

**IHSS Public Authority Advisory Board Meeting**  
**September 17, 2024**  
**MINUTES**

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**ZOOM VIRTUAL MEETING for Guests:**

<https://zoom.us/j/97448761420?pwd=bmR1b3NIMEVUWHR1UGFkNUo4V1Z0UT09>

Meeting ID: 974 4876 1420

Passcode: 293979

**Phone Only:**

+1 669 900 9128 US (San Jose)

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

**Members Present:** Mathew Lubinsky; Narendra Pathak; Joanna Kent; Terri Possley (Ex-Officio);  
Janie Whiteford; Darcy McCann - via Zoom

**Members Absent:** Emilio Carrillo; Joyce Felix Builes; David Forderer

**PA Staff Present:** Edith Gong; Leticia Sabadin

**Guests Present (Virtual & In-Person):** Steve Kline, Board Aide for Board of Supervisor Ellenberg;  
Amy Tsai, SEIU 2015 Union Organizer; Natascha Walker, SEIU  
2015 Union Steward & Parent of IHSS Consumer; Marisela  
Perez, Home & Community Based Services Specialist for Santa  
Clara Family Health Plan; Michelle Mashburn, Guest & IHSS  
Consumer

**Announcements & Public Comment:**

- Janie distributed a flyer for a Santa Clara County Candidate Forum scheduled for September 26, 2024, with keynote speaker: Supervisor Cindy Chavez. In-person and also via Zoom. This meeting's focus is to understand the stances and principles of each candidate running for office.
- Narendra attended the SCFHP Consumer AB Meeting on 9-05-24. They had many discussions and spoke about IHSS, Medicare, and Medi-Cal.
  - Narendra asked this board to possibly publish the AB meeting ZOOM recording right after the meeting is concluded.
  - There was quite a bit of discussion on the topic. The PA would have to figure out how to put it on our website, etc. Typically the ZOOM recording is primarily used to summarize meeting minutes; which are prepared and approved at the next board meeting. So there are some details that are needed to be worked through before we could consider posting the actual Zoom recording.
  - Steve Kline added that not all commissions post Zoom recordings, only certain ones. The AB is not a commission so the protocol is unclear.
  - Narendra emphasized that this would allow more of the public to be aware and informed about the IHSS Advisory Board meetings, specifically the folks who would like

- to attend but cannot. This would give them the option to be able to hear and see the recordings after the fact.
  - Janie thinks this is a valid point and will check with CICA and Kim (Rothchild, CAPA President) to see what other information she can gather.
  - Joanna suggested we find out what advisory boards in other counties do. She said she would take this task on and get back to us. We will speak to this topic next month.
- Mathew raised the topic of the recipient and their change in IHSS hours and disputing this change.
  - Mathew spoke to a care provider and their change in hours and how to appeal. Joanna stated that the provider needs to appeal “A” pending and do this within 10 days.
- Mathew also asked about when a consumer gets a new Social Worker and you have a major change in tasks and hours. Terri stated that the Social Worker Supervisor should be reviewing those cases.
- Make sure that care providers have sick time and they can use it.
  - Care providers can claim sick time whenever they want. As long as the initial sick time eligibility is met, then sick time can be claimed during the fiscal year.
- Michelle Mashburn had an issue she wanted to report with regard to care providers having access to parking permits/passes. Is there any way to have this board advocate for care providers receiving a parking permit, or possibly a reduced parking permit?
  - This would be a City issue and Edith mentioned that she would work with Michelle to see what they can figure out. Terri offered her help too, but not sure what IHSS can do about this.
- Terri announced that she is retiring! This is effective January 18, 2025. Terri stated that her last day in the office will be December 5, 2024. In the interim, Veronica Marquez-Hothem will be the IHSS Program manager; Terri will bring Veronica to the November AB meeting.
  - We will miss Terri and we appreciate her time, support, and advocacy for IHSS recipients and care providers.
  - We plan to celebrate Terri’s retirement, possibly in November.
- Leticia reminded everyone about the IP Event on November 8<sup>th</sup>. We have confirmation from Supervisor Ellenberg, she will be attending! We hope that all board members are in attendance, specifically Janie and Terri. An evite will be sent to all and you can RSVP via evite or to Leticia.

**Approval of Minutes:**

- Motion by Narendra Pathak to approve the August 20, 2024 meeting minutes; seconded by Mathew Lubinsky, the vote was unanimous.
  - Mathew still wanted to emphasize and ask if consumers who do not pay their care providers are put a “list” or is there some way to know who these consumers are. Bottom line, care providers can submit a fraud referral.
  - Mathew wanted to express his appreciation to Leticia for wording his comments correctly.

**“Old Business” – term limits, stipends:**

- Joanna asked questions and clarification about term limits and stipends.
- Stipends: under the AB By-Laws--Question about section 11 - it says that board members receive no compensation except travel. Since we voted for the \$75 per meeting, must you be present to collect that or will virtual attendance with exception also receive this?

