



PASC Governing Board Meeting Minutes April 1, 2013

I. CALL TO ORDER AND ROLL CALL

Ms. Navarro called the meeting to order. Mr. Oliver called the roll:

Members present: Mr. Adler, Ms. Becker Kennedy, Ms. Belton, Mr. Davila-Castro, Ms. Miles, Ms. Navarro, Ms. Otero, Ms. Poole

Members absent: Ms. Argenta, Mr. Castano, Mr. MacDonald, Mr. Magady, Mr. Vasquez

II. READING OF MISSION STATEMENT AND MOMENT OF SILENCE

The mission statement was read by Ms. Miles. Ms. Becker Kennedy and Ms. Navarro provided an update on Mr. Castano's health; a card and gift will be sent to Mr. Castano from the Board.

III. GENERAL PUBLIC COMMENT

Arnold Arbiso requested information on the potential impact of provider overtime pay. Mr. Thompson responded that the federal government is currently working on regulations, and the Department of Labor is taking feedback. Several lawsuits are pending in California. The state will not pay overtime to IHSS providers, and recommends that consumers hire additional providers in order to avoid overtime. PASC has joined letters opposing provider overtime, and Mr. Thompson has spoken out against it in Sacramento.

Ms. Becker Kennedy reported that she will meet with the Office of Management and Budget this week, and will recommend the NCIL/ADAPT Compromise.

Elizabeth Cooper, a provider for her son who has a developmental disability, expressed her concern that the needs of consumers with severe developmental disabilities and those of family care providers are not being taken into consideration by managed care. Mr. Thompson asked Ms. Heinritz-Canterbury to provide Ms. Cooper with information on PASC's programs.

Sawako Nitao from the LACCC and the Aging Coalition distributed flyers for the Boomers and Beyond Action Expo to be held on April 13th in Santa Monica, and reported on free cell phone service for the homeless.

IV. APPROVAL OF MARCH 4, 2013 MINUTES

Approved on motion of Ms. Otero, seconded by Mr. Adler, by consensus.

V. FEBRUARY 2013 FINANCIAL REPORT FEBRUARY 2013 FINANCIAL REPORT – NPER

In accordance with California Government Code Section 53646(b)(1), Mr. Wagstaff reported on interest income for February 2013.

February 2013 Financial Report approved on motion of Mr. Adler, seconded by Ms. Belton, by consensus.

February 2013 Financial Report – NPER approved on motion of Mr. Adler, seconded by Ms. Belton, by consensus.

Mr. Thompson reported that PASC's legal expenses have been high this fiscal year, due to a pending lawsuit and collective bargaining. Mr. Thompson has requested additional funding for legal expenses from the county, and asked the Board to write a letter supporting this request.

Ms. Belton stated the following motion: "That the PASC Board instruct the Chief Executive Officer to write a letter as he so desires to explain this situation to the county." Seconded by Mr. Adler.

Following discussion, Ms. Belton restated her motion: "The PASC Board will ask the Executive Director to write a letter under the Board's auspices to the county in regards to the lawsuit that we're involved in to acquire some more funds if possible." Approved by consensus.

VI. CHAIR'S REPORT

Ms. Navarro reported that she has participated in many teleconferences, and is impressed by Board and staff members' focus on the protection of IHSS. Members of the Managed Care Committee are engaged in conversations locally and at the national level.

Ms. Navarro reported that Mr. Thompson's work supports Board motions and priorities, such as coalition-building and legislative action; she has asked Mr. Thompson to include information on these activities in his report each month.

Ms. Heinritz-Canterbury is working with officials in Sacramento to allow videoconference access from Southern California to Sacramento politicians.

Ms. Navarro urged PASC to continue its efforts to prepare for the CCI rollout, support the NCD position, demand the input of ADAPT, and advocate on behalf of Medi-Medi consumers.

Ms. Navarro appealed to the Board to maintain meeting decorum, adhere to time allotments, and respect each other's input and dissent.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Thompson reported that the Dual Eligible Program is now called CAmediConnect. The federal government and the state have reached an agreement to implement the program no earlier than October 2013. LA County enrollment will be capped at 200,000. The enrollment period for LA County has been extended to 15 months; the first three months will be voluntary. Mr. Thompson clarified opt-out provisions.

Mr. Thompson reported that two pending lawsuits have been settled: Effective July 1st, an 8% cut will be enacted, instead of the 20% cut. The 3.6% cut will end on June 30th. A 7% cut will be enacted in the second year; the state hopes to draw down additional federal money to offset this cut.

PASC is working with ULTCW to implement the additional \$0.15/hour pay rate for providers; a lawsuit seeking to cap provider rates statewide has been settled.

In response to a question from Ms. Miles, Ms. Tostado-Hernández listed the eight counties that have signed the MOU: Alameda, Los Angeles, San Bernardino, San Diego, San Mateo, Santa Clara, Orange, and Riverside.

Ms. Becker Kennedy reported that 20,000 seniors and people with disabilities have been denied their medical exemptions under managed care, and care is being delayed.

