



**STANISLAUS COUNTY  
IHSS ADVISORY COMMITTEE MEETING  
MINUTES**

**10/25/02**

Committee Members Present:                    Kenny Brown                    Madelyn Amaral                    Connie Muller  
   Dwight Bateman                    Jose Acosta                    Ora Scruggs

Committee Members Absent:                    Jeff Lambaren                    Toni Hector                    Bonnie Cyphers  
   Rose Martin

IHSS Staff Present:                    Jan Holden                    Paul Birmingham                    Larry Baptista

CSA Staff Present:                    Ted Martin                    Anne Danhoff

**OPENING REMARKS by Co-CHAIRMAN KENNY BROWN**

- Meeting called to order at 1:10 p.m.
- Announcement made allowing for public comment.

**PUBLIC COMMENT**

- Roundtable introductions from the public.
- Kristi Rosenquist, provider and UDW member was confused about what the committee meant when the wage rate reaches \$7.11 per hour? Dwight Bateman said that when the hourly rate reaches \$7.11/hour, then the committee would go back to the Board of Supervisors and ask them to review the issue of establishing a public authority. Dwight also said that it made more fiscal sense for the County to wait for the \$7.11/hour wage rate.
- Paul Birmingham said that there is a designated County Executive officer who is responsible for dealing with UDW for bargaining negotiations and he believes that there have been two meetings between the two.
- Charlotte Herron from UDW spoke to the committee regarding the interest of the Union election. She requested two recommendations:
  - 180 days for cards
  - 15% – 20% threshold of workers
- Paul Birmingham said that Charlotte would have to address those issues with the CEO’s office.



## **ACCEPTANCE OF MINUTES**

- October 11, 2002 minutes: Motion M/S/A to accept minutes with no corrections.

## **BUDGET UPDATE by Paul Birmingham and Jan Holden**

- Paul did get the allocation letter for IHSS.
- The letter also shows the supportive individual provider allocation separately and we received about \$300,00 more than expected.
- The IHSS and APS programs have been saved from any cuts, the IHSS allocation was larger than expected.
- The County is still in a hiring a freeze.
- At mid-year there may be new funding that the county may get for IHSS administration due to AB 1682.
- Madelyn Amaral asked if any of the caregivers from the union would have to be bonded? Paul said that the union is representing workers but would not be held responsible for the caregiver's actions.
- Jan Holden received clarification on the committee's budget for 2002/2003 fiscal year. She said there is about \$58,000 available for the committee's budget.
- Jan explained to the committee that Larry Baptista will split time between the committee's work and work for the county and will keep the two times separately.
- Madelyn Amaral asked where the extra \$.19 came from for the \$6.95/hour wage rate? Paul replied that the County was doing well a few years ago and the CSA director Jeff Jue took it to the Board of Supervisors and the Board of Supervisors approved a 3% wage increase.

## **APS INFORMATION PRESENTATION**

- Anne Danhoff gave a brief presentation on the Adult Protective Services program.
- Passed out handouts outlining the APS program and functions.
- Passed out copies of the Elder Justice Act Bill, which could bring money to California for the APS program.
- Dwight Bateman made a motion that the committee write a letter of support to the Senate, Congressional representatives, and to the County Board of Supervisors regarding the Elder Justice Act Bill.
- Motion: M/S/A for committee staff to write letter of support for Elder Justice Act Bill.

## **MEMBERSHIP VOTE/BYLAWS UPDATE**

- Passed out copies of the bylaws draft with corrections.
- Larry Baptista informed the committee that Toni Hector has resigned and Bonnie Cyphers has not informed the committee of her standing with the committee.
- Motion: M/S/A to accept Toni Hector's resignation and remove Bonnie Cypher from the committee for lack of attendance.
- Ora Scruggs suggested on Section 4, line a, on the bylaws, that the word "regular" be stricken and replaced with "consecutive". Motion: M/S/A
- Jan Holden now will look at list for new members for the committee. She would like to get two more providers and one consumer.
- Charlotte Herron asked if there was an age requirement for new committee members? Jan replied that there is no age limit.
- Dwight Bateman expressed that he would like to see more youth involved in the committee.

