



**STANISLAUS COUNTY
IHSS ADVISORY COMMITTEE MEETING
MINUTES**

05/23/03

Committee Members Present:	Kenny Brown Linda White	Connie Muller Madelyn Amaral	Ora Scruggs Rose Martin
Committee Members Absent:	Jose Acosta Dwight Bateman	George Sharp Christine Munoz	Jeffrey Lambaren
IHSS Staff Present:	Jan Holden	Larry Baptista	

OPENING REMARKS by CO-CHAIRMAN KENNY BROWN

- Meeting called to order at 1:24 PM
- Announcement made for public comment.

PUBLIC COMMENT

- Kristi Rosenquist, UDW member, reported that the union filed with the County this afternoon and has turned over more than 60 percent of the required signature cards.

ACCEPTANCE OF MINUTES

- May 9, 2003 minutes: Motion M/S/A to accept minutes with no corrections.

BUDGET UPDATE

- Jan reported no new news on the budget.
- Jan said that there is money allocated in the proposed budget for Employer of Record Administration. Last year the County received \$392,000 in funds and this year the County is proposed to receive \$680,000 in Admin. Funds.

SUPPORT LETTER FOR “MI CASA” BILL

- Jan Holden said that CSA staff had received a hard copy of the Bill in the mail from Dwight Bateman but staff had not had enough time to review the Bill and type a support letter.
- Jan said that CSA staff will type a letter once the Bill is reviewed. She suggested that staff can type a letter and have the Chair or Co-chair sign and mail out rather than wait until the next meeting for the committee to review.
- Motion: M/S/A to direct staff to prepare a support letter for the “Mi Casa” Bill and have the chair or co-chairman sign it if the letter has to be done quickly.



MEETINGS IN THE COMMUNITY

- Larry Baptista reported that he is finding it difficult to locate a proper facility to hold a meeting in Turlock.
- He asked that the committee give him more time to locate a facility and he can possibly have a meeting setup for June 27, 2003. The committee agreed.
- Kristi Rosenquist suggested that Larry inquire about the Assyrian Hall on Golden State Blvd. in Turlock.

PROCESS/UNION ORGANIZATION

- Gus Gutierrez, delegate from UDW San Diego, spoke to the committee and stated that the local UDW had reached more than 60% of the 3,600 caregivers signatures. He said that since 60% was reached that the UDW would not have to hold an election. He praised the committee's hard work and hoped it would continue.
- Gus said that the UDW wants to begin negotiating right away and they will form a committee of about 15 UDW members to handle negotiations.
- The UDW committee, State Mediator and Stanislaus County will then begin to verify all the signature cards on June 5, 2003.

OLMSTEAD UPDATE

- Reviewed handouts.
- Motion: M/S/A to agree to table agenda item until further information becomes available.

HOMEMAKER MODE UPDATE by Jan Holden

- Jan Holden has not seen the copy of the flyer.
- Jan said that an ad will run in the Modesto Bee's Sunday's paper.
- She said that they are getting some calls already for the positions and that all calls are being referred to the HR dept. at the 10th Street building.
- Homemakers are scheduled to receive a wage rate of \$10.51/hr plus benefits.
- Jan explained the Homemaker program to the committee and the public.

AB 784

- Tabled due to lack of information.
- Committee will discuss at the next meeting.

ANNUAL REPORT

- Kenny Brown said that he hopes to have a September or October release date.
- Passed out graph handouts for review and for future report use.

BYLAWS

- Committee wants to review the bylaws in regards to sub-committee's and term limits.
- Jan Holden informed each committee member of his or her term end date.
- All new committee members are appointed a three-year term.
- Ora suggested calling the Attorney Generals office and asking if the committee can receive a copy of the red "Brown Act" book for each member.
- Kenny asked staff to check with the BOS regarding term limits and re-appointments.

AD HOC MEETING ON CUSTOMER SURVEY 3:00 – 4:00pm

- Meeting cancelled due to lack of sub-committee members.

