



## **PASC Governing Board Meeting Minutes May 6, 2013**

### **I. CALL TO ORDER AND ROLL CALL**

Mr. Adler called the meeting to order. Mr. Oliver called the roll:

Members present: Mr. Adler, Ms. Becker Kennedy, Ms. Belton, Mr. Castano, Mr. Davila-Castro, Mr. MacDonald, Mr. Magady, Ms. Miles, Ms. Otero, Ms. Poole, Mr. Vasquez

Members absent: Ms. Argenta, Ms. Navarro

### **II. READING OF MISSION STATEMENT AND MOMENT OF SILENCE**

The mission statement was read by Mr. Davila-Castro, and a moment of silence was observed for all requested intentions.

### **III. PRESENTATION – RECOGNITION GIFT FOR ERNIE CASTANO**

Mr. Adler introduced members of Mr. Castano's family, who accepted a plaque in appreciation of Mr. Castano's years of service, on his behalf.

### **IV. GENERAL PUBLIC COMMENT**

Arnold Arbiso requested information on his Board application to DPSS; Mr. Thompson suggested that he follow up with Ms. Perez, and contact his local supervisor to inquire about a vacancy in his district.

Mr. Arbiso requested information on implementation of the 8% cuts, and suggested that PASC pursue lawsuits filed in other states under the Olmstead Act. Mr. Adler responded that participation in litigation is not a PASC function. Mr. Thompson outlined implementation possibilities for the proposed cuts, and reported that state notices are scheduled to be sent out beginning May 28th; Mr. Thompson will distribute the notice to all Board members once it is released.

### **V. APPROVAL OF APRIL 1, 2013 MINUTES**

Approved on motion of Mr. Castano, seconded by Ms. Belton, as amended by Ms. Becker Kennedy, by consensus with one abstention. Ms. Becker Kennedy inquired about a motion not included in the minutes of last month's Managed Care Committee report; as Board members do not recall this motion, Mr. Adler suggested that she submit the motion during this month's report.

### **VI. MARCH 2013 FINANCIAL REPORT MARCH 2013 FINANCIAL REPORT – NPER**

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

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

### **VII. CHAIR'S REPORT**

Mr. Adler called Board members' attention to Ms. Navarro's report submitted earlier.

## VIII. EXECUTIVE DIRECTOR'S REPORT

### 1. MMR

Mr. Thompson called Board members' attention to the report in the Board packet.

### 2. LEGISLATIVE REPORT

Mr. Thompson called Board members' attention to the report in the Board packet. **PASC is researching a new bill by Senator Price regarding a statewide public authority; Mr. Thompson will provide the bill number to Board members at a later time.**

In response to a question from Ms. Belton, Mr. Thompson provided additional detail on AB 421, and emphasized that PASC is opposed to mandatory training for providers. Ms. Belton requested more information on AB 471, AB 776, AB 784, AB 1124, AB 1180, AB 1217, AB 1263, AB X11, and SB 554. Mr. Thompson is confident in the analyses of proposed legislation by CAPA's analysts, and emphasized PASC's active involvement in CAPA's Legislative Committee. In response to questions from Ms. Becker Kennedy, Mr. MacDonald outlined the two-year bill cycle and encouraged Board members to follow bills at *leginfo.org*. Mr. MacDonald emphasized that PASC pays CAPA to track relevant legislation.

### 3. CAL MEDICONNECT PROGRAM

Mr. Thompson reported that CMS has approved the state's plan for dual eligibles, now called Cal MediConnect and scheduled to roll out in October 2013. LA County enrollment will be capped at 200,000, but is not expected to reach that cap. The first three months will be open enrollment into L.A. Care or Health Net. Passive enrollment will then be implemented for one year; determination of enrollees during this period is still unclear. There will be no changes to IHSS during the first year. The Medi-Cal portion of the demonstration is mandatory; individuals can choose to opt out of the Medicare portion.

In response to a question from Ms. Belton, Mr. Hennemann clarified that Health Net has subcontracted with Molina Healthcare; L.A. Care has subcontracted with CareFirst, CareMore, and Kaiser.

### 4. DEPARTMENT OF LABOR LETTER

Mr. Thompson called Board members' attention to a letter sent by PASC to the Office of Information and Regulatory Affairs and LA County legislators opposing overtime for providers, and acknowledged Ms. Heinritz-Canterbury's contributions to this letter. Ms. Becker Kennedy reported that ADAPT, the National Council on Independent Living, and the National Council on Disability support a compromise position.

Mr. Thompson called Board members' attention to his report in the Board packet of Board motions and actions taken.

Ms. Becker Kennedy and Mr. Adler requested that the Board packet be numbered consecutively. **Ms. Becker Kennedy requested that the Board's list of consumer priorities be included in next month's Board packet; Mr. Thompson agreed.**

## IX. AMENDMENT #26

Mr. Thompson reported that DPSS is unable to enter into a three-year contract this fiscal year, so this amendment will extend PASC's existing contract with DPSS. Some cleanup language remains,

and Mr. Thompson requested authorization to obtain Ms. Navarro's signature once the amendment is cleaned up and reviewed by him.