Mr. Thompson reported that PASC is coordinating a Tele Town Hall on changes in IHSS with Assembly Member Mitchell on April 18th, and distributed the event flyer. Ms. Heinritz-Canterbury reported that approximately 25,000 IHSS consumers will receive robocall invitations; a participation rate of approximately 60% is typical. Participants will be invited to ask questions and provide input. PASC plans to continue these types of calls.

Mr. Thompson reported that he has requested an additional 20,000 consumer names and phone numbers from DPSS in order to invite them to join this call, and asked the Board to write a letter supporting this request. PASC has funds for 40,000 call participants, and is discussing with LA Care, HealthNet, DHS, and DPSS the possibility of an ongoing educational opportunity. Ms. Becker Kennedy expressed her concern over health plan representatives and politicians spinning the information, and requested that the Managed Care Committee be involved in determining the call's content; Mr. Thompson responded that this event is being coordinated by PASC. Approved on motion of Mr. Adler, seconded by Ms. Belton, by consensus.

Ms. Heinritz-Canterbury distributed information on the Consumer Corps, which will provide legislative advocacy and mentoring opportunities for consumers. PASC is discussing with Assembly Member Mitchell the possibility of filming testimony in Los Angeles, which would then be transmitted to hearing rooms in Sacramento.

Ms. Heinritz-Canterbury distributed a report from the California Healthcare Foundation on the experience of seniors and people with disabilities transitioning into managed care.

Mr. Adler suggested that the state use Skype to hear testimony from remote locations, and agreed with Ms. Becker Kennedy's concern over control of the message given in the Tele Town Hall. Ms. Heinritz-Canterbury responded that PASC is writing scripts for Mr. Thompson and Assembly Member Mitchell. Mr. Thompson invited Board members to send him input on the call content, and invited the Managed Care Committee to discuss their input with Ms. Heinritz-Canterbury at their next meeting.

- 1. MMR**
- 2. PASC OPERATIONS**
- 3. COORDINATED CARE INITIATIVE**
- 4. LEGISLATIVE REPORT**
- 5. STAFF UPDATES ON PAST PASC BOARD MOTIONS**

VIII. DPSS REPORTS

Responding to concerns from Mr. Thompson and the Board regarding the new provider timesheet, Ms. Sigala reported that CMIPS II is scheduled to be implemented in LA County on July 31, 2013. Ms. Sigala is working with the union and PASC to prepare for this change.

In response to Mr. Adler's concern regarding implementation in San Diego County, Ms. Sigala provided information on timesheet exceptions in the 11 counties currently using CMIPS II. Common reasons in all counties include claiming more than 70% of total approved hours in the first pay period of the month, and timesheets submitted in advance of days worked. DPSS will work with the union to provide training to consumers and providers on these issues.

Mr. Adler expressed his concern that instructions on how to correct hours are not communicated to consumers and providers. Ms. Sigala responded that all rejected timesheets will be reviewed by the

Quality Assurance Unit, phone numbers and instructions on how to obtain a replacement timesheet will be provided, and local provider clerks will have access to the timesheet queues. **Ms. Sigala agreed to add Mr. Adler's suggested language to the instructional materials and DPSS' website.**

Ms. Sigala asked the Board if they objected to PASC's name appearing in the training materials; Board members responded with their approval.

In response to a suggestion from Ms. Poole, Ms. Sigala reported that the IHSS Program plans to implement a customer service center with interactive voice recognition following CMIPS II implementation. **Ms. Poole also suggested that the toll-free number be printed on the timesheet; Ms. Sigala agreed to convey this suggestion to state representatives.**

Mr. Adler requested that Mr. Oliver send contact information for Ms. Sigala and Ms. Tostado-Hernández to all Board members; Mr. Oliver agreed.

IX. MANAGED CARE COMMITTEE

Ms. Becker Kennedy reported that consumers with full-time providers will be talking with the Office of Management and Budget regarding the negative consequences of provider overtime.

Ms. Becker Kennedy stated the following motion: "The Personal Assistance Services Council says that, in any Memorandum of Understanding with CMS about the Dual Demonstration Pilots, there be an independent Office of the Ombudsman to help consumers with problems that they have with any continuity, so there is no discontinuity of care." Seconded by Ms. Miles. Approved by consensus.

Ms. Becker Kennedy urged PASC to contract with an agency to implement 24/7 emergency services, and requested that staff members provide regular reports on progress toward the Committee's priorities.

X. IHSS CONSUMER UNION

No report.

XI. SEIU-ULTCW REPORTS

Following up on requests made of Ms. Clegg at last month's meeting: Mr. Tapia reported that data on providers utilizing the CMIPS hotline is unavailable from the state. The union has 12,012 member email addresses and 6500 cell phone numbers. A report on a 24-hour 800-number with audio prompts is not yet available.

