



CDSS

JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER  
GOVERNOR

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

October 28, 2009

ALL-COUNTY LETTER NO.: 09-54

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

SUBJECT: IN-HOME SUPPORTIVE SERVICES (IHSS) PROVIDER ORIENTATION

REFERENCE: ASSEMBLY BILL X4 NO. 19

This All-County Letter (ACL) provides information regarding the new requirement for all providers to complete In-Home Supportive Services (IHSS) Provider Orientation, which resulted from passage of Assembly Bill (AB) X4 19 (Chapter 17, Statutes of 2009). ABX4 19 added Section 12301.24 to the Welfare and Institutions Code (WIC).

**BACKGROUND**

This legislation requires that effective November 1, 2009; all prospective providers must complete a Provider Orientation at the time of enrollment. All current IHSS providers shall receive the same Provider Orientation information before June 30, 2010. It further directs the California Department of Social Services (CDSS) to develop the Provider Orientation in consultation with the counties and include, but not be limited to, the following:

- The requirements to be an IHSS provider;
- A description of the IHSS program;
- The rules, regulations, and provider-related processes and procedures, including timesheets.
- The consequences of committing fraud in the IHSS program; and
- The Medi-Cal toll-free telephone fraud hotline and internet web site for reporting suspected fraud or abuse in the provision or receipt of supportive services.

## **ORIENTATION CURRICULUM**

The orientation curriculum was developed by CDSS in consultation with California State University Sacramento (CSUS). Two meetings were held to obtain stakeholder input during early development. Representatives included:

- County representatives, through the California Welfare Directors Association (CWDA),
- Public Authority representatives, through the California Association of Public Authorities (CAPA),
- Representatives from Service Employees International Union (SEIU),
- Representatives from the United Domestic Workers (UDW),
- Representatives from the IHSS Coalition, and
- Public representatives.

In addition, CDSS solicited input from Select counties on their existing provider training programs and received materials that were used in the development of the Provider Orientation, such as a fraud prevention video developed by the County of Fresno.

CSUS will serve as the clearinghouse for all Provider Orientation materials and distribute copies at no cost to the counties. In the Initial release, which occurred on October 19, 2009, CSUS distributed the following Materials:

- A master copy of the Provider Orientation Training on CD-Rom and instructions for viewing (Estimated viewing time: 40 minutes).
- Handouts (100 copies) that included:
  1. Services Covered by IHSS, including a time conversion chart for completing the timesheet
  2. Mandated Reporter
  3. Medi-Cal Fraud and Abuse
  4. Tips for Avoiding Fraud

Translated copies of an Orientation Guide consisting of the information covered in the CD-Rom have been developed and will be distributed to the counties within the week. The Orientation Guide was designed for distribution to existing providers who do not attend the on-site Provider Orientation training and do not have access to a computer.

CSUS is currently completing the translation of the Orientation materials in Armenian, Chinese and Spanish. These materials will also be distributed to the counties within the week.

New providers must attend the Orientation Training on-site at the county or Public Authority and receive the handouts. Current providers may attend the on-site training or receive a copy of the CD-Rom for viewing at home or if they cannot view the CD at home, a copy of the Provider Guide when available. Current providers also must receive the required handouts.

### **RELATED ACLS**

An ACL addressing the criminal background investigations and the list of criminal offenses that would bar an individual's enrollment as a provider was released for stakeholder comment on October 23, 2009. Once the final ACL is released, the list of criminal offenses will be added to the Provider Orientation hand outs and distributed by CSUS.

ACL 95-02, New In-Home Supportive Services Provider Enrollment Requirements and Revised Provider Enrollment Form (SOC 426), was released on October 1, 2009. The ACL and the Provider Enrollment form are available on the CDSS website. The Provider Agreement form (SOC 846) will be released on October 26, 2009, for stakeholder review and, once finalized, will be posted on the CDSS web site.

### **COUNTY RESPONSIBILITIES**

- Beginning November 1, 2009, counties are required to ensure that all prospective providers attend a Provider Orientation before they are enrolled and become a paid provider.
- Prior to June 30, 2010, counties must ensure that all current IHSS providers either attend an on-site orientation or receive the Provider Orientation materials.
- Counties are required to use the materials developed by CDSS, but may supplement the Orientation with county-specific information and/or directions.
- Following receipt of the Provider Orientation materials, counties must obtain a signed agreement from each provider stating that they understand and agree to the rules and requirements to be a provider under the IHSS program. This form will be available on-line.
- The county shall indefinitely retain the signed agreement in provider's file.
- Counties must inform providers that their refusal to sign the agreement shall result in their ineligibility as an IHSS provider.

- Counties must document that all providers have received the Orientation. If counties elect to have the Public Authority (PA) conduct the Provider Orientations, they must ensure the PA uses the required materials and provide the same documentation. Each county shall provide needed bilingual/interpretive services and translations to non-English or limited English proficient populations as required by the Dymally Alatorre Bilingual Services Act (Government Code section 7290 et seq.) and by State regulation (MPP Division 21, Civil Rights Nondiscrimination, section 115).

### **PROVIDER RE-ENROLLMENT**

Provided there are no changes in the information that was reported, once an individual has been enrolled as a provider, it remains valid for a period of one year beyond the time that the individual stops providing services, provided that the county/PA has continued to receive the subsequent notices from the Department of Justice (DOJ).

If an enrolled provider stops providing services for a period longer than one year or DOJ was directed to discontinue sending subsequent notices during the one year break in service, the person will be required to complete the Provider Orientation and enrollment forms and go through the standard county review process before he/she can begin providing services again.

### **FISCAL INFORMATION**

A County Fiscal Letter (CFL) outlining the allocation of the funds relating to the expenses for this mandatory Provider Orientation training will be forthcoming.

If you have any questions regarding the Provider Orientation, please contact Michele Loftin, Manager, Program Integrity and Training Unit, at (916) 229-4005.

Sincerely,

***Original Document Signed By:***

EVA L. LOPEZ  
Deputy Director  
Adult Programs Division