AGENDA ITEMS FOR NEXT MEETING

- Bylaws
- Budget Update
- Meetings in the Community
- Homemaker Mode Update
- AB 784
- Support Letter for “Mi Casa”
- Annual Report
- Ad Hoc Meeting immediately following meeting

Meeting adjourned @ 2:03 PM
Larry Baptista, Recorder

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CALIFORNIA ASSOCIATION
of
PUBLIC AUTHORITIES
for
IHSS

April 18, 2003

The Honorable Lynn Daucher
Chair, Assembly Aging & Long Term Care Committee
State Capitol, Room 2158
Sacramento, CA 95814

**Interim
Executive Committee**

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Bud Sayles
San Diego

**RE: AB 784 (Daucher) – State Department Reorganization
OPPOSE**

Dear Assembly Member Daucher;

The California Association of Public Authorities (CAPA) is opposed to AB 784 by Assembly Member Daucher. This measure would rename the department the California Department of Adult and Aging Services and would move provisions governing in-home supportive services, adult protective services, family and caregivers of brain-impaired adults, and independent living centers into the department's jurisdiction.

IHSS program is an entitlement program to prevent premature or unnecessary placement of consumers in institutions (skilled nursing facilities, community care facilities or hospitals). To be eligible, consumers can be of any age, but must be assessed and found to be aged, blind or disabled and who are unable to remain safely in their own homes without assistance. There are a number of IHSS consumers who are children and it would be inappropriate to transfer responsibility of the IHSS program for these clients into a state department that is solely focused on adults and aging-related services.

CAPA would also like to express our "customer" satisfaction with the State Department of Social Services (SDSS) and their cooperative and thorough manner of assisting Public Authorities. In October of 2001 there were eight Public Authorities in California and there are currently 54 Public Authorities that are administering the IHSS program. SDSS has been phenomenal in assisting counties in establishing Public Authorities and in providing technical assistance to new Public Authority staff. With the state's fiscal crisis, this is not an appropriate time to divert the attention of these committed state officials into a reorganization of state department responsibilities and tasks.

For these reasons, CAPA is opposed to AB 784 and respectfully requests your "NO" vote.

Sincerely,

Karen Keeslar,
CAPA Legislative Advocate

Date of Hearing: April 22, 2003

ASSEMBLY COMMITTEE ON AGING AND LONG TERM CARE
Lynn M. Daucher, Chair
AB 784 (Daucher) – As Introduced: February 20, 2003

SUBJECT: California Department of Aging.

SUMMARY: Establishes a single department whose mission it is to coordinate and promote those programs that support adults who are aging or disabled to remain in their homes and communities for as long as practicably possible. Specifically, this bill:

1) Finds and declares:

- a) In June 1999, the United States Supreme Court issued a landmark decision in disabilities rights law that requires states to develop more opportunities for individuals with disabilities to live in their communities rather than nursing homes.
- b) California has established a number of long term care programs that provide services and supports to individuals to enable them to avoid institutionalization and live in their homes.
- c) In the Department of Aging these programs that assist aging persons in remaining independent include Multipurpose Senior Services Program, Alzheimer's Day Care Resource Program, Linkages, Respite, Adult Day Care and Adult Day Health Care. Many of these programs are administered at the local level by Area Agencies on Aging.
- d) In the Department of Social Services these programs include In Home Supportive Services and Adult Protective Services which are administered by counties.
- e) The Statewide Resources Consultant within the Department of Mental Health serves as the centralized information and technical clearinghouse for brain-impaired adults, their families, caregivers, service professionals and other agencies. This program provides services that significantly decrease the stress of family members and increase their ability to maintain a brain-impaired person at home and at less cost than other alternatives.
- f) Independent Living Centers administered by the Department of Rehabilitation embrace a philosophy that persons with disabilities are in the best position to guide, direct and control programs for people with disabilities, and ensure that people with disabilities are integrated as fully as possible into their communities..
- g) The office of the Legislative Analyst and others have pointed out that California's systems of service delivery is dysfunctional in a number of areas due to the fragmentation of responsibility and funding for interrelated services. Multiple funding streams and varied eligibility criteria have created "silos" of services, making it difficult for consumers to move with ease from one program to another.
- h) Separate funding streams and uncoordinated services for older adults and adults with disabilities have created barriers in services for these populations. Adults with

disabilities often receive long term care services designed to support and protect the institutionalized older population. Instead services need to be individualized to empower older adults and persons with disabilities to live in the community.

