

**IHSS Stakeholders Meeting
Regulations Development**
Meeting Minutes
February 3, 2005

Meeting Attendees - See Attachment A

Document Handouts

IHSS stakeholders meeting participants were provided with the following documents upon arrival:

- Meeting Agenda
- List of workgroup members
- Draft Work Plan
- Draft Charter for Regulations Development Workgroup
- All County Information Notice #1-69-04

Opening Remarks

Joe Carlin, Acting Director for the Adult Programs Branch, California Department of Social Services (CDSS) brought the meeting to order at 9:15 am. Meeting participants were provided with a brief meeting introduction and facilities orientation. Discussion then focused on the background of legislation impacting IHSS regulations.

Overview

Next, Eileen Carroll of the Adult Program Operations Bureau Chief, CDSS and Ellen Schmeding, Chief of Operations for Aging and Independent Services of San Diego County Health and Human Services covered the purpose of the meeting, workgroup charter, and initial work plan. Eileen discussed the importance of the IHSS Stakeholder Workgroup and explained to meeting participants their role in development of IHSS regulations. Ellen Schmeding, emphasized the importance of the counties' participation in the development of the State regulations for IHSS programs and specified the need to address issues as they relate to existing statutes. The need for the State to provide guidance throughout the regulation process was also discussed.

Open Discussion/Questions

Meeting participants were provided with the opportunity to express concerns and ask questions pertaining to IHSS regulation issues. Meeting participants expressed concerns regarding the potential reduction of State contribution towards IHSS/PCSP provider salaries and Proposition 63. Joe Carlin and Eileen Carroll acknowledged the concerns expressed by meeting participants and advised that future forums would be established to address specific issues. Meeting participants were advised the group would need to focus on regulation development issues due to regulation development time constraints and a full meeting agenda.

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IHSS Program Regulations Workgroup Draft Charter

The IHSS Program Regulations Workgroup Draft Charter was reviewed with the meeting participants. Following the charter review, the participants were offered the opportunity to offer feedback and suggestions. Comments received from the participants were positive and the decision was made to adopt the charter in its current form. Participants were advised the charter is a “work in progress” and may be revised as additional workgroup needs are identified.

Regulations and Issues: Break-out Discussion Groups

In addition to the draft charter, the initial work plan was reviewed with the participants. The initial work plan included requirements which the State identified from statutes in SB 1104 and provided timeframes according to statutory requirements.

In order to develop the work plan, participants were given the opportunity to identify IHSS issues they believe should be addressed in regulations. Meeting participants were advised information collected through the group exercise would be used to create the IHSS regulation development work plan. Prior to forming into the break-out sessions, the importance of group member participation was stressed. Meeting participants were divided into three groups which represented the three areas of regulation requirements: IHSS Waiver, Quality Assurance, and the Overall IHSS. Group facilitators were assigned to each of the three groups in order to facilitate the exchange of information through participant discussion. CDSS managers Desi Gonzales and Jan Howland facilitated the IHSS Waiver group. Ellen Schmeding facilitated the IHSS Overall group. CDSS manager Brian Keopp facilitated the Quality Assurance workgroup. Group participants were provided with the break-out exercise designed to obtain input from the break-out session that specifically identified the issues that need to be addressed in the IHSS regulations. Facilitators assisted group members with the selection of a “recorder” and “presenter” to record and present for the break-out groups at the conclusion of the exercise.

Report Findings/Initial Workplan

The Stakeholder workgroup reconvened following completion of the break-out exercise. Presenters from each break-out group provided a brief overview of issues and issue priorities identified by their respective break-out groups. Issues were presented by the presenter of each break-out group and placed on white boards. Each issue required the priority and estimated time frames for the regulation to be developed. (See Attachment B for Group identified Issues)

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Wrap-up

Eileen Carroll and Ellen Schmeding expressed appreciation to the Stakeholder Workgroup members for their attendance and valuable participation. Meeting participants were advised a regulations development work plan would be created using the input obtained from the work group exercise. In closing, Eileen informed work group participants that a finalized work plan along with a Stakeholder contact list and meeting minutes would be forthcoming to IHSS Regulations Stakeholders.