## **RETREAT**

- Larry Baptista informed the committee that he had made reservations for the retreat at Diablo Grande on January 10, 2003 between 10am – 3pm. Committee will need a \$25.00 deposit to hold the room.
- Committee agreed to discuss the lunch menu at the next meeting.
- CSA staff will look into modes of transportation.

## **UPDATE HOMEMAKER MODE**

- Jan Holden said that the CSA staff has started some preliminary discussions but would like to have discussions with the committee. She is currently looking at some job description from other counties.
- Jan spoke with Dawn Devore from CDSS and she will be getting more information to Jan regarding the counties that have a homemaker mode.
- Committee's concern is training.
- Kenny Brown directed that CSA staff pursue more information on Homemaker.
- Jan does not see the homemaker mode up and running by January 1, 2003.

## **BRAINSTORM FOR A PUBLIC AUTHORITY**

- Dwight Bateman said that he will be attending a statewide conference in Southern California on November 19-21, 2002 and on the agenda there is a workshop called "California Welfare Directors Association - Concept Design of a Perfect IHSS.
- Committee recommended Dwight coming back and giving a report to the committee on the workshop at the following meeting.
- Dwight reminded the committee about the Olmstead hearing on November 6, 2002 from 1:30 to 3:30pm at the Howard Training Center.
- Madelyn Amaral mentioned that there will be a meeting at Doctors Hospital on November 29, 2002 regarding how the state can save money by having the parents/caregivers able to purchase services for the recipient. She did not have the time of the meeting.
- Madelyn Amaral asked if anything has been done to notify the providers about the employer of record? Paul Birmingham said no, but he felt that the providers should be notified regarding the Board of Supervisors decision on the Employer of Record. CSA staff will contact county counsel for direction.

## **QUESTIONS AND ANSWERS**

### **ANNOUNCEMENTS**

- None were presented

### **AGENDA ITEMS FOR NEXT MEETING**

- Budget Update
- Committee membership/Bylaws
- Review Support of Elder Justice Act Bill
- Notification of Board of Supervisors Decision
- Retreat
- Update Homemaker Mode
- Brainstorm of Public Authority

# **Stanislaus County IHSS Advisory Committee Bylaws**

## **1. Mission Statement**

## **2. Meeting Procedure**

- a. Except when otherwise noted, the committee meetings are to be governed according to "Robert's Rules of Order"
- b. Pursuant to the Brown act, meetings must be made open to the public, and agendas must be publicly posted at least 48 hrs before the scheduled start time for meetings.
- c. Members may not meet privately to discuss committee business.
- d. Members of the Public must be given the opportunity to speak during meetings. Each person may be limited to 5 minutes of speaking, at the discretion of the Chairperson.
- e. The Chairperson may choose to remove from the meeting any unruly members of the public who are disruptive to the normal operations of the meeting concurrent with the approval of 2/3 majority vote of committee members present.
- f. Items that are not posted on the Agenda may only be discussed by special order of the committee. If a member of the public or of the committee wishes to discuss an item not on the agenda, the committee must vote whether to discuss the item immediately or to table the item for the next meeting. There must be a 2/3 majority of members wishing to discuss the item immediately.

## **3. Requirements for Membership, and procedure of Member selection.**

- a. As new members are appointed to the committee, the committee must continue to be composed of the required balance of Providers, Recipients and County employee.
- b. The Board of Supervisors must approve prospective Member applications.
- c. Committee members are expected to regularly attend committee meetings.

#### **4. Absences, Termination, Attendance at Meetings**

- a. Absences - A member who is absent from a total of three regular meetings within one calendar year, who has not given advance notice, shall be notified, in writing, by the chairperson that his/her absences will be discussed at the next regular meeting of the committee. At that time, a vote is taken, in the presence of the quorum, to recommend to the appointing authority that the member be removed from the committee.
- b. Termination - A member may be removed from the Committee by the appointing authority upon the recommendation of the Committee by a 2/3 vote of the Board members.
- c. Attendance at Meetings - Members are expected to attend all meetings of the committee. A member who is unable to attend a meeting shall give advance notice of his/her inability to attend, either to the Committee Chairperson, or the Committee Staff.