- i) The new generation of Californians will desire, expect and demand a much more responsive, coherent, and human-dignified system of care services.
 - j) Our delivery of long-term care needs to be vastly improved in order to coordinate services that are appropriate to each individual's functional needs and financial situation. Care services should be holistic and address the needs to the entire person, including the person's mental, physical, social and emotional needs.
 - k) A coordinated support system would better utilize state resources and provide a greater benefit to those receiving services than the current fragmented set of programs.
- 2) States that the intent of the Legislature is to:
- a) It is the intent of the Legislature to establish a single Department whose mission is to coordinate and promote those programs that support adults who are aging or disabled to remain in their homes and communities for as long as practicably possible.
 - b) A single department will:
 - i) Ensure that all home- and community-based long-term care programs appropriately serve people regardless of age or level of disability.
 - ii) Streamline or eliminate duplicative and confusing eligibility criteria, assessments, intake forms, and services limitations that inhibit consumer satisfaction and result in the ineffective use of resources.
 - iii) Promote coordinated policy development for long term care services, including, but not limited to, addressing the need for data on utilization and cost of long-term care services.
 - iv) To develop strategies to improve quality and accessibility of consumer information on available long-term care programs.
 - v) To develop strategies to better monitor the consumer responsiveness of long-term care services and programs.

EXISTING LAW: Establishes several programs with the mission of providing home- and community-based services to older persons and persons with disabilities.

- 1) The California Department of Aging (CDA) administers the Multipurpose Senior Services Program, Alzheimer's Day Care Resource Centers, Linkages, respite, Adult Day Care, Adult Day Health Care, Brown Bag, Foster Grandparent, and Senior Companion.

- 2) The Department of Social Services administers the in-home supportive services program and adult protective services.
- 3) The Department of Mental Health administers the Caregiver Resource Center program.
- 4) The Department of Rehabilitation administers the non-profit independent living centers.

FISCAL EFFECT: Not known.

COMMENTS: The intent of the legislation is two-fold:

- 1) Provide the administrative structure at the state level that will coordinate and promote those programs that support seniors and disabled persons to remain in their homes and communities.
- 2) Establish the administrative structure that will best implement the state's Olmstead plan.

Fragmentation of Services: Currently the many home and community based programs that are administered by several different state departments are referred to as "silos" and there have been numerous legislative hearings as well as reports to the Legislature that recommend that this confusing patchwork of programs is better coordinated. Since the programs do not relate to each other in many parts of the state, consumers face the "luck of the draw" when they are attempting to find services that best meet their needs. Some counties have integrated the programs the Area Agencies on Aging operate within their county structure and those counties report that this integration has benefited consumers.

Implementation of Olmstead: June 1999, the U.S. Supreme Court issued a landmark decision in disability rights law. *Olmstead v. L.C.* provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. Olmstead requires states to provide community-based services for people with disabilities otherwise entitled to institutional services, whenever three factors are in place:

- a) The state's treatment professionals have determined this is appropriate;
- b) The transfer from institutional care to a less restrictive setting is not opposed by the affected individual; and
- c) The placement can be reasonably accommodated, taking into account the resources available to the state and the needs of other state citizens with disabilities.

Olmstead specifies that the case covers those who may be "at-risk" of being institutionalized and those who may need periodic institutional services. States can comply with *Olmstead* by:

- a) A state may develop a comprehensive, effective working plan, including timetables and progress reports, for placing qualified people in community-based settings.
- b) A state may maintain a waiting list for community-based services, but the list must move at a reasonable pace and may not be motivated by a desire to fill institutions.

California has chosen to implement a plan, and the Health and Human Services Agency and submitted its plan to the Legislature on April 1, 2003.

Legislative Analyst's Proposal: The Legislative Analyst offers a competing proposal that would consolidate the entire Department of Aging into the Department of Social Services. They note that these two departments have overlapping missions. While the intent of the LAO's proposal is to reduce produce economies of scale and reduce overall expenditures, much of the rationale for the LAO's proposal is similar to the intent of this proposal. The following excerpts from the LAO proposal underscore this point:

Consolidation Should Improve Service Delivery. We believe that combining programs that serve senior citizens into one division at DSS should result in program efficiencies, because one division would oversee the bulk of services for California senior citizens. For example, CDA operates the Linkages Program and MSSP. The purpose of these programs is to assist frail elderly clients in avoiding institutionalization. The IHSS program operated by DSS has the same mission—providing home-based services so that clients can live independently. Moreover, recipients of the DSS programs could be more easily linked to other services currently offered by the CDA, such as the nutrition programs, if most aging programs were under the control of one department. In order to improve service delivery to California's senior population, we recommend that the program functions of the CDA be shifted to the Disability and Adult Programs Division at DSS.