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Attachment A

IHSS Regulations Stakeholders Committee

No.	Name	Organization
1	Beller, Jodi	Butte County Adult Programs
2	Bodily, Mary	Community Resources for Independence (Independent Living Center - Sonoma Co)
3	Boomer, Joan	San Francisco County/IHSS
4	Brooks, Julianna	Mendocino County Dept of Social Services
5	Bracha, Martha	CA Department of Social Services (CDSS)
6	Bush, Michael	CA Department of Health Services (CDHS)
7	Calamne, Donna	CA Association of Public Authorities (CAPA) San Francisco County
8	Carroll, Eileen	CA Department of Social Services (CDSS)
9	Chea, Bo	Stanislaus County/IHSS
10	Childers, Maria	Stanislaus County/IHSS
11	Coontz, Norman	CA Department of Health Services (CDHS)
12	Courtright, Marilee	IHSS Advisory Committee (County ?)
13	Crockett, Terri	San Joaquin County Human Services Agency
14	Diaz-Herrera, Christine	SEIU Local 434B
15	Duchen, Wendy	SEIU Local 434B
16	Eiland, Katrina	Californians Care
17	Elo, Kelly	Case Management, Information and Payrolling System II (CMIPS II)
18	Escamilla, Myniam	SEIU Local 715
19	Eszlinger, Martha	CA Department of Social Services (CDSS)
20	Fiala, Kevin	CA Department of Social Services (CDSS)
21	Gomes, Grace	County Welfare Directors Association (CWDA) Long Term Care Committee/Fresno County
22	Gonzales, Desi	CA Department of Social Services (CDSS)
23	Gracechild, Frances	Resources for Independent Living (RIL)
24	Gross, Mary Ruth	Service Employees International Union (SEIU) Local 250

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25	Hauther, Laura	Service Employees International Union (SEIU) Local 535
26	Hicks, Randy	CDR
27	Hindsman, Wayman	CA Department of Social Services (CDSS)
28	Holle, Marilyn	Protection and Advocacy (PAI)
29	Howland, Jan	CA Department of Social Services (CDSS)
30	Irvin, Lux	SEIU Local 535
31	January, Debra	CA Department of Health Services (CDHS)
32	Kalcic, Diana	County Welfare Directors Association (CWDA)
33	Keeslar, Karen	CA Association of Public Authorities (CAPA) - Lobbyist
34	Keopp, Brian	CA Department of Social Services (CDSS)
35	King, Roberta	Mendocino County Advisory Committee Chairperson
36	Kline, Nancy	
37	Kruser, Kim	Addus Healthcare
38	Lee, Joan B.	Gray Panthers CA/Congress CA Seniors
39	Levang, Evan	Homecare Council/RIL
40	Lynch, Bernadette	Sacramento County Public Authority
41	Magana, Rose	Stanislaus County/IHSS
42	Martin, Ellen	United Domestic Workers of America (UDW)
43	Maurice, Ken	CA Department of Social Services (CDSS)
44	Miguelino, Charissa	CA Department of Social Services (CDSS)
45	Miller, Bill	Butte County Adult Programs
46	Morrill, Sandy	Calaveras County Adult Services
47	Nelson, Sally	Sacramento County/IHSS
48	Nicholls-King, Suzie	CA Department of Social Services (CDSS)
49	Obadia, Samuel	Los Angeles County/IHSS
50	Omoto, Marty	CA Disabled Community Action Network
51	Perry, Betty	OWL
52	Rasberry, Tamara	Service Employees International Union (SEIU)

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		State Council
53	Roberts, Linda	CDR/OWL
54	Sacheli, Angelo	Marin County Public Authority
55	Schmeding, Ellen	County Welfare Directors Association (CWDA) San Diego County
56	Shanen-Raya, Sharyl	CA Department of Health Services (CDHS)
57	Shearer, Margo	Sacramento County/IHSS
58	Stansbury, John	Marin County Public Authority
59	Stevens, Loretta	Homecare Council
60	Straw-Gast, Susannah	SEIU Local 1280
61	Yani, Aly	SEIU
62	Young, Lola	CA Senior Legislature

