



COMMUNITY SERVICES AGENCY

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**STANISLAUS COUNTY
IHSS ADVISORY COMMITTEE MEETING
MINUTES**

07/12/02

Committee Members Present:	Jeff Lambaren Jose Acosta Connie Muller	Kenny Brown Rose Martin	Madelyn Amaral Dwight Bateman
Committee Members Absent:	Toni Hector	Ora Scruggs	Bonnie Cyphers
IHSS Staff Present:	Jan Holden	Paul Birmingham	Larry Baptista
CSA Staff Present:	Tom Snow	Doreen Ott	

OPENING REMARKS by CHAIRMAN JEFF LAMBAREN

- Meeting called to order at 1:11 p.m.
- Announcement made allowing for public comment.

PUBLIC COMMENT

- Round table of introductions by committee members and by members of the public.
- Members from United Domestic Workers attended the meeting: Jorge Riveira, Jorge Riveira, and Patricia Downs

ACCEPTANCE OF MINUTES

- June 28, 2002 minutes: Motion M/S/A to accept minutes with no corrections.

BUDGET UPDATE by Paul Birmingham

- Paul Birmingham told the committee that the State budget is still at a stalemate.
- The \$1.00 trigger for Public Authority wages was left in the budget by the legislature.



AB 1682 RECOMMENDATION DISCUSSION

- Passed out All-County Information Notice No. I 43-02.
- Looked over and discussed the All-County Question and Answer Notice.
- Paul Birmingham explained to the committee that the State is now stating that a PA can now be operated and run by County employees.
- Passed out Budget chart designed by Kenny Brown and members asked to revise the chart with some appearance modifications.
- Kenny Brown asked if the County staff will be asked to make a recommendation to the Board and Jan Holden said “yes”.
- Jorge Riveira from United Domestic Workers stated that a PA and the County should have separate independent attorneys to avoid conflicts of interest.

VOTE ON THE “EMPLOYER OF RECORD” RECOMMENDATION

- Looked over recommendation draft from last meeting on 6/28/02.
- Jeff Lambaren asked the committee if the committee wants to revisit the Public Authority option in one year or if it makes sense to revisit the option according to the wage trigger of \$7.11 per hour?
- Discussion regarding what recommendation committee members want to make.
- Kenny Brown handed out copies of a recommendation for a PA.
- Discussion regarding best option vs. what is cost effective.
- Consensus on a compromise to recommend a County Administration of the IP mode, with a strong statement of support for a PA. The recommendation would also include some county homemakers.
- The recommendation is to indicate why the PA is the preferred option for some committee members and will discuss why the committee is not recommending a PA at this time (not cost effective until the IP wage rate is above \$7.11 per hour; difficulty in implementing a PA by the deadline of 01/01/03).
- The committee will recommend that the Board of Supervisors reconsider a PA as the Employer of Record once IP wages are \$7.11 per hour.
- Committee asked CSA staff to retype the recommendation and mail or hand deliver the new recommendation to the committee members as soon as possible for review prior to the meeting on July 26.
- The vote on the Employer of Record recommendation was tabled pending review and discussion of the recommendation at the next committee meeting.

QUESTIONS AND ANSWERS

AGENDA ITEMS FOR NEXT MEETING

- Review Employer of Record recommendation
- Vote on Employer of Record recommendation

Recommendation for IHSS Public Authority in Stanislaus County

After consideration, members of the IHSS Advisory Committee respectfully submit the following recommendation, dissenting from the recommendation of the IHSS Advisory Committee.

The Board of Supervisors will designate Stanislaus County as a **Public Authority County to address the issue of the employer of record**. The Board would direct that prior to Jan 1, 2003, the Chief Executive Officer (CEO) and the Community Services Agency (CSA) Director take the necessary action to see a Public Authority established in Stanislaus County and recognized as the employer of record of Stanislaus County IHSS Individual Providers for the purposes and provisions of statutory law regarding employer-employee relations. This Public Authority should by Jan 1, 2003 be ready to conduct normal union management relations with any union representing or organizing IHSS Individual Providers.

The IHSS Advisory Committee considered both the PA option and the County Administration of the IP Mode in depth to arrive at their recommendation. In the end, we felt that the Public Authority mode is the best mode to provide IHSS services, especially in the areas of Consumer control and Participation. We feel that this is the appropriate action to take based on several issues, the chief of which will be outlined here.

Consumer Participation & Consumer Control

Foremost in the advantages of the Public Authority mode is the opportunity for Consumer control. A Public Authority would encourage the Consumers to be involved in the working of the IHSS program.