Most States Locate Aging Programs Inside a Larger Agency. Currently 21 states (including California) operate their Older Americans Act programs under a stand-alone department. Twenty-nine states operate these programs with an office housed in a larger agency—specifically, 6 within health agencies, 16 with human services agencies, and 7 within combined health and human services agencies. Although both the Department of Health Services and DSS operate programs that serve California seniors, we believe DSS programs have more in common with the mission of CDA—fostering the independence and improving the quality of life of senior citizens.

Concerns Raised: Although there has been discussion regarding the fragmentation of long-term care services for seniors and disabled persons, this legislation has generated a great deal of controversy. Many groups have not taken formal support or oppose positions, but have instead raised concerns with committee staff. It is important that any changes in state appropriately address the following concerns:

- 1) The culture of the Department of Aging and the other departments are very different. This argument has several nuances but the concern is the consumer's perception that one department fosters independence more than another Department. In addition, the local administration differs significantly for these programs. There are twenty-nine regionally based Independent Living Centers. IHSS and APS are administered at the local level by 58 counties. The programs in the Department of Aging are administered by 33 Area Agencies on Aging. Many of the programs administered by the counties are entitlement programs, while the programs under the auspices of the Older American's Act are available to the population as a whole and most are not means-tested.

Concerns have been raised from IHSS stakeholders that changes in the administration of the Department could result in the disruption of payroll to the thousands of workers in the IHSS program, which has the potential to disrupt the continuity in care that consumers receive.

- 2) The bill doesn't change anything. Some groups have registered concerns that the bill only changes the location of the program and does nothing to advance the goal of coordinating and integrating services. The author's office and the sponsors deliberately didn't make changes to any of the programs in statute in order to ensure the continuity of programs in the short-run. The intent of the legislation is that better integration and coordination could then be accomplished administratively rather than through statutory change.
- 3) Loss of voice. Seniors argue that in a small program they feel they have a voice and that the one of the critical roles of the Department of Aging is to serve as consultants to the other departments and agencies such as the Housing and Community Development, Parks and Recreation, Health Services and the Department of Motor Vehicles. In contrast, some in the disabilities community have argued that inclusion in a smaller department would mean a loss of power and influence in the administration.

Formal Opposition: The California Foundation for Independent Living Centers (CFILC) opposes the bill unless amended to remove their programs from the legislation. In addition to concerns about the loss of federal funding for the Assistive Technology Network, CFILC states:

“One of the hallmarks of the Independent Living movement is that consumers make their own choices. ILC staff do not “manage cases,” conduct home visits or make recommendations about courses of action. ILCs help consumers research their own options, explore consequences and make their own decisions.”

“Federal law also requires ILCs to advocate and work toward systems change. Often times this means confrontational work toward breaking down bureaucratic policies within the state, county and local government. Putting ILCs in an agency that really does not understand the concept of consumer control or support the need for advocacy and systems change will have a chilling effect on those federally mandated programs.

Recommendations: The author may wish to consider the following recommendations.

- 1) Address the rights of consumers in statute.
- 2) Phase in the legislation. This would ensure there is adequate time to ensure that payroll is not disrupted.
- 3) Call it the Department of Home and Community Based Services
- 4) Establish a special unit on aging issues to provide consultation to all departments within the administration.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Area Agencies on Aging (Sponsor)