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Attachment B

OVERALL IHSS REGULATIONS GROUP

"6 Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
1	Will the lesser of the two SOC's still apply to IHSS Residual?	6 Mos.	High
2	Eligibility on white sheet - some overlap with blue sheet #1.	6 Mos.	High
3	Regs on Pull A's, rate approval, conflict in what pay workers (difference family members) Example: Overtime rules.	6 Mos.	High
4	Coordinate better Medi-Cal eligibility and IHSS workers when have SB87 determinations (access to attendant care) overall: interaction IHSS and Medi-Cal - which priority? First eligibility on white sheets and "Income & Resources."	6 Mos.	High

"12 Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
5	Uniform application process - problem with translation of forms and program information.	12 Mos.	High
6	Due date on advance pay time sheets. Generally payroll and advance pay cases. Being sure worker is paid and noted as eligible for benefits.	12 Mos.	Medium

"12+ Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
7	PCSP Regulations are amended to correspond with Waiver Regulations.	12+ Mos.	High
8	(Income and Resources) See white sheet (?) Programs differ on what counted as household income, etc.	12+ Mos.	High

No Priority Time Stated

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
9	Educating workers about timesheet implications -		

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	lateness, overpayment.		
10	Share of Cost - how assure workers will be paid for all hours worked.		
11	Change cover tasks: Reading to blind, time at medical appointment, duplicate worker pay for training, etc.		
12	See pink sheet #1 on delay in authorization of services.		
13	In emergency situations - being sure workers get paid. See Pink #1 and Blue #4.		

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IHSS WAIVER GROUP

"6 Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
1	Definitions	6 Mos.	High
2	3 Month Retro Medi-Cal applicable to waiver?	6 Mos.	High
3	By listing only 3 issues would there be conflict with the Feds. Must be 1) Eligible for Medi-Cal. 2) Must meet 1 of 6 categories for service .	6 Mos.	High
4	Emergency Backup System, Question 27 in Request for Additional Information. (Submitted by John Stansbury, ED, IHSS PA Marin)	6 Mos.	Medium
5	Needs assessment - New QA allows NA window up to 18 (months). Waiver limited to 12 months.	6 Mos.	Low

"12 Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
6	Criminal background checks. Response to CMS RAI. RAI #34 says background checks are available but there is wide confusion on interpretation. (Submitted by John Stansbury, ED, IHSS PA Marin)	12 Mos.	High
7	Critical Incident Reporting.	12 Mos.	High
8	Risk Assessment	12 Mos.	High
9	Provider Qualifications - will need to be enrolled Medi-Cal providers.	12 Mos.	High
10	Infrastructure change to implement to Waiver.	12 Mos.	High
11	Spouse providers: Current limitations applicable to waiver. (Qualifications and what services can be changed.)	12 Mos.	Medium
12	Family providers not eligible for workers comp/unemployment: Will they be eligible? Social Security reductions under Residual.	12 Mos.	Medium

"12+ Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
13	Regulations for payrolling providers.	12+ Mos.	High

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QUALITY ASSURANCE GROUP

"6 Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
1	Certification for MD to certify prot. Sup. (Application of regulations to newly developed form.)	6 Mos.	High
2	18 Months Assessment	6 Mos.	High
3	Define what local QA program should look like at county level.	6 Mos.	High

"12 Mos." Priority Time

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
4	Consumer Fraud	12 Mos.	High

No Priority Time Stated

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
5	Paying workers for being trained - example of paramedical personal care training by home h.(?) agencies when release from hospital, etc.		
6	Administrative process to assure timesheets generated in timely way. Labor standards.		
7	Delay in getting IHSS services when transitioning out of nursing facilities, etc. How communicate priority for those cases.		
8	Due process for workers on accusations of fraud, definition of overpayment/underpayment.		

PARKING LOT

NO.	ISSUE	PRIORITY TIME	PRIORITY LEVEL
1	How to arrive at mode of services? Who chooses?		