With a Public Authority, there would also be possible employment opportunities for disabled individuals. This would give disabled individuals the chance to remove themselves from public support and give back the community. Consumers who have needs may be better served by staff that is intimately familiar with the needs of other disabled individuals. It is our belief that no other group of individuals is more able to empathize with the unique needs of the disabled and elderly community with members of that community themselves.

Potential Cost Savings

While more expensive to start, Public Authority costs will be lower if wages are increased. (See Attached Cost Comparison chart) At the current wage of \$6.95/hr, a Public Authority is not the most cost effective way to provide IHSS services. However, as wages potentially increase as the result of collective bargaining by IHSS providers, or any other means, a Public Authority becomes the lowest cost mode for the provision of the necessary IHSS services.

Limited Liability to the County

The Public Authority would be a non-county entity, separate from the County in its operation. This should reduce or eliminate the risk to the County if ever a lawsuit should arise involving the services provided by the Public Authority. Any actions taken by the Public Authority would be the responsibility of the Public Authority, *not* Stanislaus County.

Reasons for dissent from recommendation for County Administered IP Mode

While wanting to present a unified recommendation to the Board of Supervisors, certain members feel that it is inappropriate to recommend the County Administered IP Mode.

The responsibility of the IHSS Advisory Committee is to make the recommendation that we feel is in the best interests of the Consumers and Providers that the Program is meant to serve. The final responsibility for determining the course of action lies with the County Board of Supervisors.

County staff has also been directed to prepare a recommendation; presumably this will be a recommendation for County Administered IP Mode. We feel that while this may be the most cost effective way to provide IHSS services at this time, it could in the long run cost an unreasonable amount. As wages increase, the Public Authority mode will become the most cost effective way to provide IHSS services.

Aside from the issues of cost, the principal consideration in Providing IHSS services is the needs of the Clients; the Elderly and Disabled people that depend on IHSS services for their daily needs. We feel that a Public Authority gives these people the best chance to participate in the governing of the IHSS program, thus in the end ensuring the highest quality of service.

This recommendation is respectfully prepared by members of the IHSS Advisory Committee.

Kenny R. Brown
IHSS Advisory Committee Vice-Chairman

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



June 24, 2002

ALL-COUNTY INFORMATION NOTICE NO. I 43-02

TO: ALL COUNTY WELFARE DIRECTORS
IHSS PROGRAM MANAGERS**REASON FOR THIS
TRANSMITTAL**

- State Law Change
 Federal Law or Regulation
Change
 Court Order
 Clarification Requested by
One or More Counties
 Initiated by CDSS

SUBJECT: ASSEMBLY BILL 1682, CHAPTER 90, STATUTES OF 1999 (AB 1682)
FISCAL AND BUDGET QUESTIONS RAISED BY COUNTIES

REFERENCE: ACIN I-27-02; ACL 00-36; ACL 00-68

In recent months counties have submitted a number of questions regarding the implementation requirements of AB 1682. ACIN I-27-02 provides answers to questions specifically relating to the implementation timeline. The following information responds to additional questions that have been raised about fiscal and budget matters.

FUNDING

- I. ADVISORY COMMITTEES
- II. COUNTY ACTING AS EMPLOYER FOR COLLECTIVE BARGAINING PURPOSES
- III. COUNTIES WITH PUBLIC AUTHORITIES
- IV. WORKER'S COMPENSATION
- V. MISCELLANEOUS

I. ADVISORY COMMITTEES

1. **Question:** Clarify funding for the Public Authority (PA) Advisory Committee vs. funding for the In-Home Supportive Services (IHSS) Advisory Committee.

Answer: With the enactment of AB 1682, funding for the PA Advisory Committee and IHSS Advisory Committee is the same.

State law [Welfare & Institution Code (W&I Code) 12301.3, 12301.4] requires that each county have an Advisory Committee to provide input on how the county should comply with AB 1682 and to provide advice and recommendations on the IHSS program on an ongoing basis after the county has put in place its AB 1682 employer.

State law (W&I Code 12301.6) also requires that each PA have an Advisory Committee if the PA's board of directors is the county board of supervisors.

(Note: Under W&I Code 12301.3 a county with a PA governing body in place prior to July 1, 2000 is not required to create a separate AB 1682 Advisory Committee, since the county is deemed to have met the composition requirements of the IHSS Advisory Committee.)

State law (W&I Code 12301.4) only allows the State to share in the funding of one of the two committees. A county with an AB 1682 Advisory Committee that elects the PA option must determine if its PA Advisory Committee will also serve as its AB 1682 Advisory Committee or whether the county will operate two Advisory Committees.

