

April 10, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 20-32

This All-County Letter (ACL) provides clarification and guidance to counties regarding administration of the IHSS provider enrollment process and flexibility in authorization of adjusted weekly service hours and overtime violations for the In-Home Supportive Services (IHSS) program as it relates to the COVID-19 (also known as coronavirus) pandemic.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

April 10, 2020

ALL COUNTY LETTER NO. 20-32

TO: ALL COUNTY WELFARE DIRECTORS
ALL IN-HOME SUPPORTIVE SERVICES (IHSS) PROGRAM
MANAGERS

SUBJECT: **CLARIFICATION AND GUIDANCE TO COUNTIES FOR
ADMINISTRATION OF THE PROVIDER ENROLLMENT
PROCESS AND FLEXIBILITY IN AUTHORIZATION OF
ADJUSTED WEEKLY SERVICE HOURS AND OVERTIME
VIOLATIONS FOR THE IN-HOME SUPPORTIVE SERVICES
PROGRAM AS IT RELATES TO COVID-19 PANDEMIC**

REFERENCE: PROGRAM MANAGER LETTERS, DATED MARCH 12, 2020;
MARCH 16, 2020; AND MARCH 19, 2020; WELFARE AND
INSTITUTIONS CODE SECTIONS 12300.4, 12301.1, 12301.24,
12305.7, 12305.71, 12305.81(a), 12305.86, 14132.95, 14132.952,
AND 14132.956; MANUAL OF POLICIES AND PROCEDURES
30-761.13 AND 30-761.215 THROUGH 30-761.217; ALL COUNTY
LETTERS (ACL) 16-01 and 16-36, 42 CODE OF FEDERAL
REGULATIONS 441.535; STATE PLAN AMENDMENT #0938-
1024

This All-County Letter (ACL) provides clarification and guidance to counties regarding administration of the provider enrollment process and flexibility in authorization of adjusted weekly service hours and overtime violations for the In-Home Supportive Services (IHSS) program as it relates to the response to the COVID-19 (also known as coronavirus) pandemic. In addition to information available through the [California Department of Social Services](http://www.cdss.ca.gov) (CDSS), important information and updates are available from the [Centers for Disease Control and Prevention](https://www.cdc.gov) (CDC), the [California Coronavirus \(COVID-19\) Response](https://www.cdph.ca), and the [California Department of Public Health](https://www.cdph.ca) (CDPH).

BACKGROUND

Three Program Manager Letters (PML) were issued by the CDSS on [March 12](#), [March 16](#), and [March 19](#), 2020, detailing various aspects of the CDSS response to the COVID-19 outbreak and its effect on the IHSS program.

On March 4, 2020, Governor Gavin Newsom proclaimed a [State of Emergency](#) in the State of California in response to the global COVID-19 outbreak and the increase in the number of positive cases throughout the State. Further, on March 17, 2020, Governor Newsom issued an [Executive Order](#) for counties to suspend IHSS reassessments for 90-days.

All of the guidelines and policies set forth in this ACL are effective immediately upon release of this ACL and continue in force until June 30, 2020. If it becomes necessary to extend the deadline for these guidelines and policies beyond that date, or if there is any change in any of the policies set forth in this ACL, the CDSS will communicate any such changes to the counties and public as quickly as possible through a future ACL or All-County Information Notice.

Consistent with the [Governor's Executive Order](#) of March 15, 2020, IHSS providers who are asymptomatic and have not been exposed to COVID19 should continue working and providing needed services to IHSS recipients during the period of this emergency, subject to those IHSS providers taking precautions recommended by public health agencies to prevent transmission of COVID19 ([CDPH Guidance](#)).

PROVIDER ENROLLMENT ACTIVITIES

In administering the IHSS program pursuant to WIC Sections 12300 et seq., 14132.95, 14132.952, and 14132.956, the CDSS is temporarily waiving the following provider enrollment requirements, as well as accompanying regulations and written policies and procedures:

- Photocopying of original documentation verifying the applicant to be a provider's identity by the county, pursuant to WIC Section 12305.81(a); and
- Attendance at the in-person IHSS provider orientation and the associated signing of the IHSS Program Provider Enrollment Agreement (SOC 846) required by WIC Section 12301.24.

The requirement for the county to obtain the completed and signed IHSS Program Provider Enrollment Form (SOC 426), pursuant to WIC Section 12305.81(a), is still in effect.

With respect to documentation verifying the applicant to be a provider's identity, counties are advised to request that copies of documents be mailed to the county IHSS office. However, at this time, those documents do not need to be received by the county prior to enrolling the individual as an IHSS provider. IHSS recipients are still required to designate the IHSS provider using the SOC 426A, Recipient Designation of IHSS Provider form.

With respect to the temporary waiver of the requirement for orientation, in order to mitigate the backlog of providers needing to meet the requirement, counties may, with the agreement of the local labor organizations, continue to offer orientations remotely utilizing webinars or other on-line tools to providers for whom this requirement has been deferred. Providers should, however, be enrolled prior to the completion of remote orientation so that there is no delay in their enrollment.

Counties will be provided with instructions regarding the process to enter any new IHSS providers who have been unable to complete the provider enrollment requirements into the Case Management Information and Payrolling System (CMIPS). This direction will be provided via CMIPS Informational Notice.

FLEXIBILITY IN AUTHORIZATION OF ADJUSTED WEEKLY SERVICE HOURS AND OVERTIME VIOLATIONS

The CDSS reminds counties to continue following existing policies and procedures to allow recipients flexibility in adjusting their weekly authorized service hours for their IHSS providers to ensure recipients receive adequate and timely services needed during the State of Emergency. Additionally, counties should adjust IHSS recipients' authorized hours when alternative resources previously utilized are no longer available due to closures tied to COVID-19. Such resources may include, but are not limited to, community-based services and school. Notwithstanding ACL No. 16-36, for situations in which IHSS providers will incur overtime or travel time violations while performing services that are in critical need during the State of Emergency, CDSS will take all necessary actions to remove any such violations until June 30, 2020.

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As the COVID-19 situation evolves we will provide any revised direction as soon as possible. If you have any questions regarding the policy and requirements set forth in this ACL, you may direct them to the CDSS, Adult Programs Division, Policy and Operations Bureau at (916) 651-5350.

Sincerely,

Original Document Signed By:

DEBBI THOMSON
Deputy Director
Adult Programs Division