Opposition

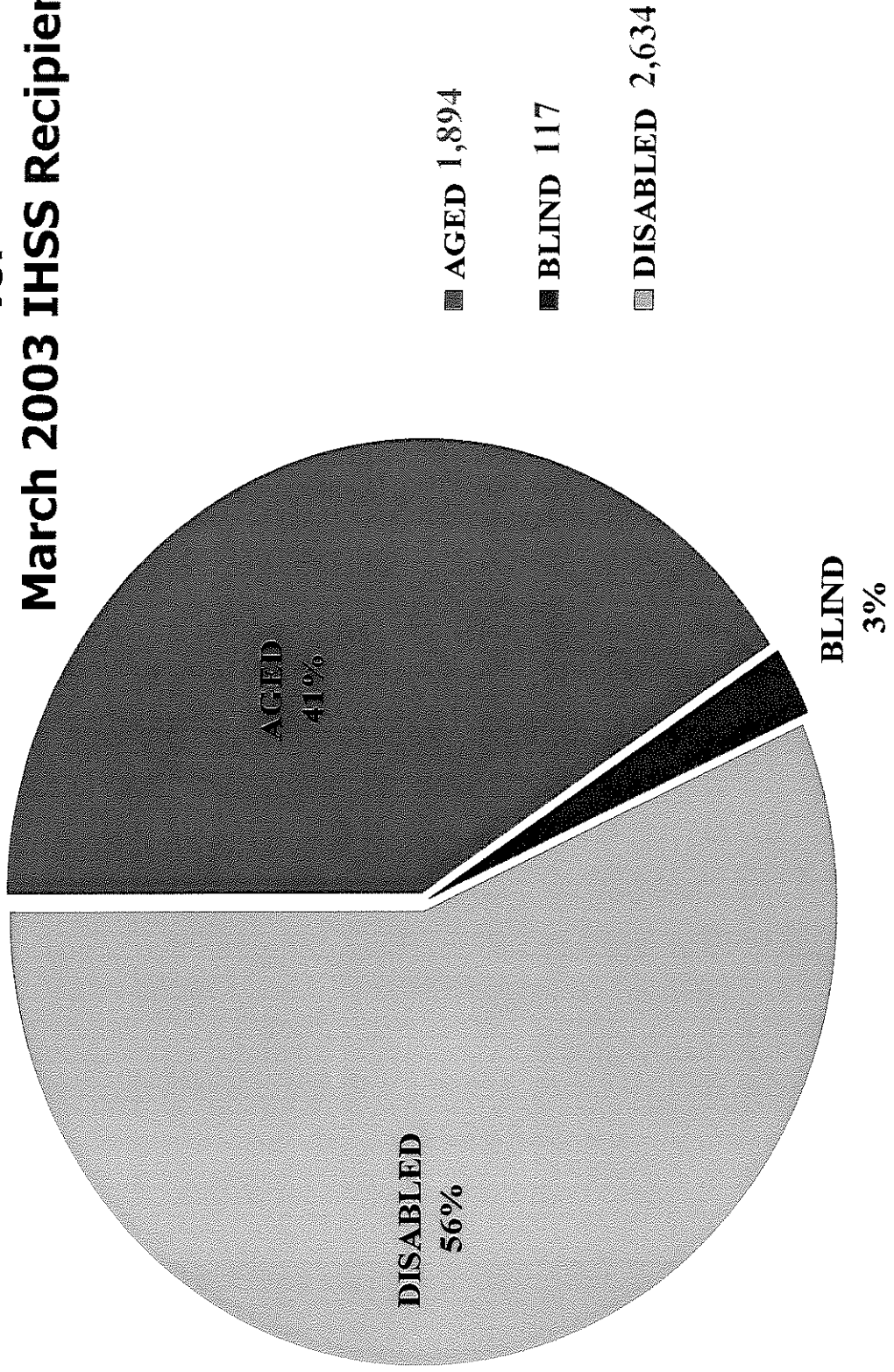
Berger & Associates

California Foundation for Independent Living Centers (CFILC)

