

December 7, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-105

This All County Letter (ACL) provides instruction to counties on changes and updates for the Case Management Information and Payrolling System (CMIPS) regarding the Back-Up Provider System for In-Home Supportive Services (IHSS) and Waiver Personal Care Services (WPCS) programs as required under Welfare and Institutions Code (WIC) section 12300.6.



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DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

December 7, 2022

ALL COUNTY LETTER NO. 22-105

TO: ALL COUNTY WELFARE DIRECTORS
ALL IN-HOME SUPPORTIVE SERVICES PROGRAM MANAGERS
ALL CALIFORNIA ASSOCIATION FOR PUBLIC AUTHORITY
DIRECTORS

SUBJECT: **MODIFICATIONS TO THE CASE MANAGEMENT INFORMATION
AND PAYROLLING SYSTEM FOR THE BACK-UP PROVIDER
SYSTEM FOR IN-HOME SUPPORTIVE SERVICES AND WAIVER
PERSONAL CARE SERVICES**

REFERENCE: [ALL COUNTY LETTER \(ACL\) 11-12](#) (JANUARY 26, 2011);
[ACL 16-01](#) (JANUARY 7, 2016); [ACL 20-29](#) (MARCH 30, 2020);
[ACL 20-139](#) (DECEMBER 17, 2020); [ACL 22-18](#) (MARCH 9, 2022);
[ACL 22-25](#) (MARCH 18, 2022); AND [ACL 22-65](#)
(AUGUST 2, 2022); [ASSEMBLY BILL 135](#); [SENATE BILL 187](#)
(CHAPTER 50, STATUTES OF 2022); WELFARE AND
INSTITUTIONS CODE SECTION [12300.5 AND 12300.6](#)

This All County Letter (ACL) provides instruction to counties on changes and updates to the Case Management Information and Payrolling System (CMIPS) regarding the Back-Up Provider System (BUPS) for In-Home Supportive Services (IHSS) and Waiver Personal Care Services (WPCS) programs as required under Welfare and Institutions Code (WIC) Section 12300.6.

BACKGROUND

On June 30, 2022, Governor Newsom signed into law Senate Bill (SB) 187 (Chapter 50, Statutes of 2022) which added WIC Section 12300.6. WIC 12300.6 establishes the framework for an on-going BUPS for IHSS that was implemented on October 1, 2022.

Under the BUPS established by WIC Section 12300.6, an IHSS recipient would be eligible to receive temporary IHSS or WPCS from a back-up provider if they have an urgent need for back-up supportive services related to personal care services that cannot be met by an existing provider. The back-up supportive services are also

available if the urgent need cannot be met because the applicant/recipient is transitioning to home-based care and does not yet have an identified provider.

As part of the state effort to establish the BUPS, the California Department of Social Services (CDSS) released All County Letter (ACL) 22-65 (August 2, 2022) which implemented an emergency BUPS for IHSS recipients whose regular providers are unable to provide their IHSS or WPCS.

As stated in ACL 22-65, the maximum total number of hours received under the BUPS shall not exceed 80 hours per California State fiscal year (July 1 to June 30) for each eligible recipient and shall be reset to 80 hours on July 1 of each year. Exceptions to this 80-hour annual limit may be granted on an as-needed basis for severely impaired recipients but shall not exceed 160 hours per California State fiscal year. All service hours received under the BUPS shall count towards the recipient's total monthly authorized IHSS/WPCS hours and shall not impact a recipient's authorized monthly hours or the maximum number of hours. Recipients should be working with their county to determine eligibility and available back-up provider hours and are responsible for working with their provider to ensure they do not work more than their available BUPS hours.

BACK-UP PROVIDER SYSTEM PROCESS

In order to implement the BUPS, new screens have been added and modifications have been made to existing screens in CMIPS to allow users to assign a back-up provider, track the back-up provider hours used and available, and grant exceptions.

When counties receive a request for a back-up provider and have determined the recipient is eligible for back-up provider hours, based on criteria established in ACL 22-65, users shall utilize the following process to assign a back-up provider and create a back-up provider segment.

A new *Back-up Provider Details* screen has been created. Before assigning a back-up provider, county users must first review the *Back-up Provider Details* screen to determine the number of remaining back-up provider hours available for the recipient. The *Back-up Provider Details* screen can be accessed from the *Case Home* screen under the 'Provider and Hours' tab. When the 'Back-up Provider' option in the left navigation menu is selected, the *Back-up Provider Details* screen is displayed (see Figure 1). The *Back-up Provider Details* screen will only be populated when back-up provider hours have been assigned. If the *Back-up Provider Details* screen is blank, or there is no record for a fiscal year, the recipient has never received back-up services for that period. This screen can also be used to identify the remaining number of back-up hours available to a recipient and can assist with recipient inquiries.

Back-up Provider Details:

Action	Fiscal Year	BUP Hours Exception	Back-up Hours Paid	Remaining Hours
Edit...	2023-2024	No	28.00	52.00
Edit...	2022-2023	Yes	120.00	40.00
Edit...	2021-2022	No	30.00	50.00
Edit...	2020-2021	No	80.00	00.00



Figure 1 – Back-up Provider Details Screen

Once a county has determined the recipient is eligible and has available back-up provider hours, users must assign a back-up provider and create a back-up provider segment.

