

THE IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE Jeffrey M. Lambaren Executive Director 251 E. Hackett Rd. Modesto, CA 95358 Phone: 209.558.1650 Fax: 209.558.2681

STANISLAUS COUNTY IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE (IHSSAC) MEETING MINUTES 7/19/2013

Committee Members Present:

esent: Linda White Joan Blackwell Connie Muller Carmen Morad Rose Martin Marie Cochran Valerie Mitchell

Committee Members Absent: Anand Magoon

Other Guests:

IHSS & Link2Care Staff Present: Jeff Lambaren Stephy Tracey Cherise Babb

OPENING REMARKS by Linda White

• Meeting called to order at 1:04 p.m.

PUBLIC COMMENT

None

ACCEPTANCE OF MINUTES

• Meeting minutes from the January 25, 2013, March 15, 2013, and May 27, 2013 meetings were accepted.

PUBLIC AUTHORITY UPDATE

 Received multi-page notice from State. An agreement was reached by the Department of Social Services and the CA Department of Health Care Services with IHSS beneficiaries and labor organizations to resolve several class action lawsuits involving the IHSS program. The agreement resolves the dispute between the State and plaintiffs in the Oster v. Lightbourne and Dominguez v. Schwarzenegger lawsuits. The agreement would end multiple legal challenges to the IHSS program. As part of the settlement, commencing July 1, 2013, IHSS recipients would receive an additional 4.4 percent reduction in addition the existing 3.6 percent already in place for a total of 8 percent. The parties agreed



to accept 8% cut for one year, and then the cut would drop to 7% for the following year. It could go lower in the future, depending on State finances.

- In mid-June, Notice of Action(s) (NOA) were mailed to recipients showing their current authorized hours and what the hours would be after the 8 percent reduction. The 8% reduction is in accordance with the mandates of Senate Bill (SB) 67 and applies to all IHSS recipients. This deduction is non-appealable. Recipients still retain rights to request reassessments if their condition changes. Counties cannot require additional medical certifications due to changes in medical conditions. The medical certification requirements are only related to the 8 percent reduction and not for the initial application or annual re-certifications. The recipient needs to be specific when discussing any additional service requests with their social worker, so it is clear the request for additional service is not related to the 8 percent reduction.
- Los Angeles County is going live with CMIPS II on Tuesday, Sept. 3rd. In preparation for that, the computer program will turn off on Thursday, August 29th in order to convert LA's data. The computer program will be back up live for the current counties already on CMIPS II on Tuesday, Sept 3rd. Monday, Sept. 2nd, is the Labor Day holiday.
- At the Federal level, Senator Johnston submitted a bill to get the Appropriations Committee to amend the current bill regarding overtime for IHSS providers. Up to now, IHSS has been exempt; caregivers have been called "home companions." The State is waiting on a decision, at the Federal level, regarding changes to overtime regulations prior to making any program changes. IHSS providers would be limited to working 40 hours per week. If the provider has more than one client, it is unknown if they could work up to 40 hours for each recipient or if they would be limited to 40 hours total.

STATE BUDGET

 Senate Bill 94 "CCI Trailer Bill," makes modifications related to the Coordinated Care Initiative (CCI)/Dual Integration of the Medi-Cal and Medicare population. All counties now have Maintenance of Effort (MOE). Counties pay an amount based on 2011 caseload and administrative expenditures. If a county were to exceed its allocation the cost shifts to the State. By moving populations into coordinated care model, the State would then be eligible to apply a "managed care tax," which would allow the State to draw down more money from the Federal level. If the managed care tax does not provide sufficient funding, it is possible that the State would enact the "Poison Pill" prevision and terminate the project. By October-November the State should have more information as to if the revenue projections will be sufficient.

LEGISLATIVE UPDATE

o None

FURTHER ACTION PLANNING FOR FY 2013-14

Handout – IHSS Advisory Committee Newsletter, July 2013 (copies in both color and black/white). Linda wrote an article for the newsletter explaining how she became a member of the IHSS Advisory Committee and encouraging others to join. We need input for the newsletter from the Committee with items that are important to members. Currently we have a plug for the Committee's website for new members; www.stancounty.com/IHSSAC (it was mentioned during the meeting that many

recipients do not have access to the internet). The newsletter lists important contact phone numbers for IHSS Intake, IHSS Payroll, Public Authority, and APS. The newsletter offers some reminders for both recipients and providers. Articles about the 8% reduction. A Provider Alert informs IHSS providers that the Workers Compensation coverage is changing to a new entity effective July 1, 2013. York Risk Services Group will begin processing all workers compensation claims for IHSS providers effective July 1, 2013. An article on Quality Assurance explains the guidelines in place which are designed to improve the quality and consistency in the IHSS program. The guidelines have three main components: unannounced home visits, targeted mailings (based on some identifiable criteria regarding the provider/recipient such as recipients who are also providers), and statewide coordination and communication to develop a standard process for fraud referrals.

- It was agreed that the newsletter should be printed in color. People are less inclined to read it if it is printed in black/white. There is a cost difference between color and black/white. Color is more expensive. Would it be a direct charge to the Committee or the agency? In the past, the agency paid for it. This newsletter has not been mailed out yet. This is an example for review. It could be folded and mailed out. It would not be a substantial cost to mail. Frequency? A cost analysis would need to be completed to determine how to proceed. If it were sent to all providers and recipients the cost would be approximately \$10,000. Another option would be to post the newsletter on the Committee's website. A motion for a color copy of the newsletter to be posted on the Committee's website for now was approved and seconded.
- Restoration of stipends is being reviewed. All members would like them back. The Committee has money in the budget. We previously had some severe financial times which are why the stipends were stopped. The stipend amount was \$30 per meeting; pays for members' time and gas to attend the meeting. This amount was approved by the Board of Supervisors on date and staff is working to restore the stipend for the Committee. It would also provide an incentive to get more participation at our meetings. AB1234 training (required every 2 years) is mandated in order to receive stipends. If so, we could have county counsel come to a meeting and do a presentation for the training. Could this training possibly be done on line? It is required that an attorney must give the presentation. Jeff will follow up. Members are not required to take the stipend. Motion and second – yes.

COMMITTEE MEMBERS REPORT

• Linda joined CICA (California In-Home Supportive Services Consumer Alliance). They hold a conference call on the 4th Friday of each month, and the calls usually last 45 minutes to one hour. They start at 11am. She missed the last call. It would be nice if a couple of other members got involved. You can participate and/or just listen. You can hang up at any time. Jeff receives notes and will bring them to the next meeting.

AGENDA ITEMS FOR NEXT MEETING

- Public Comment
- Acceptance of Meeting Minutes from July 19, 2013 meeting
- Public Authority Update
- Budget Update
- Legislative Update
- Further Action Planning for FY 2013-14
- Stipends for the Committee
- Committee Members Report

• Agenda Items for Next Meeting