As noted above, if a county chooses to operate both Advisory Committees the State can only financially share in one of them. Whether or not the county opts for one or two Advisory Committees the committee designated for AB 1682 purposes will be funded as the State mandated AB 1682 committee and no county funds will be required. Costs for the committee should be claimed to the AB 1682 Advisory Committee item as described in County Fiscal Letter 00/01-48 dated 12/22/00. See also ACL 00-36, question 30.

II. COUNTY ACTING AS EMPLOYER FOR COLLECTIVE BARGAINING PURPOSES

2. **Question:** If a county chooses to act as the employer for collective bargaining purposes only, is the county able to structure a "rate" like a PA that would allow the county to pay for the costs at their normal sharing ratio for such items as liability insurance and contracting, and for someone to negotiate with the union for wages and benefits? Can the county bill items such as those listed above via their IHSS administrative claim?

Answer: No. If the county chooses to act as the AB 1682 employer for employer/employee relations ("collective bargaining") purposes only, they cannot structure a rate like a PA. Any associated administrative costs incurred by the county are claimed as county IHSS administrative costs on the County Expense Claim (CEC).

Please note that county responsibilities under AB 1682 are not limited to "collective bargaining". AB 1682 requires the county to act as or create an employer for IHSS providers for the purposes of the Meyer, Milias, Brown Act. This Act governs employer/employee relations involving public employees. This may involve responsibilities beyond collective bargaining. Counties should seek advice of Counsel as to the extent of their duties under the Act. See Also ACL 00-36, question 16.

3. **Question:** When the county acts as the employer for collective bargaining purposes, are the administrative costs to provide IHSS services shared by the federal sharing ratio (at 51.4%), or does the federal sharing only apply to provider wages and benefits? If so, then may the PA have more things included in the federal sharing than when the county acts as the employer?

Answer: It is not clear what is meant by "administrative costs to provide IHSS services" as used in your question. The level of Federal Financial Participation (FFP) in the IHSS program for federally eligible costs is a constant and is not affected by the means selected by a county to comply with AB 1682. Eligible costs are IHSS program costs that are

associated with the delivery of services to Medi-Cal beneficiaries under the Personal Care Services Program (PCSP).

When a county elects to act as the AB 1682 employer the county's costs related to that role qualify for federal funding at the established rate at which federal funds are available on the same basis as other county IHSS program administrative expenses. The federal sharing ratio is 51.4% of the PCSP hours for IHSS services and administrative costs in all modes. The State/county share for IHSS administrative expenses remains at 70% State and 30% County of the non-federal share. The State/county share for service costs is 65% State and 35% County of the non-federal share.

PAs will have different and potentially greater administrative costs than a county serving as the AB 1682 employer because PAs have specific legally required functions that a county operating as the AB 1682 employer does not have. Please note that unlike county administrative costs, the county cost for PA administrative costs is at the same ratio as IHSS services and benefits. The county cost is 35% of the non-federally funded cost. See also ACL 00-68, question 4,9 and11.

4. **Question:** If the county chooses to act as the employer for collective bargaining purposes in the IP mode, what is the amount of benefits and salary in which the State will share?

Answer: For the Fiscal Year (FY) 2001-02 the State will share in wage costs up to minimum wage plus 5.31% for provider compensation in the IP mode administered by the county. For the FY 2001-02, 5.31% above minimum wage translates to \$7.11 per hour. See W&I Code §12306.21. A federal share is available above that level. The State has no legal authority to share in the cost of benefits when a county opts to act as the AB 1682 employer. However, the FFP can be claimed for wages and benefits up to 150% of the State minimum wage for PCSP services.

5. **Question:** If a county chooses to act as employer for collective bargaining purposes, is it reasonable to assume that a rate of \$7.11 for providers would last without union involvement?

Answer: If a county acts as the AB 1682 employer the IP mode is maintained in the county. Current law allows the State to share in IP wages under the IP mode in a non-PA county up to \$7.11/hr, i.e., minimum wage plus 5.31%. The State will continue to share in IP wages up to this level as long as the county's board of supervisors approves the wage level and State law is not changed. The current level of State participation is established by the legislature in W&I Code 12306.21. The department cannot speculate whether the law may be changed by the Legislature in future years.

6. **Question:** If there are State funds available to absorb administrative costs for a PA or nonprofit consortium, why would a county not get the same consideration if they choose to be the employer for collective bargaining purposes?

Answer: Counties do get the same consideration. County costs of acting as the AB 1682 employer are treated as county IHSS administrative costs and are funded in the same manner as PA costs through State, county and federal sharing of the cost. The State will

fund 70% of the non-federally funded cost to a county acting as the AB 1682 employer. The county's share is 30% of the non-federally funded costs.