Gray Panthers

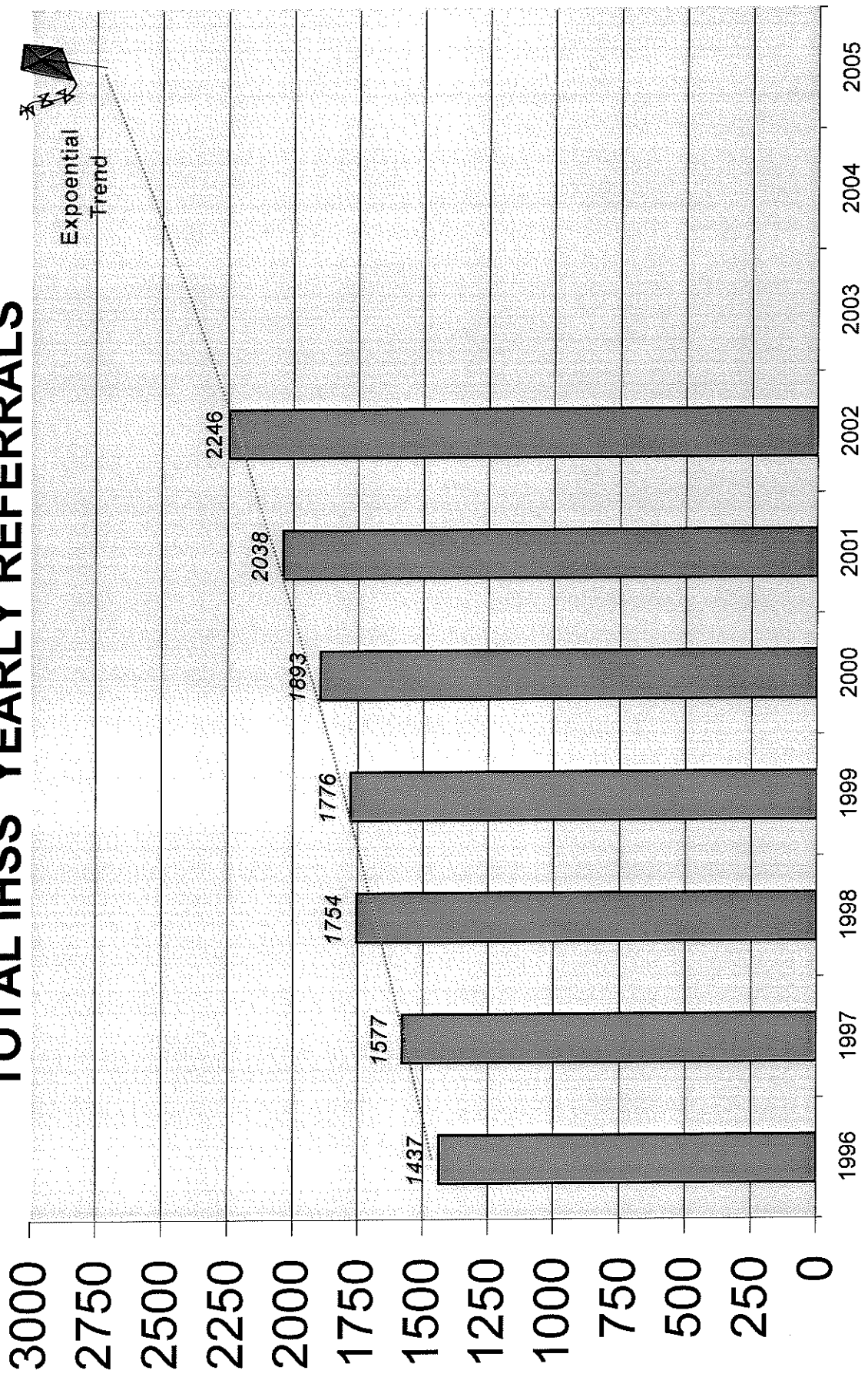
Analysis Prepared by: Bonnie Darwin / AGING & L.T.C. / (916) 319-3990

