



PASC Governing Board Meeting Minutes November 2, 2009

I. CALL TO ORDER AND ROLL CALL

Ms. Otero called the meeting to order. Ms. Park called the roll:

Members present: Ms. Argenta, Ms. Becker Kennedy, Ms. Belton, Mr. Castano, Mr. Davila-Castro, Ms. Heinritz-Canterbury, Mr. Magady, Ms. Navarro, Ms. Otero, Ms. Park, Ms. Varga, Mr. Vasquez

Members absent: Mr. Adler, Mr. MacDonald

II. READING OF MISSION STATEMENT AND MOMENT OF SILENCE

The mission statement was read by Mr. Castano, and a moment of silence was observed. Ms. Belton asked that the moment of silence be observed for a friend who is ill.

III. PUBLIC COMMENT

Harley Rubenstein voiced his concerns regarding IHSS budget cuts.

Ms. Varga reported on SB69, which would postpone the implementation of the anti-fraud initiative measures and require stakeholder input meetings.

IV. APPROVAL OF SEPTEMBER 29, 2009 MINUTES APPROVAL OF OCTOBER 5, 2009 MINUTES

Minutes of September 29, 2009 approved on motion of Mr. Castano, seconded by Ms. Belton, by consensus. Minutes of October 5, 2009 approved on motion of Mr. Castano, seconded by Ms. Belton, by consensus.

V. MISSION MOMENTS

VI. CHAIR'S REPORT

No report.

VII. INTERIM EXECUTIVE DIRECTOR'S REPORT

Mr. Golledge called Board members' attention to the Preliminary Motion for an Injunction included in the Board packet.

Mr. Golledge reported that, effective November 1st, new providers must attend an orientation and clear a Department of Justice Criminal Background Investigation. PASC and DPSS have agreed that PASC Registry providers will be used to meet the immediate need for providers who have met these requirements.

Mr. Golledge distributed copies of SB 69; PASC is currently drafting a letter of support. The bill requires a 90-day delay in implementation of the new requirements and an opportunity for stakeholder discussion. Mr. Golledge has spoken with Senator Huff regarding this bill.

Mr. Golledge distributed copies of a letter sent by Philip Browning in support of other counties that are not prepared to implement the November 1st changes. Mr. Browning is also preparing a letter of support for SB 69.

PASC has prepared a proposal to assist the county with conducting DOJ background checks countywide, using GAIN employees.

In response to questions from Ms. Heinritz-Canterbury, Mr. Golledge and Ms. Otero agreed that PASC will give priority to referring Registry providers to existing consumers who have lost their current providers.

Mr. Golledge reported that PASC has provided DPSS with a list of all Registry providers. In response to a concern from Ms. Argenta, Mr. Golledge responded that providers are contacted regularly, and

reported that a robocall has recently alerted providers that they will be needed, and asked them to call PASC to update their availability.

Ms. Heinritz-Canterbury reported that she and several other Board members were contacted by a reporter from KCAL 9 News regarding a recent story.

In response to a question from Mr. Davila-Castro, Mr. Golledge reported that IHSS consumers will be required by June 30, 2010 to provide a thumbprint on timesheets. Mr. Golledge reported that DPSS will also conduct random consumer visits; Ms. Varga responded that her social worker stated that the county does not have sufficient staff or funds to implement this.

In response to concerns from Ms. Navarro, Ms. Heinritz-Canterbury reported that funds for the new requirements have been allocated but not appropriated.

VIII. SEPTEMBER 2009 FINANCIAL REPORT

Presented by Mr. Golledge. **Approved on motion of Mr. Castano, seconded by Ms. Argenta, by consensus.** In accordance with California Government Code Section 53646(b)(1), Mr. Golledge reported on interest income for September.

Ms. Heinritz-Canterbury requested that budget information be included on the financial report; Mr. Golledge responded that he will address this issue once an Executive Director is hired.

IX. CONSUMER NEEDS

X. DPSS REPORT

1. IHSS FUNDING CUTS

In response to the injunction, Sonia Perez reported that DPSS has manually reversed the scheduled terminations and hours reductions for approximately 40,000 consumers.

Ms. Perez reported that a letter was sent on October 5th to all current providers, instructing them to complete a new enrollment form. Providers will also be required to provide ID and a Social Security card.

In response to a question from Ms. Navarro, Ms. Perez reported that Medi-Cal is reviewing a list of approximately 4000 consumers, to determine whether or not the share of cost has been correctly computed.

Ms. Navarro suggested that PASC compile a list of consumers who can provide stories for relevant legal actions. In response to a question from Ms. Heinritz-Canterbury, Mr. Golledge reported that PASC has assisted in locating plaintiffs for current lawsuits.

Ms. Becker Kennedy expressed her concern that providers are asked to sign a form which includes an incomplete list of misdemeanors and felonies, and that the form is provided in a limited number of languages. Ms. Perez responded that current providers have until June 30, 2010 to complete the form; the state is currently translating the form into four languages.

In response to a question from Mr. Castano, Ms. Perez confirmed that any felony will disqualify an individual from working as an IHSS provider.

Ms. Perez reported that a new screen has been added to CMIPS to track provider enrollment data.

Ms. Becker Kennedy recommended that PASC advise providers not to sign the enrollment form until it is complete. Mr. Golledge and Ms. Otero responded that this is PASC's current policy, pending further instructions from DPSS.

In response to a question from Mr. Davila-Castro, Ms. Perez reported that consumers are required to verify that providers are legally able to work in the US.