**ADULT PROGRAMS BRANCH  
STATE REPORT  
October 2002**

**IN-HOME SUPPORTIVE SERVICES/PERSONAL CARE SERVICES PROGRAM  
(IHSS/PCSP)**

IHSS Recipient Characteristics Report, June 2002

A new report, prepared by the Research & Development Division (RADD), on IHSS recipients entitled, "In-home Supportive Services, Characteristics of IHSS Recipients," June 2002, is now available on the RADD website at :

<http://www.dss.cahwnet.gov/research/res/pdf/IHSSrecipient.pdf>,

The June 2002 Report describes characteristics of eligible recipients as of December 2001, compares recipients entering IHSS for the first time in 1995 and 2001, and looks at why recipients leave the program. Other information, including past RADD reports, and monthly data for all Adult Programs can be found at the same website, under Disability and Adult Programs.

Invalid Social Security Numbers

Policy Interpretation #APB4465, regarding payments made to providers using invalid social security numbers, previously attached to the August 2002 State Report, has been rescinded pending further legal review.

**FISCAL ADMINISTRATIVE UNIT (FAU)**

Public Authority

Three new counties joined IHSS Public Authority status and six existing IHSS PA's received approved PA rate changes.

PA RATE change approvals, effective October 1, 2002					
County	PA Rate	Wage	Admin	Taxes	Benefits
San Mateo	\$11.54	\$9.50	\$0.21	\$0.95	\$0.88
Santa Clara	\$11.73	\$9.50	\$0.20	\$0.77	\$1.26
Contra Costa	\$11.62	\$9.50	\$0.18	\$0.86	\$1.08
Sacramento	\$11.31	\$9.50	\$0.12	\$1.09	\$0.60
Sonoma	\$11.11	\$9.50	\$0.32	\$0.69	\$0.60
Yolo	\$11.98	\$9.50	\$0.95	\$0.90	\$0.63

New PA RATE approvals, effective October 1, 2002					
County	PA Rate	Wage	Admin	Taxes	Benefits
San Luis Obispo	\$7.98	\$6.95	\$0.40	\$0.63	\$0.00
Orange	\$7.95	\$7.11	\$0.20	\$0.64	\$0.00
Riverside	\$8.79	\$7.11	\$0.30	\$0.78	\$0.60

### Increase to Public Authority State Sharing Level

An ACL will be released shortly that confirms effective July 1, 2002, the State will pay a share-of-cost for the IHSS Public Authority provider wages and individual health benefits up to ten dollars and ten cents (\$10.10) per hour, provided that wages have reached at least seven dollars and fifty cents (\$7.50) per hour. The amount between \$7.50 and \$10.10 (up to \$2.60) may be applied to wages, individual health benefits, or both.

If provider wages have not reached at least seven dollars and fifty cents (\$7.50) per hour, the state will share in the actual provider wages plus individual health benefits up to sixty cents (\$0.60) per hour.

### Individual Provider Wages Under Other than PA or NPC

The State will continue to share in provider wages up to 5.31 percent above State minimum wage. With a State minimum wage of six dollars and seventy-five cents (\$6.75) per hour, the maximum provider wages the State will share in is seven dollars and eleven cents (\$7.11) per hour. The State does not share in individual health benefits in this mode.

### Tyler Claims

TYLER CLAIMS	
NEW CLAIMS RECEIVED/ DENIED/ APPROVED 9/02	0
HEARINGS HELD/ PENDING	3
HEARINGS SCHEDULED	2
TOTAL CLAIMS RECEIVED	3,532
TOTAL PAYMENTS	\$4,658,036.07

### **ADULT PROGRAMS SYSTEMS UNIT (APSU)**

#### Statewide Client Index

CDSS, CalWin, EDS and DHS Statewide Client Index staff have finalized the requirements for adding the Client Index Number (CIN) to CMIPS. Counties will be able to conduct a real-time clearance of the CIN database for existing cases or add a CIN to a new case. This enhancement is scheduled to move to live CMIPS in March 2003 in order to coordinate with the rollout of CalWin. Training for county staff is being developed and will be presented prior to implementation. Questions about the addition of CIN to CMIPS can be addressed to Melissa Alcalde at (916) 229-4015.

#### Request for Duplicate Controller's Warrant, STD 435

The procedure used by counties for processing the Request for Duplicate Controller's Warrant, STD. 435, is being modified in order to provide for faster warrant replacement and to create a more consistent flow of information. The new process will require counties to initiate the void/replace transaction in CMIPS and submit the STD. 435s