

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814
(916) 445-6410



September 12, 1983

ALL-COUNTY LETTER NO. 83-96

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IN-HOME SUPPORTIVE SERVICE PROGRAM CHANGES RESULTING FROM THE
1983 BUDGET ACT TRAILER BILL (AB 223 - CHAPTER 323/83)

This is to inform you of recent changes to the In-Home Supportive Services (IHSS) program resulting from the passage of AB 223. The following changes to the Welfare and Institutions (W & I) Code are effective July 21, 1983 and supercede existing regulations.

1. Section 12300.2 imposes new requirements on information to be included in notices of action. This added section states that:
"In any in-home supportive services action concerning the amount of in-home supportive services to be provided, the department shall send a notice of action to each recipient. The recipient shall also receive a description of each specific task authorized and the number of hours allotted. In the case of reassessment, the recipient shall receive an identification of hours for tasks increased or reduced and the difference from previous hours authorized."
2. Section 12301 has been expanded to include additional circumstances under which an able and available spouse may be paid for providing **services**. **It now requires that:**
"...When a spouse leaves full-time employment because no other suitable provider is available and where the inability of such provider to provide supportive services may result in inappropriate placement or inadequate care, the spouse shall ...be paid for accompaniment when needed during necessary travel to health-related appointments and protective supervision ..."
3. Section 12301.2 has been amended to stipulate that:
"... Counties shall not use time for task guidelines in assessing the need of eligible individuals for the services described in subdivision (e) of Section 12304."

4. Section 12304(e) has been amended to change the services included in the determination of severe impairment. It now includes the following **services:**

- (1) Routine bodily functions, such as bowel and bladder care and **respiration assistance.**
- (2) Dressing, oral hygiene, and grooming.
- (3) Preparation and consumption of food and meal cleanup for individuals who require assistance with the preparation and consumption of food,
- (4) Moving into and out of bed, other assistance in transferring, **turning in bed, and other repositioning.**
- (5) Bathing, routine bed baths, and washing.
- (6) Ambulation and care and assistance with prostheses.
- (7) Rubbing of skin to promote circulation.
- (8) Paramedical services,
- (9) Any other function of daily living as determined by the director ... "

Counties should implement the above changes to the W & I Code immediately. Regulations regarding these provisions are currently being developed and will be filed as soon as possible. If you have any questions regarding the implementation of these statutory changes, please contact the Adult Services Program Relations Bureau at (916) 322-6671.

Original Document Signed By:

LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: CWDA