Ms. Perez reported that fingerprinting of consumers will be done at the homecall; equipment will be provided by the state.

Ms. Navarro suggested that PASC offer consumers access to immigration attorneys, to resolve issues of providers who are not legally eligible to work in the US. Ms. Belton suggested that C.A.L.I.F. consult with an attorney regarding this issue.

Ms. Becker Kennedy voiced her concern for the length of time consumers will have to wait for a new provider to clear the criminal background check. Mr. Golledge emphasized that approximately 10% of Registry provider applicants fail the background check.

Ms. Heinritz-Canterbury noted that DPSS interviewed approximately 8700 consumers who were to be affected by IHSS cuts; Ms. Heinritz-Canterbury requested information on these visits. Ms. Heinritz-Canterbury also requested information on the number of calls received by district offices regarding share of cost.

Ms. Perez agreed to check on information requested by Mr. Castano regarding changes in functional index scores.

In response to a question from Ms. Becker Kennedy, Ms. Varga and Ms. Belton outlined the process for share of cost changes.

XI. 2. FOLLOW-UP – CONSUMER CALLS REGARDING IHSS REDUCTIONS PASC ACTIVITIES AND ISSUES

In response to Board member questions, Beau Hennemann, Supervisor, Programs and Public Relations, reported that providers do not receive retroactive pay. A declaration must be signed by the consumer to acknowledge that the provider will not be paid by IHSS until the enrollment process is complete; if the consumer chooses to receive services prior to this, the consumer is responsible for payment. Ms. Heinritz-Canterbury responded that Eva Lopez from CDSS recently announced a decision to provide retroactive pay; Mr. Hennemann stressed that this has not yet been documented in writing.

- 1. REPORT OF PASC’S ACTIONS REGARDING IHSS CUTS**
- 2. BACK-UP PROGRAM**

Mr. Hennemann reported that October was an extremely busy month for the Back-Up Program.

In response to a question from Ms. Argenta, Mr. Hennemann reported that most CBI results are received in an average of five days.

- 3. REGISTRY AND OUTREACH**
- 4. LEGISLATIVE REPORT**

Mr. Hennemann reported that pending legislation will be considered when the legislature is back in session in January. **In response to a question from Mr. Magady, Mr. Hennemann agreed to send an email update on AB1269 to all Board members.**

5. PROGRAMS AND TRAINING STATUS REPORT

Mr. Hennemann reported that PASC has received many requests for presentations from senior buildings, hospitals, and caseworkers. In response to questions from Ms. Heinritz-Canterbury, Mr. Hennemann reported that most recent presentations have been attended by agency staff members. Mr. Hennemann will conduct an upcoming presentation for senior consumers. Materials on the fair hearing process, elimination of the share of cost buyout program, and recent budget changes are distributed; attendees are encouraged to call PASC, and attendee contact information is gathered.

In response to a question from Ms. Navarro, Mr. Hennemann reported that PASC collects information from callers affected by the recent changes, including authorization to forward their information to other organizations involved in litigation.

Ms. Heinritz-Canterbury reported that she and Rebeca Sinclair Douglas, Assistant Director, Registry and Outreach, have developed draft forms for the volunteer corps, and 10-20 individuals attend meetings by phone.

In response to a question from Ms. Becker Kennedy, Mr. Hennemann reported that PASC has received few phone calls regarding the share of cost buyout program.

Ms. Becker Kennedy suggested that PASC develop an instruction sheet for DPSS to mail to consumers affected by the elimination of the share of cost buyout program. Ms. Otero agreed that PASC will compile this information, and suggested that it be posted on PASC's website and disseminated to ILCs.

Mr. Golledge emphasized that PASC must implement the processing of 1000 background checks per day between now and June 30, 2010, and stressed the importance of PASC focusing on this issue, in order to maintain an adequate number of providers for consumers. Mr. Golledge also stressed the importance of the union's involvement in this process.

XII. NEW IHSS PROVIDER REQUIREMENTS (ORIENTATIONS AND CBIs)

XIII. BUDGET CUTS – UNITED STATES DISTRICT COURT JUDGE CLAUDIA WILKEN – PRELIMINARY INJUNCTION

XIV. CAPA MEMBERSHIP

Ms. Becker Kennedy withdrew her request to discuss this issue; Ms. Otero responded that additional clarification on CAPA's role would be helpful at a future meeting.

XV. CICA UPDATE

Ms. Otero distributed an announcement of the upcoming CICA conference, and encouraged Board members to attend. Ms. Becker Kennedy is a scheduled keynote speaker.

XVI. UNION ISSUES

No union representatives were present.

XVII. NEW BUSINESS

Ms. Otero reported that a meeting will be held in December; the meeting will be held on December 14th, due to late scheduling.

XVIII. CLOSED SESSION

XIX. ADJOURNMENT

Yungsohn Park, PASC Board Secretary

Date minutes approved

ACTION POINTS

- Ms. Heinritz-Canterbury noted that DPSS interviewed approximately 8700 consumers who were to be affected by IHSS cuts; Ms. Heinritz-Canterbury requested information on these visits. Ms. Heinritz-Canterbury also requested information on the number of calls received by district offices regarding share of cost.
- Ms. Perez agreed to check on information requested by Mr. Castano regarding changes in functional index scores.
- In response to a question from Mr. Magady, Mr. Hennemann agreed to send an email update on AB1269 to all Board members.
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