements for providers who are unable to obtain a replacement card from the DMV or SSA. 	Does not affect remote enrollment.
*DOJ clearance (name check/fingerprint check)	20-67	The authority to use DOJ name checks in lieu of fingerprints ended on July 31, 2020, as per ACL 20-67.	No issue since SCC had LiveScan locations open continuously since March.

Authorization & Assessments	20-75	<ul style="list-style-type: none"> Initial Assessments of IHSS consumers may be conducted by tele-video until the end of the National Emergency if anyone in the consumer's household is positive, symptomatic or been exposed to COVID 19. Reassessments are no longer suspended, and counties are required to complete all outstanding reassessments that were suspended by December 31, 2020. Reassessments may be conducted by telephone or videoconference until the end of the National Emergency. Application Forms with self-attestations may be accepted until December 31, 2020 from applicants, recipients, and/or their authorized representatives in lieu of original signatures except SOC 321 (Paramedical Services), SOC 839 (IHSS Designation of Authorized Representative), and SOC 862 (IHSS Consumer Request for Provider Waiver). Authorization of IHSS without Health Care Certification Form (SOC 873) until December 31, 2020 plus additional 45 days for "good cause" delay of submission. 	IHSS complying; guidelines created by IHSS management to minimize length of time of home visit and exposure to for both consumer and provider.
Emergency Backup Provider System	20-75	Emergency Provider Backup Systems remain in effect through December 31, 2020 with the \$2 wage differential and associated admin funding.	
Paid Provider Sick Leave	20-75	Remains in effect through December 31, 2020.	
QA & PI flexibilities	20-76	Video conferencing authorized in lieu of face-to-face visits for QA and PI home visits until December 31, 2020.	
*Overtime Violations Waived	20-103	Beginning 9/1/20 overtime violations will no longer be waived. Any IPs who violates the overtime rules will receive a notice.	IHSS sent out text, email and automated phone calls notifying providers of this change on 9/1/20.

CDSS answered questions regarding the various flexibilities and if there was any leeway at all. They took back concerns and input on the most pressing issues from CAPA members. In addition, there was discussion on the new Provider Assignment by the Consumer via the Electronic Services Portal; basically, the 426A no longer needs to be signed by the consumer if they auto-assign via the portal.

Mathew Lubinsky commented that his care provider was very concerned when the overtime violation notice was received, but Matt was able to explain the change.

Janie Whiteford asked, and wanted clarification on the initial assessments and if there was a waiver during COVID. Edith Gong stated that the in-person initial assessments for IHSS Consumers started back again on August 4th. The only reason this initial assessment would be waived is if the Consumer has tested positive for COVID-19 or someone in the home has tested positive. Annual assessments are still allowed via phone or online.

California IHSS Consumer Alliance Report (CICA): Janie Whiteford reported that 9-16-2020 is the monthly CICA call. She encourages everyone to try to participate. The agenda includes a PG&E representative who will be talking about how they can help customers during COVID-19 and provide information and help with rolling black outs and if a customer needs a generator.

Janie mentioned that last month they had SEIU on their agenda and this month, there will also be a representative from UDW. They will talk about how effective they are in working with providers and IHSS and how they are working during COVID 19.

Janie also reported that they are focusing on some topics for webinars that they hope to have done by March/April of 2021.

Topics include:

- Finances
- Unions
- Developing your Advisory Committee, and how to be the best
- The history of Advisory Committees, Public Authorities and IHSS
- Recruiting new board members, getting your board up and running

Edith Gong asked if CICA saw an uptick in the number of PAs adding to their Advisory Board or if there was more interest in setting up an Advisory Board since the mention of the importance of AB's at the CAPA meeting. Janie does not know or has not heard if there has been an "uptick". She suggested that Edith check in with Charlie Bean.

Beverly Lozoff asked Janie if she knew how many counties did not have an Advisory Board. Janie thought about 30 counties out of 58 do not have a functioning Advisory Board. Some AB's might not meet every month, some might meet once a quarter or twice a year. In addition, the membership is very low with only 4 or 5 members. There are 28 counties that are active in CICA.

Report from Social Services Agency: Terri Possley shared some good news that IHSS has been very busy with outreach activities. They were making phone calls for two separate incidents: (1) the two heat waves and (2) for the fire(s) in Santa Clara County. Terri's staff made 811 wellness phone calls to consumer 85 years and older and living alone. They focused on the most vulnerable and worked very hard to get the calls done in a timely manner. Terri stated that most of the responses were of gratitude and appreciation for taking the time to reach out to them. IHSS wanted to ensure the most vulnerable consumers were safe and well.

Terri also reported that with the Overtime Violation notices there was a lot of extra work. There were approximately 60 phone calls from IPs that were panicked about the violation notice. Terri believes that IPs did not read the notice carefully and assumed it was an actual violation versus just a warning.

The Provider Overtime Unit was closed back in April and the staff were redeployed to Disaster Service Worker assignments for COVID. So, preparing for the mailing and addressing calls after the mailing were challenging because there was no staff to address the calls.