The difference between a county's costs to act as the AB 1682 employer and a PA is that PAs have the legally mandated responsibilities beyond serving as the employer for employer/employee relations purposes. For that reason PAs may have higher administrative costs. The county share of PA costs is 35% of the non-federally funding costs. Funding for administrative costs for a PA is authorized in W&I Code §12301.7. Administrative costs for the PA are part of the PA rate.

7. **Question:** Under the county administration of the IP mode, if a county chooses to pay or bill for a liability policy for IP's, and for an entity or individual to conduct negotiations with the union, would these costs be paid via program money or administrative claim?

Answer: The costs itemized in the question would be allowable and would be claimed as county IHSS administrative costs on the County Expense Claim (CEC).

8. **Question:** Is there any plan for increasing the wage?

Answer: We are not aware of any plan. We cannot speculate.

9. **Question:** What about benefits? Will they be included eventually in the shared amount?

Answer: We are not aware of any plan. We cannot speculate.

III. COUNTIES WITH PUBLIC AUTHORITIES

10. **Question:** How are counties to calculate the start-up and implementation costs associated with AB 1682, which requires all counties to act as, or create, an employer for collective bargaining purposes?

Answer: We do not have a formula to provide you for calculating start-up and implementation costs. Counties have experience estimating program start-up and implementation costs. We can only suggest that AB 1682 be analyzed and costed like any other new program. Please note that under the PA or Non-Profit Consortium option total annual operating costs must be converted to an hourly rate by dividing the total annualized cost by the annual projected paid IHSS hours in the county for the initial year of operations. We suggest that you contact one of the counties with a PA for information about their experience. See also ACL 00-68, question 13.

11. **Question:** How can the cost be reasonable for counties with less hours than large counties?

Answer: See the attached table. It appears that with a few exceptions most counties have a sufficient number of annual paid IHSS hours to generate an hourly PA administrative rate that will support a PA. With low hours the hourly administrative component of the rate will be larger than with high hours. This is an accepted artifact of the rate-setting approach.

12. **Question:** Can the PA counties submit costs for PA claiming through the CEC?

Answer: Generally no. Counties must submit the PA administrative and provider benefit costs using the SOC 448, which is similar to the SOC 432 form used to claim IHSS contract expenses. Counties will use the county expense claim to claim the administrative costs incurred by county employees to support county efforts to determine how to comply with AB 1682 compliance including the development of a PA. Once the PA is operational and has an approved rate all PA costs must be claimed via the SOC 448. If a county provides support services to an operating PA, such as accounting, personnel, payroll, etc. the county should receive reimbursement from the PA for these costs. These costs should, therefore, be included in the PA's administrative rate component.

13. **Question:** Counties would like information on other counties that have worked out a budget for a public authority?

Answer: Contra Costa county has distributed a copy of their PA budget during an AB 1682 workshop. The majority of the existing PA's have annual operating budgets between \$490,000 and \$3,500,000.

14. **Question:** Can the county structure a PA rate that includes all related costs including liability, insurance, negotiations, increased wages and benefits for providers, and enhancements to the program? If not, how will these costs be funded?

Answer: Please refer to the copy of ACL 98-20 which describes the PA rate-setting and claiming process.

The PA rate has four components and includes all eligible PA costs. The four components are provider wage level, taxes on provider wages, PA administrative cost and provider benefits. Under the California Medi-Cal State Plan the PA rate cannot exceed 200% of the State minimum wage (\$13.50/hr). The eligible operating costs of a PA will include items such as insurance, cost of negotiations, PA staff salary, equipment, office space and support services needed customarily associated with operating a public agency. The costs of performing the statutorily mandated PA functions are also eligible costs. These costs form the PA administrative rate.

Wage and benefit costs for IHSS providers under a PA have a specific State sharing formula. In short, under current State law, in FY 2001-02 the State can share in IHSS provider wages up to \$8.50/hr. If a county's IHSS provider wages are less than \$7.50/hr the State can also share in individual health benefits up to \$.60/hr. If a county's IHSS provider wages are \$7.50/hr or greater the State can share in up to an additional \$1.00/hr for individual health benefits as long as the total for wages and benefits does not exceed \$9.10/hr up to \$1.60/hr.

15. **Question:** Can a county that has an interagency contract in place with a PA include administrative costs incurred under the contract as valid PA expenses when it starts invoicing the PA administrative rate following the rate approval? What costs can counties include on their SOC 448 (PA Administrative Expense Claim) when they first get their PA rate approved?