Stanislaus County Distribution of Aid Type for March 2003 IHSS Recipients

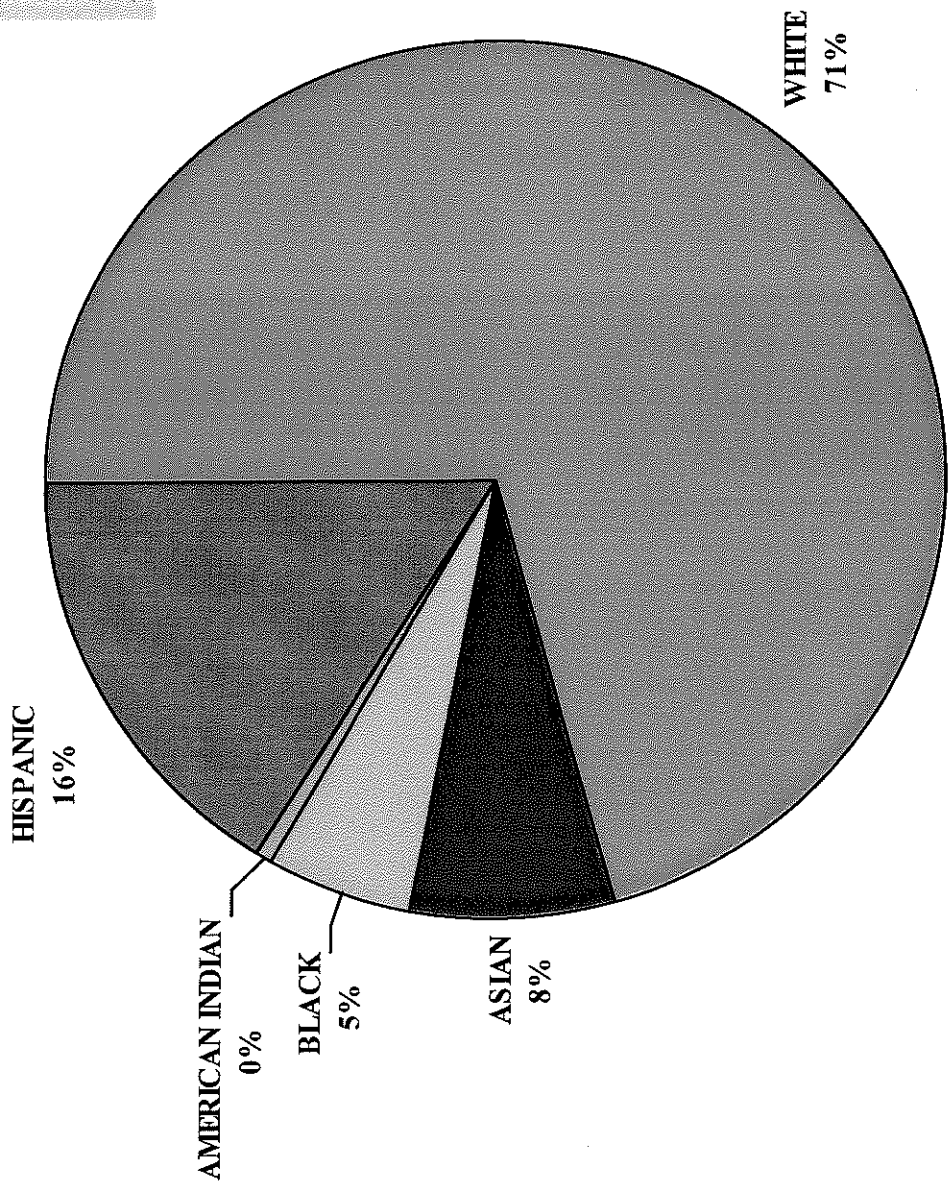


Source: CMIPs Recipient Summary Characteristics Listing

TOTAL IHSS YEARLY REFERRALS



**Stanislaus County
Distribution of Ethnicity
for
March 2003 IHSS Recipients**



WHITE	3,141
ASIAN	341
BLACK	230
AMERICAN INDIAN	21
HISPANIC	722

Source: CMIPs Recipient Summary Characteristic. Listing



Stanislaus County

Job Line: (24 hr recording) (209) 525-4339

Office Line: (209) 525-6341

TDD: (209) 525-5999

Visit our WebSite at: www.co.stanislaus.ca.us

Current Openings

ASSISTANT PUBLIC HEALTH OFFICER

\$103,792-\$155,667 Hr

Resp for medical consultation to Maternal Child Hlth & Children's Medical programs & svcs working to help promote policies & programs that directly effect the U.S. population. Provide leadership to MCH projects providing clinical svcs &/or supervision to CHDP patients. Req possession of a valid license to practice as a physician in the State of CA issued by the Medical Board of CA. Neonatal exp & exp or training in Public Hlth Svcs. Continuous Recruitment.

ATTORNEY I-V

\$41,308-\$89,668 Annually

Dept of Child Support Svcs, District Atty & Public Defender are all recruiting to fill FT positions. See separate flyers for specific tasks for each dept & add'l benefits for Attorneys. Level of resp will be determined by the exp & training of the incumbent. BAR lic & completed questionnaire req. FFD: 6/12/03

