

DEPARTMENT OF SOCIAL SERVICES

744 P Street, MS 19-96, Sacramento, CA 95814



June 28, 2006

ALL-COUNTY INFORMATION NOTICE NO. I-48-06

TO: ALL COUNTY WELFARE DIRECTORS
ALL IHSS PROGRAM MANAGERS

Reason For This Transmittal

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by one or More Counties
- ☒ Initiated by CDSS

SUBJECT: IN-HOME SUPPORTIVE SERVICES (IHSS) QUALITY ASSURANCE
INITIATIVE WORKGROUPS

This All-County Information Notice (ACIN) provides information regarding the activities, objectives, and accomplishments of workgroups established by the California Department of Social Services (CDSS) to implement the statutes comprising the Quality Assurance (QA) Initiative enacted by Senate Bill (SB) 1104 (Chapter 229, Statutes of 2004). Six workgroups were established by CDSS and co-chaired with the County Welfare Directors Association (CWDA). These workgroups were comprised of a broad range of Stakeholders (State/county welfare staff, legislative representatives, advocates, union representatives, and IHSS providers/recipients) to address issues and develop QA implementation strategies and policies, and their progress was reported periodically at a primary Stakeholders meeting. The following is a summary of the objectives and accomplishments achieved by the workgroups:

IHSS STAKEHOLDERS

Welfare and Institutions Code Section 12305.72 required CDSS to convene periodic meetings with counties and program stakeholders to provide information and receive input on the required IHSS QA Initiative activities. ACIN I-69-04, released September 30, 2004, addressed the mandates as set forth in SB 1104. The ACIN was distributed and discussed at the initial Stakeholders meeting held on October 18, 2004. The next Stakeholders meeting was held January 25, 2005, which recapped and identified potential workgroup categories. There have been periodic Stakeholder meetings held throughout 2005 to present the status of each of the workgroups, and the next Stakeholders meeting is scheduled for August 15, 2006.

REGULATIONS DEVELOPMENT WORKGROUP

The Regulation Development Workgroup's initial meeting was held on February 3, 2005, and the Workgroup's first session of meetings concluded on September 22, 2005. The next meeting is anticipated to occur in the Summer of 2006.

Objectives

- To develop draft regulation packages for Overall IHSS, QA, and IHSS Plus Waiver (IPW);
- Review/update current IHSS program regulations to implement the requirements of existing statutes;
- Identify regulatory changes;
- Develop new regulatory language for the IPW and QA;
- Provide findings to CDSS; and
- Review and comment on final draft regulatory packages.

Accomplishments

- The QA regulation packages (SB 1104) containing Protective Supervision, Variable Assessments, State and County QA Procedures, and Hourly Task Guidelines were developed within the Regulation Development Workgroup and in the case of the Hourly Task Guidelines, by the Hourly Task Guidelines Workgroup. These regulation packages have been submitted to the Office of Regulation Development (ORD) to begin the formal regulatory process. The public hearings for Hourly Task Guidelines and State and County QA Procedures were held on for May 17, 2006. The public hearings for the Protective Supervision and Variable Assessments are scheduled for August 16, 2006.
- Other regulations pertaining to overall IHSS have been completed and shared with the Regulations Development Workgroup. These packages are in different stages in the review process within the department. The regulations that implement requirements of Assembly Bill (AB) 925 for IHSS in the workplace were completed early on with the workgroup and it is expected to be reviewed and submitted to ORD by June 2006. The regulations that implement the requirements for AB 1682 for employer of record for collective bargaining purposes have been shared with the workgroup and the input provided by the workgroup is being reviewed and considered. The revised draft regulations will be shared again with the Workgroup when it reconvenes this summer.

Ongoing Status

- The next Workgroup meeting will provide a forum to discuss the proposed changes to the Employer of Record regulations, which is planned for this summer.

IHSS SOCIAL WORKER TRAINING ACADEMY WORKGROUP

The Workgroup's initial meeting was held on February 10, 2005, and its final meeting was held on June 28, 2005.

Objectives

- Review counties QA best practices and/or current IHSS program QA assessment training modules/programs;
- Review needs and requirements for delivering consistent QA programs statewide;
- Establish standardized curriculum, training materials, and work aides for operating an ongoing statewide training program for county workers on the supportive services uniformity system;
- Review and assist in selecting a training vendor that will provide flexible training modalities to educate county supportive services staff; and
- Establish parameters for ongoing statewide training program on supportive services uniformity system for county workers, managers, quality assurance staff, State hearing officers, and if applicable, Public Authority or Nonprofit Consortium staff.

Accomplishments

- CDSS contracted with the California State University of Sacramento, College of Continuing Education, and the Institute for Social Research to provide statewide training.
- The Phase I curriculum was developed with training provided from September 2005 to December 2005.
- ACIN I-71-05 (IHSS Social Worker Training Academy) was signed and released by CDSS on November 9, 2005. This ACIN announced the topics for Phase I training.
- Phase II training curriculum was also developed by CDSS and CSUS. Phase II training classes began on March 14, 2006, and are scheduled through June 30, 2006.
- Future training is currently being designed.

STATE/COUNTY QA PROCEDURES WORKGROUP

The Workgroup's initial meeting was held on February 15, 2005, and its final meeting was held on September 21, 2005.

Objectives

- Review the needs and requirements for delivering consistent QA programs statewide.