Answer: County costs incurred in developing and managing the county's interagency agreement with their county's PA are allowable county IHSS administrative costs. These costs must be claimed on the CEC. If a county provides support services to their PA they the PA must reimburse county for their costs. The PA needs to include these costs in their administrative rate component calculations. Similarly, if a PA contracts with the county to perform services normally performed by the county in their roles of administering the IHSS program the county should reimburse the PA and then claim these costs on the CEC as a contract expense. The costs of the services provided by the PA for the county should not be included in the PA rate.

Although the PA administrative cost reconciliation with a county is currently done on a quarterly basis, counties typically "front" the PA the funds needed to meet the PA's operating costs. The arrangements governing how the PA's operating cost will be funded by the county should be included in the interagency agreement between the county and the PA. See also ACL 00-68, question 13.

16. **Question:** Is health coverage available for IHSS providers working under a PA with no share-of-cost for the county?

Answer: No. This question may have arisen because some counties have indicated that they have redirected a portion of their indigent health care funds to support health insurance for IHSS providers on the premise that they are already paying for health care services to these individuals through the indigent system. This may reduce the amount of new funds counties must secure to fund health benefits. The redirection of these funds to finance health insurance means that when these individuals subsequently access the county system for health care the county can be assured of reimbursement from the providers' health plan.

17. **Question:** Should the counties treat the PA Administration Reimbursement Rate as a pass-through when using a PA method of service delivery in the IP Mode? (i.e. the county keeps none of this money).

Answer: The PA administrative rate establishes the maximum amount of funding available for the PA's administrative costs in a fiscal year, e.g., it creates a maximum budget for PA administrative costs for the PA. Counties typically "front" the funding to their PA for administrative costs. Counties must then claim for the actual costs billed to them by their PA for the services rendered by the PA. The county will be reimbursed by the State for the State and federal share of these costs.

Counties should monitor their PA costs and adjust their PA rate when necessary to assure that the administration component of the rate provides sufficient funds to cover the PA's annual operating costs. Once a fiscal year ends the State cannot share in PA administrative costs that exceed the product of the administration component of the PA rate and the county's total annual IHSS paid hours.

18. **Question:** How will the State calculate the PA rate for a PA serving multiple counties through a regional agreement?

Answer: The State does not “calculate” the PA rates. Each county in a regional agreement served by a single PA will determine its unique PA rate based on the county’s IHSS provider wage rate, the applicable employer taxes, IHSS provider benefits authorized by the county, and the portion of the PA’s administrative costs allocable to each county served under the agreement. See also ACL 00-68, question 23.

19. **Question:** Are the IHSS providers who will become employees of the PA for collective bargaining purposes subject to applicable State or Federal minimum wage and overtime laws?

Answer: Current IHSS regulations found in the Manual of Policies and Procedures (MPP) at 30-764 continue to govern overtime by providers. Please note that except for limited purposes, such as the purpose of bargaining for wages and benefits described in AB 1682, IHSS providers are not “employees” of the PA.

20. **Question:** If an increase in wages were agreed to by the PA in bargaining with a recognized employee organization, can the increase be retroactive? In other words, if the State must approve the rate, which takes time, must the salary increase not be effective until after the State has approved the rate?

Answer: A PA wage increase cannot be retroactive. See W&I Code 12306.1(b) which provides that a PA wage increase takes effect commencing on the first day of the month subsequent to the month in which final approval is received from the Department of Health Services. The Department may grant approval on a conditional basis, subject to the availability of funding.

21. **Question:** If the county is required to have the interagency agreement in place, appoint or hire an Employee Relations Director to negotiate with the union, contract with a neutral third party to conduct the union elections and verify the results, how is the county to pay for the costs of implementation prior to having an approved direct rate to cover overhead costs? Aren’t these new State-mandated costs related to AB 1682?

Answer: It is the Department’s position that there are no reimburseable costs mandated by the State in AB 1682 within the meaning of Government Code Section 17514. County costs incurred in connection with preparations for complying with AB 1682, prior to the inception of the PA, may be claimed as IHSS program administrative costs. The county’s share of such costs is 30% of the non-federally funded portion of total costs. These costs would include the costs of developing and executing the interagency agreement and hiring an executive director or employee relations director, if done in advance of the PA becoming operational. When staff is hired for the PA, and begins performing PA work, their costs can be covered by the PA’s approved administrative rate. However, the sharing ratio for PA administrative costs reverts to 65% State and 35% county of the non-federal share.

Please note that we have identified no provision in the Myers, Milias, Brown Act requiring a county to contract with a neutral third party to conduct the union election and verify the results. We suggest you obtain legal advice from your county council on this point.

22. **Question:** Can a PA pay extra compensation to IP providers who:
- a. work with certain high maintenance recipients
 - b. who agree to provide unscheduled emergency provider care
 - c. agree to attend and complete provider training

Secondly, can counties include these costs in their operating budget as an administrative cost? If not, how should these cost be accounted for, and is State and federal cost sharing available?