- Need to make sure we are in compliance (All County Letter) and figure out if we pay members who attend virtually. What over-rides what? Edith to check with CAPA. Also, what do other PA's do? This topic is to be on the agenda next month. Janie to check at the State level.
- When reviewing the term limits - if we were to make changes to this, it seems it would be a county issue as per Ordinance Code section A18-75.2, however the ordinance code is not listed on the website. Joanna mostly wanted to learn but unsure of the county rules.
  - Members serve their terms and sometimes continue on the board even though the term has expired. In most cases, board members have termed out, but as long as we are in compliance (completing training, etc.) the member can serve until BOS removes you.
  - Janie suggested that the board members speak to the BOS aides when conducting meetings and mention this fact about renewing terms.
  - Steve Kline will be sending the ordinance with regard to term limits.

#### **Santa Clara Family Health Plan:**

- Joyce was not in attendance.
- Marisela will prepare a report for next month.

#### **California IHSS Consumer Alliance Report:**

- Janie reminded everyone about the CICA meeting tomorrow, 9/18. Leticia sent out the information to all via email.
  - CDRC – state organization; they will present on all of their resources.
- Please review the flyer Janie distributed on the candidate forum; all are encouraged to attend.
- Get out the Vote meetings to be held first part of October.
- CICA is very concerned that Newsom vetoed the bill that waived DOJ fingerprinting fees.
- CICA will also be following up with the Brown Act changes.

#### **Report from Social Services Agency-IHSS:**

- Terri reported that their main focus is trying to get into compliance with annual reassessment visits.
  - In mid-July of 2024 IHSS received an out-of-compliance letter from the State. It stated that IHSS must be in compliance by December 31, 2024. IHSS has never received a letter of this sort, with a deadline. Terri says that it will be impossible to conduct over 16,000 home visits between now and December 31<sup>st</sup>. There is just no way this will happen since they have a shortage of Social Workers.
  - Terri has had a lot of meetings with County Council, upper management, directors, Labor Relations, etc., as to how to address this without any resources.
  - They are consumed with this task and looking at different ways to address it. One solution is to have the Social Worker Supervisors scheduling home visits for the social worker, and prioritizing the oldest of the old first. This will be effective October 1<sup>st</sup>.
  - Another way to help may be to implement temporary overtime between now and December 31<sup>st</sup>.
  - Terri also requested additional codes (job openings). 8 social worker codes have been approved.

- Discuss with Labor, due to a change in working conditions. IHSS is going through some stressful and tense times.
- FGOC report is being presented tomorrow, it is on the consent calendar.
- Annual Report will be scheduled for October 24<sup>th</sup>.
- At this time, IHSS is at 80.1% compliance for reassessments and should be at 90%.

### **SEIU Local 2015 Report:**

- Emilio was not in attendance. Amy states there is no movement on removing Emilio from this seat.
- Steve Kline gave an update on how they will proceed. Steve will be in contact with SEIU Organizer, Linh Phoung. Union is appointing authority, and we hope that Linh can send a letter to the BOS to remove Emilio Carrillo and also to identify a new applicant for this member seat.
- Natasha Walker, SEIU Steward, mentioned that consumer representation and state collective bargaining are in the process. There was discussion amongst the board. Janie told Natasha she could talk to her offline about this.
- Collective bargaining discussions will begin in December 2024, after the November elections.

### **PROGRAMS REPORT**

See highlights in yellow.

The PA filled the Registry Specialist and Registry Recruitment and Outreach Specialist positions with internal candidates; however, the Recruitment Specialist cannot start until October 1. A part-time benefits specialist had to resign unexpectedly and the Training Manager is leaving at the end of September. We are actively recruiting for both positions.

### **BENEFITS ADMINISTRATION**

There are **13,530** IPs enrolled in the Valley Health Plan **2,606** of those in the Classic Plan and **10,944** in the Preferred Plan. **14,264** IPs are enrolled in the Dental/Vision plans. There were **156** Smart Pass VTA Cards issued.

**Sick Leave:** **33,703** active IPs have accrued 40 hours of sick leave. **5,824** have claimed some hours and **2,895** have claimed all 40 hours.

### **ENROLLMENT**

Number of IPs enrolled: **605**

Fingerprints that are delayed (awaiting DOJ results): **0**

Group Orientation attendees: **1072**

Scheduling an individual appointment is 44 business days (9 weeks) from the time an IP completes the viewing of the orientation videos.

### **REGISTRY**

There are **852** active IPs on the registry and **3,198** active consumers.