CHILD SUPPORT OFFICER I/II

\$13.44-\$19.13 Hr

Resp for locating absent parents, invest ability to pay child support, enforcing court orders, interpreting & explaining legal provisions/regulations/testifying in cours as req. Level I-grad fro an accredited college on Behav. Science, Crim Justice or Bus OR 1 yr. exp interviewing & independently determining appropriate action for public/private svc fields, such as law enforcement, eligibility determination, collections or credit invest. writing detailed case reports. OR 1 yr of Legal Sec exp handling child support actions. Level II-req an add'l 6 mo of comparable CSO I duties. See job flyer to add'l info. FFD: 6/04/03

CRIMINAL INVESTIGATOR II

\$25.88-\$31.46 Hr

Persons appointed to this position will carry full peace officer status & will work under the direction of the DA. Active basic or higher POST cert is req & a copy must be submitted at time of application. Must have 2-3 yrs exp in law enforcement or related criminal investigative work. FFD: 6/19/03

DENTAL ASSISTANT

\$10.51-\$12.78 Hr

Opening at Dental Clinic in our Medical Arts Bldg. Req completion of formal training from a Dental Asst Program. Bilingual Spanish/English highly desirable. Open Until Filled

DEPUTY SHERIFF CORONER-

LATERAL ONLY

\$21.85-\$26.55 Hr

Reqs successful completion of a CA POST cert basic law enforcement academy & be currently employed as a permanent, FT sworn peach officer for 1 yr or more, with a CA law enforcement agency & be eligible for appointment as a Peach Officer under SFC 830.1 PC. Continuous Recruitment

LEGAL CLERK IV

\$13.57-\$15.60 Hr

Dept of Child Support Svcs has FT openings. May work independently, handling multiple functions, & resolving customer's issues & concerns. Reqs 1 yr exp as a Legal Clerk III in County Gov or 4 yrs general clerical exp with 3 yrs in a legal setting. Typing cert 45WPM req. FFD: 6/10/03

NURSING ASSISTANT (IN-HOME SUPPORT SERVICES (IHSS) HOMEMAKER \$10.51-12.78 Hr

Six mo full time exp in an accredited hlth care hospital or any combination of formal training & exp which results in familiarity with & knowledge of hospital or clinic routine & procedures or completion of formal training as an: (1) Emergency Medical Tech, (2) Paramedic, (3) Medical Assistant, (4) college level Certified Nurse Asst or (5) current enrollment in a Licensed Vocational Nurse (LVN) or Registered Nurse (RN) Program. FFD: 6/05/03

PUBLIC HEALTH LAB OPERATIONS MANAGER (MGR IV) \$59,030-\$88,566 Annually

Exciting opportunity to manage Public Hlth Lab. Req licensure as Public Hlth Microbiologist & 5 yrs of exp in a Public Hlth Lab. 2 yrs of this exp should be in supervisory capacity. Until Filled

RESERVE DEPUTY SHERIFF CORONER

Volunteers, some paid shifts avail, who assist the Sheriff's Dept on a regular basis, especially during periods of emergency or unusual activity. Req to work min of 16 hrs/mo or 48 hrs/qr. POST Reserve Level Cert req. See flyer for qual. Continuous Recruitment. FFD 5/06/03

SOCIAL WORKER III \$19.19-\$23.33 Hr

Perform social svc such as foster home licensing, out of home placement, providing case mgmt svcs to families in Family Maint & Juvenile Court activities. Req 1 yr comparable to a SW II in a public agency OR 2.5 yrs comparable as an Employment Coordinator II OR grad form a 4 yr college which includes 30 units in social welfare, social/human svcs, sociology or other behavioral science AND 2 yrs social work casework. Until filled

SOCIAL WORKER IV \$21.44-\$26.06 Hr

Work in a diverse population which req an incumbent to understand the influence of cultural issues in casework of an advanced nature in areas such as Adoptions & Child Protective Svcs. Must have a MSW or a 2 yr Master's in Counseling. Continuous Recruitment

SOCIAL WORK IV - TRAINEE \$18.22 Hr

Perform a professional casework in less complicated areas of social svcs, req application of a moderate level of social svcs expertise & techniques. Casework is in areas of child protective svcs. Incumbents at this level will receive necessary training & supervision - Must be within 1 yr of completing a Masters Degree in Social Work or a 2 yr Masters Degree in Counseling. Until filled

To apply, contact
Stanislaus County CEO/Personnel
1010 10th Street, Ste. 2300
Modesto, CA 95354
AA/EEO Employer.

Resumes not accepted in lieu of applications. • Postmarks not accepted.

May 25, 2003