Answer: Counties have the authority under MPP 30-764 to pay wages above the standard wage in a county. However, these wages are not allowable PA administrative costs and cannot be included in a PA administrative rate. As a practical matter special wage rates cannot be reflected in the PA rate, which can reflect only one wage rate, i.e., the county's base provider wage rate. We have previously advised counties that Case Management, Information and Payrolling System (CMIPS) cannot process multiple wage rates in a county. At this time we do not have a way to process special wage payments that will allow us to identify such payments for the purposes of allocating the costs or to withhold necessary employer taxes and disability insurance payments. Even if these considerations were not relevant it is not clear if the CMIPS special transactions capability would work for every kind of this special wage payment. As a consequence counties should discuss their plans for special provider wages with the Department before making collective bargaining commitments.

Counties should note that under State law the State can currently only share in wages up to \$8.50/hr in PA counties. The county share of cost for wage amounts above \$8.50/hr is 100% of the non-federally funded cost for PCSP services and 100% for IHSS residual services. Additionally, counties are reminded that IHSS regulations govern overtime by IHSS providers. The State will not share in any overtime wage levels negotiated by a PA through collective bargaining that deviate from current IHSS regulation provisions.

IV. WORKER'S COMPENSATION

23. **Question:** Even though the State pays for Worker's Compensation Insurance, does the county worker's compensation rate go up if claims are high in that specific county? Is there any penalty if a county's providers have high claims?

Answer: We are continuing to research this question with CDSS fiscal staff but it is our belief that the allocation of the costs of the Worker's Compensation Insurance is based on county caseloads and caseload mixes. The incidence or cost of worker's compensation claims does not affect a county's share of the cost.

V. MISCELLANEOUS

24. **Question:** How long will CDSS rate approval and authorization take?

Answer: Counties should plan for 30-60 days. In exceptional cases, however, we can expedite approval in a matter of days if all required documentation has been submitted and it supports the requested rate. See also ACL 00-68, question 5.

25. **Question:** A previous estimate of time required to approve a direct rate was 90 days. As the number of counties submitting requests gets larger, will the process take longer? If so, can you estimate how much longer?

Answer: The Department has always asked for 90 days lead time for the approval process for PA rates, but it rarely takes anywhere near that long to get approval once a fully documented request is received. If counties flow their PA rate approval requests to the State sufficiently in advance of the desired effective date, and with all required documentation, then the Department should continue to be able to maintain its current turnaround time. The turnaround time will only be adversely affected if we receive a surge of last minute approval requests. The problem would be compounded if there were multiple last minute requests without adequate documentation. See also ACL 00-68, question 5.

26. **Question:** What information can you provide related to Senate Bill 90 State mandate claims related to AB 1682 implementation?

Answer: There is a county/state mandate claim regarding AB 1682 under submission at the State Mandates Commission. See also ACL 00-36, question 8.

If you have any questions regarding this letter, please contact Alan Stelmack, Chief, Adult Programs Branch at (916) 229-4582.

Sincerely,

*Original Signed Joseph Carlin for
Donna L. Mandelstam
Dated June 24, 2002*

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division

Attachment

SMALL COUNTIES -- ESTIMATED MAXIMUM ANNUAL ALLOWABLE PUBLIC AUTHORITY ADMIN COSTS @ \$13.50 TOTAL PA STATE PLAN RATE CAP.

County	(avg) IP cases	(sum) IP hours	\$6.75 wage			\$7.50 wage			\$8.50 wage			\$9.50 wage			\$10.50 wage			\$11.50 wage		
			Est.	County Share [2]	+ taxes (10%) + \$0.60 benefits	Est.	County Share	+ taxes (10%) + \$0.60 benefits	Est.	County Share	+ taxes (10%) + \$0.60 benefits	Est.	County Share	+ taxes (10%) + \$0.60 benefits	Est.	County Share	+ taxes (10%) + \$0.60 benefits	Est.	County Share	+ taxes (10%) + \$0.60 benefits
			\$8.03		\$9.85		\$9.95		\$11.05		\$12.15		\$13.25							
Maximum PA admin rate/hour [Estimated]			\$5.47		\$4.65		\$3.55		\$2.45		\$1.35		\$0.25							

ESTIMATED MAXIMUM ANNUAL ALLOWABLE PUBLIC AUTHORITY ADMIN COSTS [See note 1]

