



Ken R. Patterson
Director

251 E. Hackett Road
P.O. Box 42, Modesto, CA 95353-0042

Phone: 209.558.2500 Fax: 209.558.2558

**STANISLAUS COUNTY
IHSS ADVISORY COMMITTEE MEETING
MINUTES**

11/14/03

Committee Members Present:	Jeffrey Lambaren	Jose Acosta	Madelyn Amaral
	Dwight Bateman	Kenny Brown	Rose Martin
	Connie Muller	Christine Munoz	Ora Scruggs
	Linda White		

Committee Members Absent: George Sharp*

IHSS Staff Present: Paul Birmingham Esther Magallanes

*Advance notice given.

OPENING REMARKS by CHAIRMAN JEFF LAMBAREN

- Meeting called to order at 1:08 PM

PUBLIC COMMENT

- Announcement made for public comment by Chairman, Jeff Lambaren.
- None were presented.
- Dwight Bateman informed committee that George Sharp's mother had passed away on 11/10/03. M/S/A to send flowers and card to family. Kenny Brown offered to handle this matter.

ACCEPTANCE OF MINUTES

- October 10, 2003 minutes: Motion M/S/A to accept with no changes.

UNION UPDATE

- In the absence of John Stead-Mendez, Jeff Lambaren gave brief review of union-related matters to date. Negotiation process started with State of California's presentation to both negotiating teams about how to interest-based negotiations. Interest-based negotiations defined as working on shared interest(s) together, issues that both sides tended to agree on such as language for the contract, and agreeing to set up a communications team to serve as a mechanism for the groups to communicate. The Union will have people appointed and the County will have people appointed to this team so that there can be an on-going process. Specific items will go into effect when the contract is signed; however, there is a tentative agreement in place



on several items. Negotiations are now down to wage and benefit issues. The County met in closed session with the Board of Supervisors. The Director of the Community Services Agency along with the County's legal counsel gave the Board a briefing on the state of finances from the County's perspective. The Board agreed to meet on November 25, 2003 for County Budget Hearings, which will determine what is going to happen for the County. The negotiating team will also meet on November 25 following the Board's meeting. Jeff Lambaren noted that the Union kept forgetting Stanislaus is not a public authority and seemed not to understand that AB1682 has been something of a roadblock to the County, potentially preventing the County from paying more than \$7.11 in provider wages. The Union believes they will have some influence in the legislature for getting equity on treatment of independent providers versus public authority. The County's approach, providing it can be afforded, is to get to \$7.11 per hour and get other legislation passed and then talk about additional wage increases. The Union had proposed a different approach, agreeing to a \$7.11 wage, but to have it written into the contract that if legislation gets passed, the wage will be automatically increased. The County did not oppose this approach, but the matter still hinges upon how much money will ultimately be available. Jeff explained that in referring to legislation that needs to be changed, the Union is referring to Sacramento, specifically, amending AB1682 to treat all provider modes equally. The Union will provide committee with an update at a future IHSSAC meeting.

BUDGET UPDATE

- Paul Birmingham stated that he had no new information on budgeting to present other than that the State of California called a workgroup together of public authorities regarding providing registry service for Olmstead people. Paul volunteered Stanislaus County to participate since Stanislaus has had a registry longer than most other counties, even though Stanislaus would be the only County-administered IP program. The first meeting was a telephone meeting and started off with San Francisco and Alameda counties announcing that they are now providing registry service to the general public for a fee. Paul noted that this development pointed to lack of regulations in AB1682. Paul pointed out the clause in AB1682, which states that any county that makes an agreement with any group regarding increased wages and benefits will be supported, even though it does not limit this clause to public authorities. Paul expressed concern over this development since it appears that the Public Authorities want to go into business selling the names on the registry to everyone. SF and Alameda stated that they did not see any problems with this action. Paul responded by explaining that if he were a recipient under this arrangement, and the name of his provider were sold to someone able to pay a higher wage, he would be very upset at the loss of his provider. Alameda stated they are only providing this service to individuals over the age of 60 but without regard to income. Paul stating that this development points out the extent to which the IHSS program is somewhat out of control because the public authorities are not controlled by the State, but controlled by the MOU. It also raises the issue of accounting standards, i.e., what is fair amount to charge, revenue reporting, etc. Paul commented that this action could have disastrous financial results. It could not have been approved by the State because the State, at this time, does not say it is governing public authorities. It could also lead to IHSS workers being drawn away to those who can pay higher wages.
- Dwight Bateman announced that a pool of \$100,000 is available at the State level on a first-come-first-served basis for persons capable of moving out of care facilities. These funds are being referred to by the Department of Rehabilitation as "transitional funding" and can be applied for through Dwight's organization (D.R.A.I.L.) at the rate of \$3,000 per person.

PUBLIC AUTHORITY (Field Trip) UPDATE

- Dwight Bateman described the Madera County program as "illegal" because of the obvious conflict of interest in having a county employee run the IHSS program.
- Paul Birmingham explained that this situation has resulted from the lack guidance in the early years of program development and that at least 15 counties are presently operating under this type of arrangement.
- Paul Birmingham pointed out that the field trip allowed the committee to see an example of a public authority that is structured quite differently than what they may have imagined the PA concept to be, and noted that this is the case with the majority of public authorities currently in existence.

- Dwight Bateman commented that the registry software presentation was the best part of the field trip and made a motion to investigate Madera and San Francisco software packages for application in Stanislaus.
- M/S/A/ to commence investigation of software. Paul Birmingham/Jan Holden to report back to committee.

