



**THE IN-HOME SUPPORTIVE SERVICES
ADVISORY COMMITTEE**

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**STANISLAUS COUNTY
IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE (IHSSAC)
MEETING MINUTES
1/15/2016**

Committee Members Present: Valerie Mitchell Linda White
Joan Blackwell Rose Martin
Marie Cochran Alma Avina

Committee Members Absent: Mohamed Rashid (advanced notice given)
Connie Muller (advanced notice given)

IHSS & Link2Care Staff Present: Jeff Lambaren

OPENING REMARKS by Linda White

- Meeting called to order at 1:00 pm.

PUBLIC COMMENT

- No public in attendance.

ACCEPTANCE OF MINUTES

- Meeting minutes from the December 4, 2015 meeting were accepted.

PUBLIC AUTHORITY UPDATE

- Viewed the Fair Labor Standards Act (FLSA) power point regarding the changes in the IHSS program related to the new overtime policy. This information will be shared with the providers; Overtime Rules, Requests for Overtime Variance, Violation Rules, and the Travel Reimbursement Guidelines. The new program changes become effective February 1st. The State has not made the decision if this process will be retroactive or begin from February 1st forward. Providers who work over 40 hours in a week would now be eligible for overtime pay. Providers who work for multiple recipients are limited to 66 hours in a work week. However, if a provider works for only one client they can work up to the maximum of 70 hours per week with no penalty. Providers who work for multiple recipients can now be paid for up to 7 hours per week for travel time when traveling between recipients in the same day. There is also a New Wait Time Authorization; "Engaged to Wait" - about 86% of all the recipients have assistance with accompaniment to medical appointments so most people are going to get this. "Waiting to be Engaged" - while recipient is at extended medical appointment, Provider is relieved of their duties and comes back at the appropriate time. This would be for a recurring and

predictable medical appointment. It will depend on the nature of the appointment. If the location is out-of-town, the drive time would be factored in. This should be discussed with the social worker for approval. Timesheets are from the 1st to the 15th, and the 16th to the last day of the month. Timesheets must now be submitted within two weeks from the last day of the pay period. If timesheets are submitted more than two weeks after, it could take up to 30 days for processing and delay issuance of future timesheets. Due to the overtime process, the defined workweek has been changed to Sunday from 12:00 am through Saturday at 11:59 pm. Recipients will need to call their IHSS social worker to ask for approval to adjust weekly hours in certain circumstances. Overtime approval must meet an immediate/unanticipated need of the recipient that can't wait until a new provider comes, and which would have a direct and significant impact on the recipient's health or safety. The Recipient can change the Providers weekly work schedule to accommodate the Recipient's need. If the Recipient's weekly authorized hours are less than 40 per week and the change will not trigger overtime they do not need County approval. Providers must complete and return the form SOC 846 to the County by April 15, 2016. If not completed, the Provider will be terminated as of May 1, 2016. Providers with multiple Recipients must submit a work week and travel agreement form SOC 2255. Recipients with multiple Providers must make a work schedule and have it signed by all of their Providers (form SOC 2256). All the Provider's hours must be less than or equal to the weekly authorized hours for the Recipient. Reviewed new timesheet and travel claim form. Providers can receive a violation for the following reasons - claiming more than 7 hours of travel time, working for multiple Recipients and claiming more than 66 hours a week, or working more than the Recipient's weekly hours without permission from IHSS. **Violation #1** – Written warning. **Violation #2** – Written warning and optional training within 14 days. **Violation #3** – 3 month suspension. **Violation #4** – 1 year suspension and must re-do background check and attend orientation again. There is a process for the Providers to appeal a violation notice. Violation appeals must be requested within 10 calendar days of the notice. There is a grace period until May 1, 2016 when the violation process will be enforced. Discussed other new forms and notices/processes.

BUDGET UPDATE

- The IHSS Program is expected to cost \$10.4 billion (total funds) in Fiscal Year (FY) 2016-17. The estimate is that the caseload will be around 490,000; an increase of 26,000 Recipients. Various changes have made more individuals eligible to apply for the program. As previously discussed, the State had not made a decision on how to proceed regarding the Managed Care Organization (MCO) Tax. Apparently, they have now reached an agreement regarding the tax but have not offered any further information at this time. The Governor has allowed the 7% restoration to continue this year for the full Recipient authorized hours. The Coordinated Care Initiative (CCI) got less participation than they hoped for; 83% of IHSS Recipients opted out of the program. There is an agreement to continue CCI for another year in the hopes of more participation and the anticipated savings that it would provide.
- SSI/SSP Cost of Living Adjustment (COLA) increase to go into effect in FY 2016-17; \$17 individual, and \$31 couple.

LEGISLATIVE UPDATE

- Regarding the new time sheets, the State organization is going to propose some legislation to change the Recipient's authorization to weekly instead of a monthly authorization to align with the new overtime rules.

COMMITTEE MEETING SCHEDULE FOR 2016

- Motion to approve the Committee Meeting Schedule for 2016 made.

FURTHER ACTION PLANNING FOR 2015-2016

- This proposal would apply to fiscal year 2016-2017; revisit having a presentation about the benefits of the Coordinated Care Initiative (CCI). We could arrange for a speaker, and get more people to participate in a dialogue. We could plan to hold this immediately after the Healthy Aging Summit at the Centre Plaza in October; while all the various representatives are here. This would apply to the next fiscal year, which starts in July, so there are still funds available in the committee's budget if there is something else that you are looking at for the remainder of this fiscal year 2015-2016.

COMMITTEE MEMBERS REPORT

- None.

AGENDA ITEMS FOR NEXT MEETING

- Public Comment
- Acceptance of Meeting Minutes from January 15, 2016 meeting
- Public Authority Update
- Budget Update
- Legislative Update
- Further Action Planning for FY 2015-2016
- Committee Members Report
- Agenda Items for Next Meeting

Stephy Tracey, Recorder