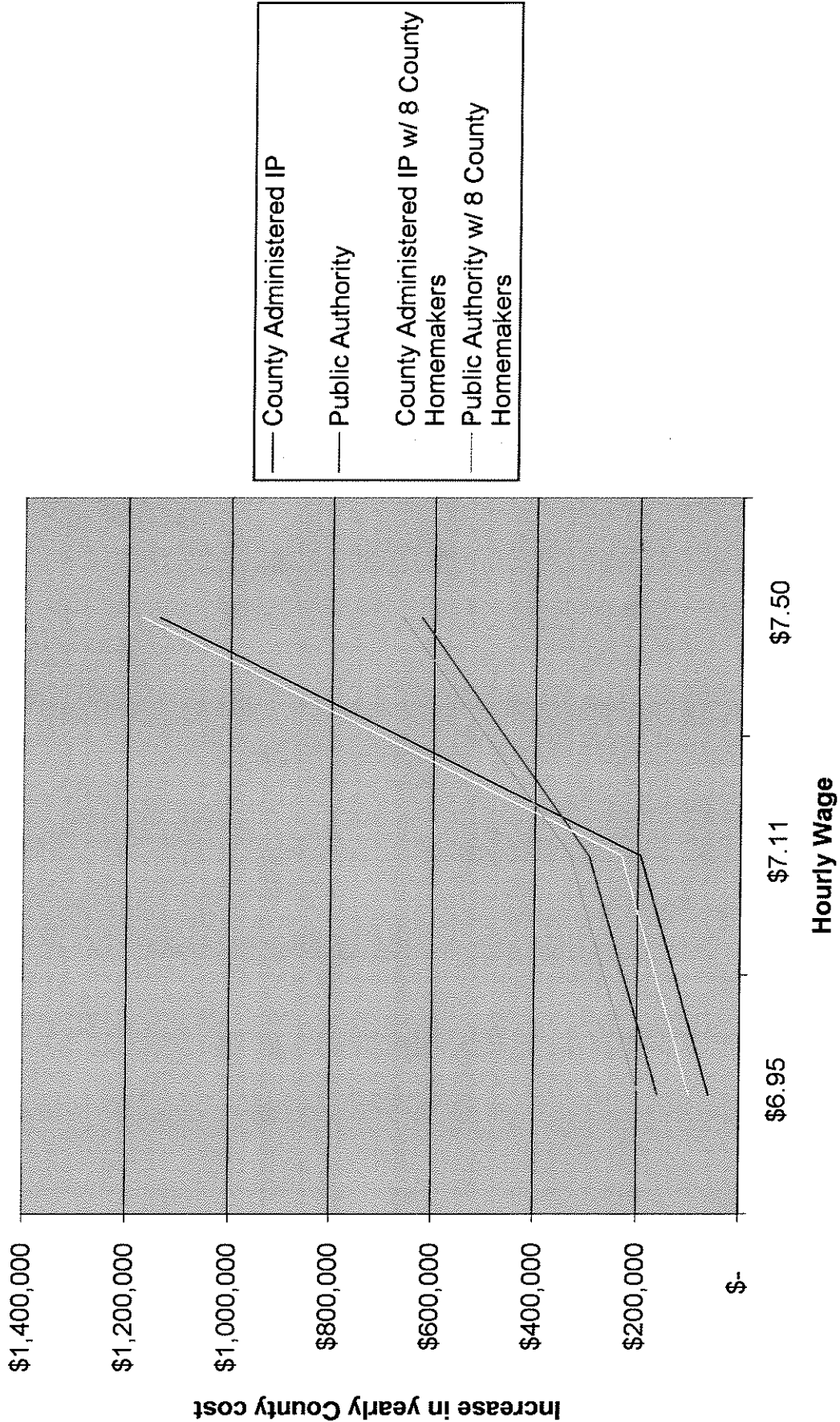
County	(avg) IP cases	(sum) IP hours	\$6.75 wage	\$7.50 wage	\$8.50 wage	\$9.50 wage	\$10.50 wage	\$11.50 wage
ALPINE	6	6,841	\$37,420	\$31,811	\$24,286	\$5,346	\$16,760	\$3,690
MONO	21	39,544	\$216,306	\$183,860	\$140,381	\$30,902	\$96,983	\$21,327
SERRA	45	52,048	\$284,703	\$242,023	\$184,770	\$40,674	\$127,518	\$28,071
INYO	74	78,176	\$427,623	\$363,518	\$277,025	\$61,092	\$191,531	\$42,162
TUOLUMNE	177	114,121	\$624,242	\$530,663	\$405,130	\$89,182	\$279,596	\$61,548
MODOC	89	122,001	\$667,345	\$567,305	\$433,104	\$95,340	\$298,902	\$65,798
COLUSA	124	137,756	\$753,525	\$640,565	\$488,034	\$107,652	\$337,502	\$74,295
TRINITY	131	153,436	\$839,295	\$713,477	\$544,698	\$119,906	\$375,918	\$82,752
AMADOR	126	159,003	\$869,746	\$739,364	\$564,461	\$124,256	\$389,557	\$85,754
LASSEN	140	186,947	\$1,022,600	\$869,304	\$663,662	\$146,094	\$458,020	\$100,825
PLUMAS	210	188,989	\$1,033,770	\$878,799	\$670,911	\$147,689	\$463,023	\$101,926
MARIPOSA	156	195,881	\$1,071,469	\$910,847	\$699,547	\$153,075	\$479,908	\$105,643
SAN BENITO	214	245,057	\$1,340,462	\$1,139,515	\$869,952	\$191,505	\$600,390	\$132,165
DEL NORTE	286	307,931	\$1,684,383	\$1,431,879	\$1,093,155	\$240,639	\$754,431	\$166,075
SUTTER	331	309,985	\$1,695,618	\$1,441,430	\$1,100,447	\$242,244	\$759,463	\$167,183
CALAVERAS	313	325,163	\$1,778,642	\$1,512,008	\$1,154,329	\$254,105	\$796,649	\$175,368
GLENN	326	334,473	\$1,829,567	\$1,555,299	\$1,187,379	\$261,381	\$819,469	\$180,390
SISKIYOU	369	370,893	\$2,028,785	\$1,724,652	\$1,316,670	\$289,842	\$908,698	\$200,032
NAPA	386	522,889	\$2,860,203	\$2,431,434	\$1,855,256	\$408,622	\$1,281,078	\$282,007
EL DORADO	413	569,347	\$3,114,328	\$2,647,464	\$2,021,182	\$444,928	\$1,394,900	\$307,063
YUBA	717	748,024	\$4,091,691	\$3,476,312	\$2,655,485	\$584,559	\$1,832,659	\$403,428
