



**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
1/16/2015**

Committee Members Present: Linda White Marie Cochran
Joan Blackwell Rose Martin
Mohamed Rashid Alma Avina

Committee Members Absent: Valerie Mitchell (advanced notice given)
Connie Muller (advanced notice given)
Carmen Morad

IHSS & Link2Care Staff Present: Jeff Lambaren

OPENING REMARKS by Linda White

- Meeting called to order at 1:03 p.m.

PUBLIC COMMENT

- No public in attendance.

ACCEPTANCE OF MINUTES

- Meeting minutes from the December 5, 2014 meeting were accepted.

WELCOME NEW ADVISORY COMMITTEE MEMBERS

- Alma Avina is from DRAIL; Disability Resource Agency for Independent Living. Wants to get more information about IHSS so she can better serve her consumers who might be eligible to receive these services. Mohamed Rashid is a current consumer of IHSS. Wants to become more involved with the program.
- Linda, Rose, and Connie were reappointed to the Committee at the Board Meeting on the 16th as well as the appointment of Mohamed. Alma was previously appointed at a prior Board Meeting.

PUBLIC AUTHORITY UPDATE

- A lawsuit was filed at the Federal District Court in the District of Washington, D.C. regarding the change in the rules that the Department of Labor (DOL) had done that were supposed to be implemented effective January 1, 2015. The Court ruled that the DOL did not have the authority to change the regulations, therefore, the change in the

exemption which was the reason that overtime, travel time, and additional wait time that were going into effect on January 1, 2015, were invalidated. At this point, that is the final ruling. The DOL has 60 days to appeal the ruling. The State says that at this point overtime is a dead issue for this fiscal year. So ultimately, if this judge's ruling was overturned, we would have to have a new start date. It would probably be a year before anything works itself out in court.

- The contract with the State Controller's Office, for the production of IHSS Timesheets ended and the Employment Development Department (EDD) was selected as the new vendor. EDD will now be printing the new time sheets. They bought 6 million sheets of card stock for the time sheets. There will need to be some revisions to the language regarding overtime and travel time but it is unclear if they will change the weekly format and go back to the old format of the 1st – 15th and 16th – last day of the month.
- IHSS Advisory Committee By-Laws. This is our election year. We elect a Chair and a Vice-Chair for a two year term. The Vice-Chair serves in the Chair's absence. If neither the Chair nor the Vice-Chair is in attendance, then one of the Committee members would serve as Chair for that meeting. This will be a future agenda item.
- Quarterly Newsletter. We like to include something by one of the Committee Members; not necessarily program-related. We also include IHSS program updates and information. Marie wrote an article about the hazards of hard boiled eggs. Update about the overtime process being stopped. Budget highlights. W-2's will be mailed out to Providers no later than January 31st. If not received, at the end of February we can request replacements or see if it was returned to our office. At the end of the year, the State Controller's Office did a payroll tax refund adjustment to applicable Providers for 2014. These checks were sent out the beginning of the year with no notes on why they were sent, which confused Providers as they did not know what these checks were for.

BUDGET UPDATE

- Overview of the Governor's proposal specifically related to IHSS. Projecting modest caseload increase of 3.7% for fiscal year 2015-16. Due to the Affordable Care Act, there was an expansion of Medi-Cal eligibility so individuals that were previously ineligible for Medi-Cal now are and many of them are not elderly or disabled. So it creates an issue for the program because to be eligible for IHSS the recipient needs to receive Medi-Cal and they have a need for service. Waiting for additional guidance from the State regarding this new population.
- The Governor is proposing to restore the 7% across-the-board cut to recipients' hours effective July 1, 2015. In fiscal year 2012-13 there was a change in the funding mechanism for the IHSS program. Prior to that time the Federal Government paid about 50%, the State 32.5%, and the Counties 17.5%. So if you did more, your share rose. It was changed to a Maintenance of Effort (MOE) which means the counties would now owe a fixed amount. In Stanislaus County the MOE is approximately \$10 million dollars; so anything over that amount, the State and Federal Government pay. This includes the Public Authority, IHSS Administration (social workers and supportive staff), as well as wages and benefits. Each fiscal year there is an automatic 3.5% increase for all counties on the MOE. The MOE is linked to the Coordinated Care Initiative (CCI). This is an effort to get individuals who are elderly and at the poverty level to get enrolled in a managed care program with the idea that it will save costs and help prevent additional hospitalizations, etc. The State assumed there would be a savings due to this dual integration project. It's currently in a pilot in 7 counties; mostly in Southern California. CCI has not generated the savings anticipated. People have not enrolled in the program as they had expected and a tax the State had imposed on

the health care entity was ruled inconsistent with Federal rules per the Federal government. So the State has to find a new tax which will meet Federal standards. If they cannot figure something out, it could jeopardize the 7% restoration as well as the CCI which would then trigger off the MOE.

- The Provider wage in our County is currently \$10.10 per hour; \$10.20 effective July 1, 2015.
- As the State economy improves, realignment revenues also increase. The major source for realignment revenue for the IHSS Program is through State Sales Tax and State Vehicle License Fees.
- Supplemental Security Income (SSI) and State Supplemental Payment (SSP) will increase 1.7% increase effective January, 2016.

LEGISLATIVE UPDATE

- AB11 (Gonzalez) Paid Sick Days was a proposal last year and is being proposed again this year. This bill is trying to mandate paid sick leave for IHSS Providers.

FURTHER ACTION PLANNING FOR 2014-2015

- Our Committee has a small budget of approximately \$6,000 per year. Half of it is for stipend payments for Committee members. The rest is for other activities. In the past, we had a larger budget. We did surveys of consumers and providers, some advertising to recruit new members, and produced a newsletter which was mailed to consumers and providers. What can we do with a smaller budget in the coming year? And ideas? We need some articles from members to include in our newsletter; not necessarily regarding the IHSS program.

COMMITTEE MEMBERS REPORT

- None.

AGENDA ITEMS FOR NEXT MEETING

- Public Comment
- Acceptance of Meeting Minutes from January 16, 2015 meeting
- Public Authority Update
- Budget Update
- Legislative Update
- Elections/By-Laws
- Further Action Planning for FY 2014-2015
- Committee Members Report
- Agenda Items for Next Meeting

Stephy Tracey, Recorder