Also, this was the first time IHSS ever tried a mass outreach to over 26,000 IPs in the county. Scripts were translated into Spanish, Vietnamese and Chinese. Terri mentioned that 100-200 emails were sent out in over a period of 5-6 days. The multi-department project showed that IHSS could do a mass outreach using email, texts and phone calls. It was an exciting and disappointing learning experience.

Janie Whiteford asked if others could use the mass email blasts for outreach efforts, such as Consumer Training. Terri stated that it was a good idea, but not sure if it can be done. It is costly task and she would have to ask upper management.

Lori Andersen also asked about how the mass outreach happens. Terri stated that recordings were scripted and messages were left. The Robocalls were made to IPs only.

Janie asked for clarification regarding calls for the heat wave; how were Consumers contacted? Terri stated that the Social Workers made phone calls to 811 Consumers. Terri did state that robocalls could be made to Consumers via phone, texts, emails as they had done with the provider overtime notices.

Lori is interested in partnering for mass outreach of their joint client base using robocalls. Terri is open to discussing this further in a separate meeting.

At this point, David Forderer and his assistant Wayne Glusker came on the Zoom meeting. Edith asked Beverly if she would like to interrupt Terri's report and introduce David and Wayne at this time. Beverly preferred to have Terri continue and then we could introduce David and Wayne after Terri was finished with her report.

Terri wanted to follow-up on Janie's question with regard to initial assessments done in person. Terri reported that the annual assessments are done via telephone and will be conducted this way until December 31st. The initial assessments, are conducted in person, effective August 4, 2020. The intake starts with a brief phone call first, then an actual home visit. The home visit is very brief; minimal contact to be done on the porch, looking inside the home and then completing the remainder of the assessment outside the home. The goal is to protect staff and the consumer, so they are both safe and practicing social distancing. Janie asked Terri if she has shared their method with her Statewide organization [CDSS], and Terri stated that she had. There are other counties that are completing their initial assessments this way as well. Terri also mentioned that there was a work group formed under the Long-Term Care Ops, that wrote a proposal asking for more leniency and to return to phone/online initial assessments. This proposal/letter was addressed to Debbie Thomson and Terri stated that there has been no response to the letter that was sent over a month ago. IHSS was disappointed to not receive any type of response nor even confirmation that the letter was received. Janie asked Terri where this new mandate/change came from and Terri stated there was an All-County letter from the State re-instituting the in-person home visits. It was not predicated from the Feds, but from the State. Janie committed that she would have CICA advocate for Terri/IHSS.

Edith also advocated for IHSS in a previous CAPA meeting when CDSS was present. They would not commit to making the change but would take the feedback into consideration.

Terri stated that there are no plans to have staff go back into the office full time nor did she have a date when the IHSS lobby would re-open. She believes it will be sometime next year.

Terri stated that the county is conducting a secondary round of budget cuts. The 1st round of staff cuts happened about a month ago, where the county was targeting contract workers. At this time, a total of 210 FTEs need to be cut within the Department of Aging and Public Guardian departments. IHSS must cut 5 positions. Terri submitted her proposed cuts to her boss, Mary Ann Warren. She cut 5 positions from the initial 26 positions approved as a result of the Harvey Rose audit. This leaves her with only 21 positions; Terri and her staff are very disappointed. After a series of meetings with managers, and Mary Ann Warren, the 5 staff cuts were:

- 3 Social Workers
- 1 data office specialist (handles payroll errors)
- 1 Client Services Technician (handles the applications, supports staff, and application assignments going to Social Workers)

Terri had learned this morning that the proposal of the 5 staff cuts to IHSS has to be brought to the Board of Supervisors and approved. Terri also stated that the original 26 positions she was given, were actually on hold by HR. They did not approve or allow the hiring to begin as they were waiting on the outcome of the 2nd round of staffing cuts. Terri worded her proposal to the Board of Supervisors in a way to suggest the cuts come from the initial 26 positions that were given from the results of the Harvey Rose audit rather than cut from current staff. Terri also stated that there will be more rounds of cuts in November, February and June. Terri stated it was a very hard month for her staff. She wanted the Advisory Board to be aware of what is going on.

The budget cuts supersede the recommendations for more staff. There was a disclaimer cited under the Harvey Rose Audit and recommendations, that the new positions were contingent upon the budget process and county funding. Given the budget crisis with COVID 19, it is not surprising that the cuts must be made, it is unfortunate news, nevertheless.

At this point, Wayne stated that he and David had to leave the meeting, they were double booked for a 1pm meeting.

Next Meeting: The next meeting of the Advisory Board is **Tuesday, October 20, 2020 from 12 noon to 1:30 pm** via ZOOM Virtual/Conference call.

Next agenda items:

- By-Laws-Terri
- Shared Housing-Janie
- Bring it up to CICA--Push issue of **in person initial assessments**, more leniency or no in person during this pandemic-Janie

Edith asked a question with regards to the By-Laws and if they actually approve the 9 members only. Will this create any problems, do we still proactively recruit? The Board agreed to continue to recruit individuals as prospective members can always attend meetings as guests.