

In-Home Supportive Services Task Force
Meeting Minutes
IHSS Rancho Office
December 17, 2009

By: Michelle Cooper – District Attorney’s Office

Members Present: Jeff Rose, District Attorney’s Office; Bernadette Lynch, Senior and Adult Services; Michele Bach, County Counsel; Jackie Coleman, Disability Rights CA; Guy Howard Klopp, DHHS; Kristin Lyall, IHSS Advisory Committee; Rebecca Malberg, SEIU-UHW; John Marvich, IHSS Consumer; Carolyn Rose, IHSS Advisory Committee; Cordia Wade, Adult and Aging Commission

Also in attendance: Denise Blockmon, Assistant to Kristen Lyall; Cristi Kerr, Student Intern

Introduction: Jeff Rose and Bernadette Lynch chaired the meeting. Bernadette opened the meeting by asking the members to introduce themselves. Bernadette reminded the members that they are guided by the Comfort Agreement; it was displayed, but not read aloud. The members reviewed the November minutes. John Marvich motioned to accept the minutes as written. Cristi Kerr seconded the motion and the minutes were accepted.

IHSS Updates: Bernadette reminded the group that IHSS is still being affected by the many budget and mandated changes to the program. An injunction has been issued with regards to the requirements disqualifying anyone with a felony conviction from working as an IHSS provider. The state is sending out letters to all providers. Certain felonies remain exceptions to the injunction such as felony and/or misdemeanor conviction for elder abuse, adult abuse or welfare fraud during the past ten years. A copy of the Petition was passed out to the members. Cristi Kerr stated that the court case will be heard on January 29, 2009. She asked for clarification on whether the Petition requested changes to the language on the provider applications regarding felony convictions. Bernadette clarified that the language on the enrollment form was confusing and contradictory, so the petition is asking to have that language rewritten, which would include the three convictions mentioned above.

Senior and Adult Services has contracted with the Public Authority to do all provider enrollments. In November, more than 1,000 people were “ID’d”. About 400 people have gone through the entire registration and orientation process.

IHSS is overwhelmed. The help desk only had one employee to respond to inquiries, but they have been able to add two additional people recently.

The primary focus for IHSS right now is processing the time cards. State furloughs and recent holidays have affected the timeliness of the processing of the timecards.

Rebecca Malberg asked what were the most common questions that people have been calling the IHSS hotline about. Bernadette stated that paychecks, warrants and provider enrollment are the hot topics.

Guy Klopp added that more than 200 providers are going through the enrollment process each day. The orientation can be provided in a few hours, but many people need assistance with the forms which becomes time consuming. Many of those providers who have a felony conviction in their past have delayed going through the new enrollment process. Bernadette stated that two hearings were held to discuss the rollout of the new mandates and the difficulties in doing so. The State came to the first hearing and stated that they are implementing the law. The State did not send anyone with any authority to answer questions to the second hearing.

Denise Blockmon asked for clarification on the new rule regarding felonies. Bernadette clarified that with the new law any felony conviction, no matter how long ago, would disqualify a person from being a provider. There is also a long list of misdemeanor convictions that can disqualify a person as well. Carolyn asked if the new rule on felonies applies to employees of nursing facilities as well. Bernadette clarified that some felonies prohibit a person from working in a nursing home. She stated that when Public Authority set up registry exclusions, it was based on what would prohibit someone from working in nursing facility. It does not include all felonies, but quite a few.

John Marvich mentioned his concern for all the additional paperwork required due to these new mandates. Bernadette stated that the legislature is aware of what is required based on the new mandates, but they must be implemented regardless.

Jackie Coleman stated that her organization has advised some of their clients with felony convictions to wait to register until the issue is resolved. She wondered if people wait to register on the June 30, 2010 deadline, will they all get processed in before the deadline. Bernadette stated that IHSS is hoping that there will be some mitigation to all felonies and an appeal/waiver process for providers. Bernadette does not believe that any county, other than very small counties, will be able to get everyone enrolled by the deadline. Bernadette mentioned that counties are trying to share materials as they are translated into various languages.

Subcommittees: The Self Direction and Quality of Care subcommittees were combined at the November meeting so there will now be three subcommittees. Members have been assigned to new subcommittees. Work Group assignments are as follows:

Background Checks:

Donald Prange
Lisa Barrows
Jackie Coleman
Cordia Wade
Bernadette Lynch (2nd choice)
Jeff Rose
Kristen Lyall

Mandatory Training:

Deidre Kolodney (assigned in her absence)

Carolyn Rose

Anne Isreal-Connelly

Bernadette Lynch

Rebecca Malberg

Quality of Care/Self Direction of Support:

Cristi Kerr

Rosalind Garner

Carolyn Rose (2nd Choice)

John Marvich

Jackie Coleman (2nd Choice)

Guy Howard Klopp

The workgroups met separately for the remainder of the time. Rosalind passed out copies of the reports from the previous subcommittees to the members.

The next IHSS Task Force Meeting will be January 21, 2010.