The following screens have been modified to add a 'Back-up Provider' checkbox (see Figure 2) in the 'Details' section: the *Assign Case Provider* screen, *Create Provider Hours* screen, the *Modify Provider Hours* screen, the *Modify WPCS Details* screen, and the *Create WPCS Details* screen. The 'Back-up Provider' checkbox indicates if a provider is a back-up provider for a segment and can be selected or un-selected.

Assign Case Provider:

Details

Provider Name: *  

Relationship to Recipient: *

Print Initial Timesheet: *

Timesheet Review: ☐

Provider has Workweek Agreement with Travel: *

Back-up Provider: ☐

County Use Comments:

Figure 2 – 'Back-up Provider' Checkbox

Back-up provider segments should be created with both a 'Begin Date' and an 'End Date' to ensure the back-up provider does not continue to perform back-up services beyond the approved timeframe. In addition, to ensure back-up providers do not claim more than the approved hours, counties should input 'Assigned Hours' when entering a back-up provider segment. Additionally, counties should also consider the number of hours being requested by the recipient and assign the appropriate number of hours accordingly. Eligible recipients have a limited number of back-up hours available each

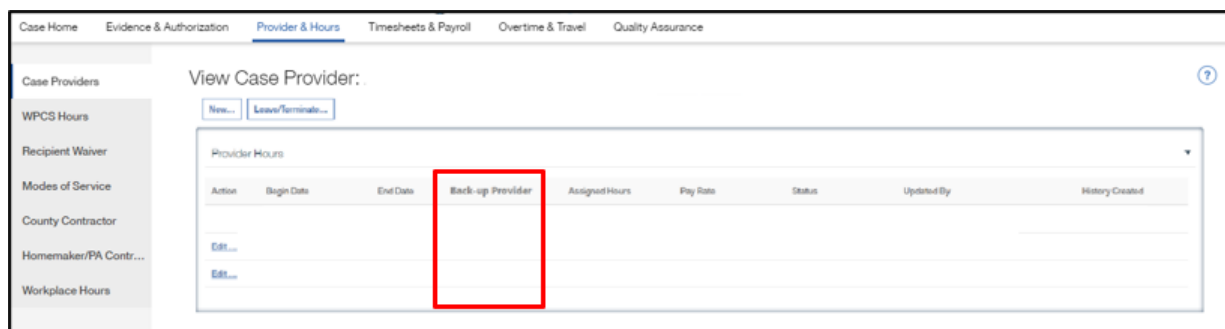
fiscal year, so it is important that they are worked based on the recipient's needs and not exhausted due to an error. Assigned hours cannot exceed the number of remaining back-up provider hours displayed on the *'Back-up Provider Details'* screen (see Figure 1). When entering a back-up provider segment that spans across multiple months, segments must be added for each month and the assigned hours should be split between all segments.

Once the 'Back-up Provider' checkbox is selected, the county must select the back-up provider pay rate in the 'Pay Rate' field. The back-up provider pay rate is \$2 above the default pay rate for the county. Users will receive an error message when the 'Save' button is selected and the back-up provider pay rate is not selected when the 'Back-up Provider' checkbox is selected. Additionally, users will receive an error message when the 'Save' button is selected with the back-up provider payrate if the 'Back-up Provider' checkbox is not selected.

When users select the back-up provider pay rate, and the assigned hours field is greater than '0', both the Provider Assigned Hour Form and Back-up Provider checkboxes must be checked before selecting the 'Save' button or the user will receive an error message alerting them that the Provider Assigned Hours Form or Back-up Provider checkbox must be selected if assigned hours are indicated.

When the 'Save' button is selected for a segment with assigned hours indicated and the total number of provider assigned hours across all provider segments is greater than the number of hours available on the case, users will receive an error message alerting them that a provider cannot be assigned more hours than the recipient is authorized.

To determine if a provider is a back-up provider, users can view the following screens which have been modified to add a 'Back-up Provider' column (see Figure 3) in the 'Provider Hours' section: the *View Case Provider* screen, *View IHSS Provider Hours History* screen, *View WPCS Details* screen, and the *View WPCS Provider Hours History* screen. The 'Back-up Provider' column indicates if a provider is a back-up provider for a segment. The options are "Yes" or "No".



The screenshot shows the 'View Case Provider' screen with a sidebar on the left containing links like 'Case Providers', 'WPCS Hours', 'Recipient Waiver', etc. The main content area has a 'Provider Hours' table. A red box highlights the 'Back-up Provider' column in the table header. The table has columns for Action, Begin Date, End Date, Back-up Provider, Assigned Hours, Pay Rate, Status, Updated By, and History Created. There are two rows of data, each with an 'Edit...' link in the Action column.

Action	Begin Date	End Date	Back-up Provider	Assigned Hours	Pay Rate	Status	Updated By	History Created
Edit...								
Edit...								