TEHAMA	598	789,504	\$4,318,587	\$3,671,194	\$2,802,739	\$616,974	\$1,934,285	\$425,799
NEVADA	503	864,474	\$4,838,073	\$4,112,804	\$3,139,883	\$691,190	\$2,166,961	\$477,019
SAN LUIS OBISPO	995	988,866	\$5,409,097	\$4,598,227	\$3,510,474	\$772,769	\$2,422,722	\$553,320
PLACER	811	1,076,062	\$5,886,059	\$5,003,688	\$3,820,020	\$840,911	\$2,636,352	\$580,347
MADERA	1,068	1,157,052	\$6,329,074	\$5,393,235	\$4,107,535	\$904,202	\$2,834,777	\$624,027
MARIN	859	1,258,560	\$6,884,323	\$5,853,304	\$4,467,888	\$983,527	\$3,083,472	\$678,772
KINGS	1,069	1,309,090	\$7,160,722	\$6,087,269	\$4,647,270	\$1,023,015	\$3,207,271	\$706,024
MENDOCINO	1,236	1,508,052	\$8,251,779	\$7,014,767	\$5,355,360	\$1,178,889	\$3,695,952	\$813,599
SANTA BARBARA	1,285	1,514,149	\$8,282,395	\$7,040,793	\$5,375,229	\$1,183,263	\$3,709,665	\$816,618
MERCED	2,010	1,521,130	\$8,320,591	\$7,073,255	\$5,400,012	\$1,188,718	\$3,726,769	\$820,383
VENTURA	1,700	1,878,833	\$10,277,217	\$8,736,573	\$6,669,857	\$1,468,252	\$4,603,141	\$1,013,301
TULARE	2,535	1,916,954	\$10,485,191	\$9,913,371	\$7,604,832	\$1,497,965	\$4,696,292	\$1,033,807
HUMBOLDT	1,606	2,059,295	\$11,258,874	\$9,571,072	\$7,306,947	\$1,608,497	\$5,042,823	\$1,170,089
SHASTA	1,854	2,174,446	\$11,894,220	\$10,111,174	\$7,719,283	\$1,699,285	\$5,327,393	\$1,172,732

Notes: 1. The max PA admin funding is derived as follows: (Maximum PA Rate Per State Plan -- \$13.50) less (the wage/tax/benefit factor) times (the total estimated annual hours).

2. County share = (Total\$amount* 5*.35)+(Total\$amount* 256*.35)

3. IP cases and hours are paid IP hours CMIPS management statistics period July - December 2001

IHSS Employer of Record Cost Comparison



- County Administered IP
- Public Authority
- County Administered IP w/ 8 County Homemakers
- Public Authority w/ 8 County Homemakers