**Mr. Adler stated the following motion: "That you and Lillibeth have the authority to enter into Amendment 26 with such provisions as you deem in the best interests of PASC." Seconded by Ms. Belton, approved by consensus.**

#### **X. CONSUMER OUTREACH – JANET HEINRITZ-CANTERBURY**

Ms. Heinritz-Canterbury reported that PASC's recent Tele Town Hall, also attended by Mr. Davila-Castro, Ms. Becker Kennedy, Ms. Poole, and Ms. Miles, was extremely successful. PASC received over 400 questions and comments during and after the call, is in the process of responding to these, and has received positive feedback from consumers. Ms. Heinritz-Canterbury expressed her gratitude to Assemblymember Mitchell for her responsiveness to consumers' anger and frustration during the call, and her commitment to assisting consumers going forward.

The Consumer Corps has expanded since the call, and is working with the California Alliance for Retired Americans to participate in 17 district meetings with legislators on May 17th.

Ms. Heinritz-Canterbury reported that Ms. Douglas assisted with the Department of Labor letter.

Over 500 call participants requested help in developing relationships with their legislators, which, along with fostering consumer-to-consumer interaction, is part of the Consumer Corps' mission.

In response to a question from Mr. Adler, Mr. Thompson outlined PASC's redesign of its website, reported that the redesign is nearly complete, and will invite Board member input. PASC's current website continues to be accessible. Mr. Adler reported that Ms. Becker Kennedy previously requested that a link be added to PASC's website, but the link was not added; Mr. Thompson responded that he was unable to add the link at that time, as the individual previously responsible for these changes is on medical leave, and that links will be more easily added to the new website. Mr. Thompson's video interviews with Will Lightbourne, Jane Ogle, and Assemblymember Mitchell will be posted on the new site.

Ms. Heinritz-Canterbury reported that PASC has gathered many additional consumer email addresses since the call.

Mr. Thompson thanked DPSS for its assistance with the call, clarified that DPSS made robocalls to 20,000 IHSS consumers, and reported that L.A. Care and Health Net each contributed \$1000 to sponsor the call.

#### **XI. CMIPS II TIMECARD TRAINING – DEBORAH MILES**

Ms. Miles reported that the PASC-SEIU Labor Management Committee has determined that more consumer training for the new CMIPS II timecards. Ms. Miles has invited LA County ILCs to participate in a CMIPS II Train the Trainer event on May 8th. A webinar to be held on May 30th will be recorded and posted on PASC's website. A training video produced by Ms. Miles, DPSS, and the California Long-Term Education Center will be posted on these organization's websites and on YouTube. Ms. Miles is working with Ms. Heinritz-Canterbury to make the video available to CARA. Consumers who do not have internet access can attend the webinar at an ILC.

In response to concerns from Ms. Belton, Ms. Miles emphasized that the training will teach a simple method for calculating hours; Ms. Sigala from DPSS and Mr. Bullock from ULTCW will provide the training.

**Ms. Poole stated the following motion: “To ask CMIPS II to include helpful prompts on the state helpdesk number that they already have set up. Also, for CMIPS II, there’s going to be a separate change of address form, that you’re going to have to call the office to get, once again, you can’t get through, and if there could be a line, a prompt added to the state helpdesk, where you could just go right there and request either a replacement timesheet, if that’s what you need, the change of address form, if that’s what you need, or this new form, the Recipient Request for Assignment of Authorized Hours to Provider, that’s a new form. If that could be added to the state helpdesk, in addition to a couple of helpful prompts. And, on the timesheet, put the number to the helpdesk, put the web address to the video tutorials, so that it will be available when they’re completing the timesheet, right handy when they need it.” Seconded by Ms. Belton, approved by consensus.**

**Ms. Miles stated the following motion: “That these change of address for provider forms that you spoke of, and also the authorization of hours forms, be placed on the DPSS website, and available to download and print out for the consumers.” Seconded by Ms. Becker Kennedy, approved by consensus.**

[Ms. Becker Kennedy stated a motion, not intelligible because not recorded by microphone.]

**Mr. Adler stated that Ms. Becker Kennedy’s motion is the same as Ms. Poole’s, but applies to the county. Seconded by Ms. Belton, approved by consensus.**

## **XII. HEALTH NET MOU**

Mr. Thompson reported that PASC will enter into state MOUs with Health Net and L.A. Care. PASC participated in the drafting of these MOUs, and is satisfied with them.

**Mr. Adler stated the following motion: “That you and Lilibeth be authorized to finalize the agreements with Health Net and L.A. Care.” Seconded by Mr. Castano, approved by consensus with one abstention.**

In response to concerns from Ms. Belton, Mr. Thompson requested that she send her comments to him directly.

**Mr. Adler requested that these motions be included in the Board packet in the future; Mr. Thompson agreed.**

## **XIII. LA CARE MOU**

## **XIV. DPSS REPORTS**

Ms. Perez called Board members’ attention to the Statistical Fact Sheets included in the Board packet.