Mr. Tapia distributed information on timesheet issues for the past three months. The majority of issues occur in the Hawthorne office, and Mr. Tapia urged the Board to address this situation. Ms. Miles and Ms. Belton reported that they have submitted many complaints regarding the Hawthorne office. Ms. Sigala responded that the Hawthorne office lost 26 social workers two years ago due to an SSI initiative; these social workers have not been replaced due to the state budget, and social workers in that office carry approximately 450 cases per person. The operation was also impacted by a change in management and an antiquated phone system that has since been upgraded. Cheryl Spiller and Supervisors Knabe and Ridley-Thomas are in continuous communication regarding these issues.

Ms. Sigala agreed to escalate Ms. Belton's complaint regarding lack of responsiveness of her Medi-Cal social worker in the Hawthorne office.

Mr. Adler requested that Ms. Becker Kennedy’s concerns regarding placing additional consumers on advance pay be shared with Ms. Spiller; Ms. Sigala agreed.

In response to a concern from Ms. Poole, Ms. Miles reported that the union’s Member Action Center provides emergency funding. Mr. Tapia explained the criteria for Health and Welfare assistance; the union also provides assistance with the AFL-CIO application process. **Mr. Thompson and Ms. Miles requested that this information be posted on PASC’s website; Mr. Tapia agreed to obtain approval and forward the information to Mr. Oliver.**

XII. STEVE DECKER – CALIFORNIA LONG-TERM CARE EDUCATION CENTER REQUEST

Mr. Decker requested that PASC 1) participate in the Integration Committee on the consumer curriculum, 2) authorize Mr. Thompson to enter into a Business Associate Agreement with the CLTCEC to participate in the CMMI grant as part of the coalition in a non-fiscal arrangement, and 3) submit blog posts to the CLTCEC public forum.

Mr. Decker reported that the first consumer classes will be held in less than a month. Mr. Thompson recommended that members of the Managed Care Committee be involved in developing this curriculum; Mr. Adler and Ms. Miles agreed. Ms. Becker Kennedy objected to training for consumers as a precursor to mandatory training, and declined to be involved in this program; Ms. Miles stated that she wished to be involved.

Ms. Belton stated the following motion: “That we use Attachment G to this amendment to approve the three things that are so stated on that motion, and that we use that as my motion.” Seconded by Ms. Miles.

Following discussion, Ms. Belton restated her motion: “Limit to Attachment G of these minutes to include Statement #1 only, as it so stands.” Ms. Miles seconded the amended motion. Approved with two opposed.

XIII. MISSION MOMENTS

XIV. NEW BUSINESS

XV. CLOSED SESSION

None.

XVI. ADJOURNMENT

Approved by

Date minutes approved

ACTION POINTS

- Ms. Belton stated the following motion: “That the PASC Board instruct the Chief Executive Officer to write a letter as he so desires to explain this situation to the county.” Seconded by Mr. Adler.

- Following discussion, Ms. Belton restated her motion: “The PASC Board will ask the Executive Director to write a letter under the Board’s auspices to the county in regards to the lawsuit that we’re involved in to acquire some more funds if possible.” Approved by consensus.
- Mr. Thompson reported that he has requested an additional 20,000 consumer names and phone numbers from DPSS in order to invite them to join this call, and asked the Board to write a letter supporting this request. Approved on motion of Mr. Adler, seconded by Ms. Belton, by consensus.
- Ms. Sigala agreed to add Mr. Adler’s suggested language to the instructional materials and DPSS’ website.
- Ms. Poole also suggested that the toll-free number be printed on the timesheet; Ms. Sigala agreed to convey this suggestion to state representatives.
- Mr. Adler requested that Mr. Oliver send contact information for Ms. Sigala and Ms. Tostado-Hernández to all Board members; Mr. Oliver agreed.
- Ms. Becker Kennedy stated the following motion: “The Personal Assistance Services Council says that, in any Memorandum of Understanding with CMS about the Dual Demonstration Pilots, there be an independent Office of the Ombudsman to help consumers with problems that they have with any continuity, so there is no discontinuity of care.” Seconded by Ms. Miles. Approved by consensus.
- Ms. Sigala agreed to escalate Ms. Belton’s complaint regarding lack of responsiveness of her Medi-Cal social worker in the Hawthorne office.
- Mr. Adler requested that Ms. Becker Kennedy’s concerns regarding placing additional consumers on advance pay be shared with Ms. Spiller; Ms. Sigala agreed.
- In response to a concern from Ms. Poole, Ms. Miles reported that the union’s Member Action Center provides emergency funding. Mr. Tapia explained the criteria for Health and Welfare assistance; the union also provides assistance with the AFL-CIO application process. Mr. Thompson and Ms. Miles requested that this information be posted on PASC’s website; Mr. Tapia agreed to obtain approval and forward the information to Mr. Oliver.
- Ms. Belton stated the following motion: “That we use Attachment G to this amendment to approve the three things that are so stated on that motion, and that we use that as my motion.” Seconded by Ms. Miles.
- Following discussion, Ms. Belton restated her motion: “Limit to Attachment G of these minutes to include Statement #1 only, as it so stands.” Ms. Miles seconded the amended motion. Approved with two opposed.