Figure 3 – 'Back-up Provider' Column

BACK-UP PROVIDER HOURS EXCEPTION

When a recipient has exhausted their 80 hours of back-up provider hours, and the county has determined, based on direction provided in ACL 22-65, that the recipient qualifies for an additional 80 back-up provider hours (160 total back-up provider hours), they will use the new *Modify Back-up Hours* screen to grant the exception. The new *Modify Back-up Hours* screen allows the user to indicate whether the case is allowed 160 Back-up Provider Hours (i.e., BUP Hours Exception Granted) by using the 'BUP Hours Exception Granted' checkbox. The 'BUP Hours Exception Granted' checkbox is selected when a case is allowed 160 Back-up Provider Hours. When the checkbox is unselected, the case is allowed 80 Back-up Provider Hours. If a BUP Hours Exception is granted, counties must inform the recipient of their additional back-up provider hours and create a new back-up provider hours segment(s).

When the 'Edit' link on the *Back-up Provider Details* screen (see Figure 1) is selected, the *Modify Back-up Hours* screen is displayed (see Figure 4).



Figure 4 – Modify Back-up Hours

BACK-UP PROVIDER PAYROLL PROCESSING

Back-up providers will continue to use the Electronic Services Portal (ESP) or the Telephone Timesheet System (TTS) to complete their IHSS timesheet and submit for approval. It is the responsibility of the recipient, or their authorized representative, to work with their provider when assigning hours to their provider and ensure the correct number of back-up hours were provided, prior to approving timesheets.

When a timesheet is submitted by a back-up provider, and the timesheet hours total is greater than the remaining back-up hours for the recipient for that fiscal year, the timesheet hours are cut back by the amount over the available back-up provider hours. Currently CMIPS cannot pay multiple wage rates in the same pay period, so counties must submit a writ request for payment to CDSS in the instance where the back-up hours are cutback and the provider needs to be paid for the additional hours that they

worked over the remaining available back-up hours. Payments can only be made if there are available authorized hours on the case. The cutback hours which are included in the writ will be paid at the current default pay rate for the county.

When there are no remaining back-up provider hours for the recipient for the fiscal year, and a timesheet is submitted by a back-up provider, the system generates a hard edit timesheet exception (hard edits prevent the payment of a timesheet) "No Remaining Back-up Provider Hours" and allocates a task to the Timesheet Errors work queue. When there are available authorized hours on the case, county users must end date the back-up provider segment, create a provider segment at the regular county rate and issue a supplemental timesheet. Travel Time payments for travel related to back-up provider services will be paid at the regular county payrate.

ADDITIONAL DIRECTION

Transition from Back-up Provider to On-going Provider

When the county is notified that the recipient has decided to hire their back-up provider as their on-going provider, the user shall end-date the back-up provider segment and create a new provider hours segment effective the first day of the next pay period and uncheck the 'Back-Up Provider' checkbox to ensure the correct pay rate. If this results in a gap between the back-up provider segment and the on-going segment, counties shall submit a writ request to CDSS for provider payment for hours worked during the gap.

Back-up Provider Assignment Correction

In the event a county user assigns a provider to a case at the regular pay rate or a recipient hires a provider using the ESP; and the county determines the provider should have been assigned as a BUPPS provider at the back-up provider pay rate, see the following instructions:

- If payment **has not** been issued, counties should inactivate/delete the incorrect provider hours segment and create a back-up provider segment with both a 'Begin Date' and 'End Date' and select the BUPPS pay rate.
- If the county is unable to inactivate/delete the segment because payment has already been issued, the county should end the segment effective the last day of the pay period and create a new back-up provider segment beginning the first day of the next pay period and submit a CMIPS Service Desk ticket to request the pay differential for the back-up provider hours paid at the regular county rate.

FUTURE ENHANCEMENTS TO THE CMIPS AND THE ELECTRONIC SERVICES PORTAL

In order to improve the user experience, future enhancements will be made to CMIPS and the ESP. The CMIPS will be modified to prevent a user from assigning a back-up provider when all back-up provider hours have been exhausted for a recipient. Additionally, CMIPS will be modified to generate a notification to the Case Owner when someone other than the Case Owner assigns a back-up provider. The notification will include the provider's name and provider number and the recipient's name and case number. When a provider submits a timesheet in the ESP and the total back-up provider hours submitted exceed the available back-up provider hours, a message will display informing users that they have exceeded available hours.

MODIFICATIONS TO DATA DOWNLOADS

In order to assist counties with the monthly back-up provider tracking, modifications have been made to include the back-up provider indicator field to the following CMIPS data downloads:

- Warrant Management – (WARRANT_MANAGEMENT_DATADWLDWARR)
- Timesheet and Payroll Management Data Part 2 –
(TIMESHEET_AND_PAYROLL_MGMT_DATA_DATADWLDDTS_PART_2)
- WPCS Timesheet and Payroll Data –
(WPCS_TIMESHEET_AND_PAYROLL_DATA_WPCSDATADWLDDTS)

Questions regarding the content of this ACL may be directed to the Adult Programs Divisions' CMIPS and System Enhancements Branch at CMIPSII-Requests@dss.ca.gov.

Sincerely,

Original Document Signed By:

LEORA FILOSENA
Deputy Director
Adult Programs Division