- Develop protocols and procedures for monitoring county QA programs, which may include:
 - Onsite reviews of county QA activities;
 - Determining the extent that counties are fulfilling their QA responsibilities; and
 - Determining if county QA staff are correctly applying the uniformity system in reviewing cases for consistent, appropriate, and accurate service needs assessments.

Accomplishments

- ACIN I-24-05 (Preliminary Instructions Regarding County QA Activities) was drafted by the Workgroup to outline the core elements for QA activities. This ACIN was signed and released by CDSS on May 20, 2005.
- ACIN I-64-05 (Annual Quality Assurance/Quality Improvement [QA/QI] Plan) was drafted by the Workgroup to address core elements to be included in counties' QA/QI Plan for their activities. ACIN I-64-05 was signed and released by CDSS on October 6, 2005.
- ACIN I-31-06 (QA/QI Draft Procedure Manual) which transmitted the Draft QA/QI Procedure Manual and answered county questions regarding QA/QI activities was signed and released by CDSS on April 17, 2006.

HOURLY TASK GUIDELINES WORKGROUP

The Workgroup's initial meeting was held on February 22, 2005, and its final meeting was held on March 15, 2006.

Objectives

- Establish and implement statewide hourly task guidelines and exceptions and a tool to assist workers in authorizing service hours;
- Develop guidelines that specify a range of time normally required for each supportive service task necessary to ensure the health, safety, and independence of the recipient considering adherence to universal precautions, existing utilization patterns and outcomes associated with different levels of utilization, and avoiding cost shifting to other government program services; and
- Adopt regulations to implement guidelines including exception criteria by June 30, 2006 (extended to August 30, 2006), for county use when conducting an individual assessment or reassessment of an individual's need for supportive services.

Accomplishments

- The Workgroup identified 12 care categories as needing Hourly Task Guidelines. Others were not identified because they either already had guidelines or the group felt that having guidelines were not appropriate for the care category;
- A draft Task Tool defining specific tasks for each of the 12 care categories and circumstances to consider when evaluating time (including circumstances that might need more or less time) was developed;
- A “normal range of time” was established using an Interquartile range calculated from statewide Case Management, Information and Payrolling System (CMIPS) data of February 2005, based on the individual's level of ranked functional impairment and after consideration of all data collected and evaluated;
- The draft Task Tool was completed to include time ranges;
- Draft Hourly Task Guidelines regulations were developed from the draft Task Tool;
- Six volunteer counties administered field-testing of the draft Task Tool in January 2006, and findings were reported and discussed at the final Workgroup meeting. In April 2006, CDSS mailed out a customer-satisfaction survey to all IHSS recipients who participated in the field-testing. Results of the survey are posted on CDSS' QA website;
- Draft Regulations were amended to include a common exception noted in the Field Test; and
- Regulations went forth and a Public Hearing was held on May 17, 2006. CDSS anticipates adoption of these regulations by August 30, 2006.

FORMS WORKGROUP

The Workgroup's initial meeting was held on March 25, 2005, and its final meeting was held on August 12, 2005.

Objectives

- Develop a standardized/statewide form for counties use in obtaining medical certification for a person's need for Protective Supervision; and
- Develop a Provider Enrollment Statement form for all providers, to sign under penalty of perjury. The form contains information relating to any convictions or incarcerations of fraud and overpayment as it relates to the supportive services programs.

Accomplishments

- A Protective Supervision form (SOC 821) was drafted by the Workgroup, approved by CDSS, and released/posted to the CDSS' website in November 2005.

- A Provider Enrollment Statement form was drafted by the Workgroup, and is currently being approved within CDSS and is scheduled to be released and posted to the CDSS' website sometime in the Summer of 2006.

FRAUD DETECTION AND PREVENTION/DATA EVALUATION WORKGROUP

The Workgroup's initial meeting was held on April 7, 2005, and its final meeting was held on August 30, 2005.

Objectives

- Discuss/identify tasks necessary to implement fraud detection provisions;
- Receive input from all stakeholders regarding all provisions;
- Identify provisions that do not require Workgroup participation;
- Identify the collaboration needed by other agencies and their roles and responsibilities as they relate to conducting error rate studies, automated data matches, verification of receipt of supportive services, and Medi-Cal Fraud Hotline/Website information; and
- Review and identify any pertinent practices, systems, data, and tools that could be instrumental in the development of methods to prevent and detect fraud in the provision of supportive services and maximize recovery of overpayments.

Accomplishments

- Interagency roles were delineated;
- Potential data match items were identified;
- Methods for verification of receipt of services identified; and
- ACIN I-04-06 (QA Initiative Fraud Detection and Prevention Activities) outlining these activities which included specific instructions regarding fraud referral process and interface with county QA activities was signed and released by CDSS on January 23, 2006.

Other QA Accomplishments

Another element of the QA Initiative required CDSS to perform an annual error-rate study commencing in Fiscal Year 2004/2005. After reviewing the data, it was discovered that overpayments were paid to the providers which initiated collection activities for reimbursement by the participating counties.

CDSS thanks all counties and participants for their hard work and time that has been dedicated to the QA/QI Project. The diverse expertise and input has enabled CDSS to develop sound policies, implementation strategies, and instructional tools. We look forward to continuing the partnerships in our joint efforts to improve the delivery of services for those in need, while at the same time maintaining the integrity of the program.

If you have further questions regarding this ACIN, please contact the Adult Programs Branch QA Bureau at (916) 229-3494 or by email at IHSS-QA@dss.ca.gov.

Sincerely,

JOSEPH M. CARLIN
Deputy Director
Disability and Adult Programs Division

c: CWDA