HOMEMAKER UPDATE

- Paul Birmingham reported that all four IHSS Homemakers have been hired. Three Homemakers and the Homemaker Supervisor have completed the Caregiver Training offered by the Center for Senior Employment; the fourth IHSS Homemaker is scheduled to take this course. Supportive Services Coordinator, Leonor Sierra, will be assigned to the IHSS Homemaker unit in December. She is also scheduled to complete the Caregiver Training. Fingerprint clearance has come back on one of the IHSS Homemakers and the plan is to have her begin working within the next week or so. We are still waiting on the clearances for the other three IHSS Homemakers to come in. We are in the process of offering TB screening and Hepatitis B immunizations or a waiver for the Hepatitis B shot to IHSS Homemakers.

LEGISLATION

- Paul Birmingham reported that AB43 is dead.
- Copy of October 29, 2003 letter from Assemblyman Aghazarian, in response to September 25, 2003 letter from Jeff Lambaren regarding wage equity, handed out to committee.
- General consensus of committee is that the Assemblyman's response indicates a lack of understanding about the IHSS program.
- Connie Muller moved to invite Assemblyman Aghazarian to an upcoming IHSSAC meeting for the purpose of providing him with a better understanding about the equity issue and the program in general.
- M/S/A to invite to invite Assemblyman Aghazarian to an upcoming IHSSAC meeting.

ANNUAL REPORT

- Kenny Brown stated that he is awaiting receipt of the last two outstanding bios from Dwight Bateman and George Sharp. He is also awaiting completion of survey to include in report and stated that this could push completion of the annual report out to mid-2004.
- Jeff Lambaren asked committee whether they wanted to hold up production of annual report. Committee unanimously answered no. Committee agreed to proceed with production of annual report and to include a reference to the survey-in-process in the form of graphs with text.
- Jeff suggested checking with the Board of Supervisors for an appropriate date to present the committee's first annual report; most likely some time in January 2004.
- Kenny Brown to have mock-up of annual report ready for the next IHSSAC meeting to be held on 12/12/03.

COMMITTEE RE-APPOINTMENTS / NEW MEMBERS

- Copies of correspondence regarding re-appointments, between Jan Holden and Christine Ferraro-Tallman, Clerk of the Board of Supervisors, handed out to committee.
- M/S/A to accept re-appointments as indicated.

2004 MEETING SCHEDULE / LOCATION(S)

- Copies of 2004 IHSS AC Meeting Room Schedule (January through June) were handed out to committee.

RESPONSE TO EQUITY SUPPORT LETTER

- See "Legislation" above.

AGENDA ITEMS FOR DECEMBER 12 MEETING

- Union Update
- Budget Update
- Legislative Update
- Homemaker Update
- Annual Report
- Response to Equity Support Letter
- Registry Software Update

Meeting adjourned @ 2:28 PM
Esther Magallanes, Recorder



STANISLAUS COUNTY
COMMUNITY SERVICES AGENCY
IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE

P.O. BOX 42, MODESTO, CA 95353-0042
FAX: (209) 558-2681

DRAFT

**COMMITTEE
MEMBERS**

Jeff Lambaren, Chair
Advocate

Kenny Brown, Co-Chair
Advocate

Jose Acosta
Advocate

Madelyn Amaral
Advocate

Dwight Bateman
Advocate

Rose Martin
Advocate

Connie Muller
Advocate

Ora Scruggs
Advocate

CSA SUPPORT STAFF

Paul Birmingham
Manager III

Jan Holden
Manager II

Larry Baptista
Committee Clerk

November 22, 2002

Dear Sir/Madam:

The Stanislaus County In-Home Supportive Services Advisory Committee is urging all state and local representatives to strongly support the bi-partisan Elder Justice Act (S. 2933).

This legislation was jointly introduced by Senator's John Breaux and Orrin Hatch focusing on the national scandal of elder abuse, neglect and financial exploitation.

The Elder Justice Act of 2002 would provide federal resources to support successful State and community efforts dedicated to fighting elder abuse. The dual goals of the Act are to:

- ◆ To assure adequate public-private infrastructure and resources to prevent, detect, treat, understand, intervene in and, where appropriate, prosecute elder abuse, neglect and exploitation.
- ◆ To strive to achieve the right of every older person to be free from abuse, neglect, and exploitation.

One of the IHSS Advisory Committee's purposes is to recommend ways to improve services to the APS/IHSS Program. Support of the Elder Justice Act of 2002 will improve those services. We strongly urge all representatives both locally and statewide to support this bill.

Sincerely,

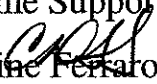
Jeffrey M. Lambaren, Chairman
Stanislaus County
In-Home Supportive Services Advisory Committee



CLERK OF THE BOARD OF SUPERVISORS

Christine Ferraro Tallman

1010 Tenth Street, Suite 6700, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

DATE: October 14, 2003
TO: Jan Holden
In-Home Supportive Services Advisory Board
FROM:  Christine Ferraro Tallman
Clerk of the Board, Board of Supervisors
RE: REAPPOINTMENTS

This is to notify you that the terms of Arie Rose Martin, Ora Scruggs, George Sharp, Dwight Bateman and Linda White on the In-Home Supportive Services Advisory Board will expire on December 31, 2003. Please contact them to find out if they would like their names submitted to the Board of Supervisors for consideration for re-appointment. Also, please verify the current addresses of the members of the In-Home Supportive Services Advisory Board.

The Board has a policy of re-appointing members to the various Boards, Commissions, and Special Districts to no more than two terms. However, exceptions are sometimes made to this policy.

Please notify me in writing of their decision no later than Friday, November 7, 2003.

If you know of other qualified candidates who might be interested in being considered for a position on your board, please ask them to contact us for an application, or they can visit our website at <http://www.co.stanislaus.ca.us/bos/B&C/Links%20&%20Information%20Page.pdf> for the application or more information.

Thank you for your prompt attention to this matter.