### **Regular Registry:**

- Completed **81** new consumer intakes

- Generated **495** referral lists
- Attained **82** matches (assignments)
- Provided **1116** new interventions with over **479 hours** spent on the interventions

**Care Coaching:** The Registry received **52** referrals for Care Coaching

- **45** care coaching consultations were conducted
- Total active consumers **159**
- Total inactive consumers **225**

**On-Call Registry (OCR):** There were **seven** eligible requests to the On-Call Registry out of 18 total calls. Four requests were fulfilled for a total of **43.58** hours utilized; two requests came on the last day of the month and will be reported in September’s hours. There are a total of **89** providers on the On-Call Registry.

**Outreach and Recruiting**

*Registry Introductory Training (RIT):* **9** remote RITs were held; 1 in English; 1 in Spanish, 7 in Vietnamese (1:1).

- **29** interviews were conducted
- **59** reference check calls made, with **59** completed reference checks
- **31** providers were invited to the eRITs
- **28** providers were added to the registry

*Outreach Activities*

Location	Type	Reach/Individuals Assisted
VASC	Once a month – 2 <sup>nd</sup> Friday	5 IPs/1 Consumer

**EPG:** A total of **43** kits were picked up with **29** sets going to IPs and **14** to Consumers for a total of **380** masks and **860** pairs of gloves. **81%** of those who requested PPE came to pick it up.

**TRAINING**

No training classes were held in August. The Fall semester catalog was mailed to over 34,000 IPs and class registration opened on 8/5/24. Fall classes start on September 12.

**Career Pathways:** **51** classes were held (43 FUHSD, 8 by EHTC). **1,402** registered and **967** attended (**69%** attendance rate).

**Public Authority Phone Calls:** The PA received a total of **6,712** phone calls. Breakdown of the calls:

- **Registry**        **2015**
- **Enrollment**   **1814**
- **Benefits**        **2075**
- **Training**        **808**

## **CAPA REPORT**

See highlights in yellow.

CAPA held a board meeting on August 22.

### Legislative and Budget Updates

- The last day for bills to be passed in this legislative session is August 31. Two bills came back from the suspense inactive file:
  - AB 1005 (Alvarez): IHSS: terminal illness diagnosis. Bill changed from assigning an IP to persons with terminal illnesses or expediting new assessments for persons coming out of the hospital to elevating/prioritizing Counties and PA these types of cases. Most PAs and counties were already doing this especially when BUPS was launched.
  - AB 2704 (Zbur) IHSS: criminal background checks. Bill waives the DOJ background fee, but not the rolling fee. CAPA pointed out that the bill language is not that clear (small sentence at the very end that there is still a rolling fee, however first sentence says there is no fee.) Hoping that more clarity is added before the bill is passed. CAPA and CWDA support the bill.
- PA Allocations for FY24-25 were published in August, which is a new record thanks to the leadership of Kim Rothchild, CAPA Executive Director.
- The Brown Act Opinion from Attorney General Bonta's office summarized that a person with a disability covered under the ADA can participate in meetings remotely with accommodation. PAs should reach out to their county counsel regarding the opinion to confirm and use this as a tool to provide accommodation for advisory committee members. Many Board Members agreed that the opinion is helpful, but it still leaves each County Counsel in charge of interpreting how the opinion applies to advisory boards/committees. Work still needs to be done to allow for permanent remote participation.
- CAPA is currently tracking 26 bills. The bill tracker can be found at:  
<https://ctweb.capitoltrack.com/public/publish.aspx?session=23&id=a6e4cdd6-bb65-4ccb-9bdd-575a0103d068&showimage=1>

### Guest Speakers from Homebridge

- Homebridge presented the importance of maintaining some kind of statewide training program to keep the Career Pathways momentum going and the need and want from IPs for continued training and community building. They offered PAs an opportunity to pool their funding together to offer a support and community platform and 20+ online training courses through the platform.
- Total cost is ~\$400K for a year. At least 10 counties (mixture of large, medium and small) would need to commit financially for the program to be viable. Homebridge would offer 40-50 live training per month, manage the online community and provide regular progress reports. Target launch date would be Dec or Jan.
- CAPA will create an ad hoc committee to review the training proposal in detail and help determine if enough PAs can fund the proposal.

### CDSS Update/Questions

- Final Statewide Collective Bargaining Workshop to be held on 8/29. The final report from CDSS is due to the legislature in January 2025. PAs are looking for a summary update that can be shared with their Governing Boards/Board of Supervisors with high level information. CDSS is looking into providing PAs with a summary statement.
- IHSS Connect was brought up to CDSS as a concern because they have nothing to do with IHSS and charge a monthly subscription fee to use the platform after a free trial period. PAs are concerned that IHSS Connect cannot vet IPs on the platform (are they background checked; are they properly enrolled in IHSS?) and there may be misrepresentation that they are a part of IHSS. CDSS is looking into the organization.

### **Next Meeting:**

Location: Social Services Building; Auditorium Conf Room , 1<sup>st</sup> Floor  
@ 333 West Julian Street

- **Tuesday, October 15, 2024, from 12 noon to 1:30 pm** via In-person/Hybrid.