



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

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**STANISLAUS COUNTY
IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE (IHSSAC)
MEETING MINUTES
12/4/2015**

Committee Members Present: Connie Muller Marie Cochran
Valerie Mitchell Linda White
Joan Blackwell Rose Martin
Mohamed Rashid

Committee Members Absent: Alma Avina (advanced notice given)
Carmen Morad (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 October 9, 2015 meeting were accepted.

PUBLIC AUTHORITY UPDATE

- Handout. Reviewed flow chart for the Fair Labor Standards Act (FLSA) changes in the IHSS program related to the new overtime policy. This document was sent to all counties from the California Department of Social Services (CDSS) and shows the timeline for training in order to give an idea of what will occur. The Stakeholders review was completed in draft script right before Thanksgiving. All feedback was supposed to be received by yesterday. The initial mailers should be going out shortly and will include the new forms and information which will explain the upcoming changes to the program. The Recipients will be notified first and then the Providers. The State is supposed to post the final training video in January, 2016. We will use this video to train existing Providers and new Providers on the changes to the program. Last year, the State had their staff come to each County and do trainings for the Providers in the given County. This year, the State is doing something different; Training for Trainers (T4T). The State will provide County training and supply the necessary materials for the Counties to do their own trainings. We talked to the Union and they have expressed interest in

doing the training together. First we will need to receive the materials and review them to determine how to proceed. We are looking at mid-January, February, and March timelines.

- The program currently has no cap on how many hours a Provider can work per week. Under the new rules, the Provider would be able to claim a maximum of 70 hours per week if they are in a one-to-one relationship with the Recipient. If working for multiple Recipients, the maximum hours allowed per week would be 66 hours per week. The maximum monthly hours for Recipients has not changed; it is still 283 hours per month. The violation process for Providers is still in place. **Violation #1** – Warning letter mailed to the Provider. **Violation #2** – Form mailed to the Provider which they can complete a one-time training on workweek and travel time limits. By completing the training would the Provider would avoid a second violation, the training must be done within 14 calendar days. **Violation #3** – Suspension of the Provider from the program for 3 months. **Violation #4** – Suspension of the Provider from the program for one year and then will have to re-do the background check/fingerprint process and attend orientation after the one year time period to resume as a Provider. Travel time is still in place for Providers who work for multiple Recipients; but only if they work for them on the same day. The maximum allowable hours for travel time per week are 7. Recipients can also be authorized to receive additional wait time and assistance for medical appointments. The overtime will occur after 40 hours in a week. The rules are still vague on this process and we are waiting for more information from CDSS but basically if a Provider does not currently work over 40 hours per week, they are not eligible for overtime unless granted an exception by the social worker. No authorization is needed from the County if the Recipient has the maximum hours per month. The new overtime process will begin on February 1, 2016; there will be a 3 month and, maybe longer, grace period for program violations. Jeff will bring the training materials and specific forms to future meetings for review and discussion once they are received.
- Handout. ACL – Rule changes due to Federal and State Legislation. This ACL discusses the State responsibilities and County responsibilities. There will be a definite impact on our workload; suggests that the Counties should hire more staff.
- We are in the final stages of labor negotiations with the United Domestic Workers Union (UDW). Should have an update at our next meeting.

BUDGET UPDATE

- On Wednesday, the State held additional hearings on the Managed Care Organization (MCO) Tax. Their decision could impact the program in that we still have no permanent solution regarding funding for the IHSS program which means that if they cannot come up with additional revenue through alternate revenue sources the 7% reduction could be back in place effective July 1, 2016. This was a one year measure contingent upon funding. Keeping an eye on the Governor's January, 2016 budget.

LEGISLATIVE UPDATE

- This is the phase of the cycle where the Legislature will be listening to their constituents and interest groups are developing issues to bring to the Legislature.

FURTHER ACTION PLANNING FOR 2015-2016

- Regarding our proposed training forum which we discussed at our previous meeting; the Coordinated Care Initiative (CCI) might go away due to not producing the anticipated budget savings. Again, we'll get more of an idea when the Governor releases his January budget. So what is this symposium/meeting/summit going to be about? We had talked about a speaker coming to talk to us but the CCI might no longer be a viable topic. Do the committee members have any suggestions or ideas for another topic? Please notify Jeff accordingly. We want to offer a training which will provide useful information to benefit the committee members and coordinate services with our County IHSS population and senior disability groups in the network. Otherwise, Jeff will work with other groups to try and plan something else.

COMMITTEE MEMBERS REPORT

- None.

AGENDA ITEMS FOR NEXT MEETING

- Public Comment
- Acceptance of Meeting Minutes from December 4, 2015 meeting
- Public Authority Update
- Budget Update
- Legislative Update
- Further Action Planning for FY 2015-2016
- 2016 Meeting Schedule
- Committee Members Report
- Agenda Items for Next Meeting

Stephy Tracey, Recorder