Ms. Perez reported that the deadline for consumers to oppose the IHSS settlement was May 3rd. Notices were posted in all IHSS offices and welfare offices.

Ms. Perez announced that the La Cienega office has closed; staff have been relocated to other offices, including the new Rancho Park office. **Ms. Miles requested a list of all offices and applicable zip codes; Ms. Perez agreed to send this information to Mr. Oliver for distribution to all Board members.**

**Mr. Adler stated the following motion: “That PASC, in cooperation with DPSS, work to get email information from every IHSS consumer no less often than at the time of their annual in-home review.” Seconded by Ms. Miles, approved by consensus.**

1. **IHSS STATISTICAL FACT SHEET MONTH ENDING JANUARY 31, 2013**
2. **IHSS STATISTICAL FACT SHEET MONTH ENDING DECEMBER 31, 2012**
3. **IHSS STATISTICAL FACT SHEET MONTH ENDING NOVEMBER 30, 2012**

#### **XV. MANAGED CARE COMMITTEE**

**Ms. Becker Kennedy requested that a link to the California Healthcare Foundation’s video presentation on consumer experiences in managed care, and information on the National Senior Citizens Law Center webinars, be put on PASC’s website and emailed to consumers. Mr. Thompson responded that PASC’s priority is to complete the new website, agreed to email this information to consumers, and emphasized that information on the NSCLC was provided to 4000 consumers on PASC’s recent call.**

**Ms. Becker Kennedy stated the following motion: “That our public interest attorneys, National Senior Citizens Law Center, Disability Rights Education and Defense Foundation, and Disability Rights California be involved in the writing of the three-way contracts with Health Net.”**

Mr. Thompson and Mr. Magady objected that PASC does not have this authority.

**Ms. Becker Kennedy restated her motion: “We represent IHSS consumers, and we’d like to see their public interest attorneys involved in the writing of the contracts. They have been writing the consumer protections, they’ve been monitoring the transitions, and we’d like to see them represent consumers in the writing of the contracts.” Seconded by Ms. Miles.**

**Ms. Becker Kennedy restated her motion: “That the PASC would like to see the public interest attorneys that defend IHSS consumers, Disability Rights California, National Senior Citizens Law Center, and the Disability Rights Education and Defense Foundation, be involved representing consumer protections in the writing of the three-way contracts with the two managed care plans, Health Net and L.A. Care.” Motion approved by consensus.**

Ms. Miles congratulated Ms. Heinritz-Canterbury and Mr. Thompson on the success of PASC’s Tele Town Hall, and thanked DPSS for their assistance.

#### **XVI. IHSS CONSUMER UNION**

No report.

#### **XVII. SEIU-ULTCW REPORTS**

IHSS provider and union volunteer Carmen Franco reported that the Member Action Center has received 36,157 phone calls year to date, generating a total of 26,304 cases. 11,029 of these, 42%, were from LA County. 10,778 of these cases, 98%, have been resolved. Many calls were general questions regarding member benefits, the enrollment process, member eligibility, and timesheet issues. 120 timesheet-related calls year to date and 99 payroll-related calls year to date have pertained to the Hawthorne office. The union expects that the new CMIPS II system will help alleviate some timesheet problems; Ms. Franco has visited the new processing center.

Ms. Franco distributed flyers for the Homecare Exchange.

**Ms. Miles reported that she previously requested that the union provide a 24-hour toll-free line with verbal assistance; Ms. Franco responded that the MAC is open from 7 am to 7 pm,**

**and that the union is providing training to its members, and agreed to speak with Ms. Clegg regarding Ms. Miles' suggestion.**

Ms. Miles requested that Mr. Bullock attend a Board meeting to talk to the Board about how the MAC helps IHSS providers with late-check issues.

**XVIII. MISSION MOMENTS**

**XIX. NEW BUSINESS**

**XX. CLOSED SESSION**

None.

**XXI. ADJOURNMENT**

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Approved by

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Date minutes approved

**ACTION POINTS**

- PASC is researching a new bill by Senator Price regarding a statewide public authority; Mr. Thompson will provide the bill number to Board members at a later time.
- Ms. Becker Kennedy requested that the Board's list of consumer priorities be included in next month's Board packet; Mr. Thompson agreed.
- Mr. Adler stated the following motion: "That you and Lillibeth have the authority to enter into Amendment 26 with such provisions as you deem in the best interests of PASC." Seconded by Ms. Belton, approved by consensus.
- Ms. Poole stated the following motion: "To ask CMIPS II to include helpful prompts on the state helpdesk number that they already have set up. Also, for CMIPS II, there's going to be a separate change of address form, that you're going to have to call the office to get, once again, you can't get through, and if there could be a line, a prompt added to the state helpdesk, where you could just go right there and request either a replacement timesheet, if that's what you need, the change of address form, if that's what you need, or this new form, the Recipient Request for Assignment of Authorized Hours to Provider, that's a new form. If that could be added to the state helpdesk, in addition to a couple of helpful prompts. And, on the timesheet, put the number to the helpdesk, put the web address to the video tutorials, so that it will be available when they're completing the timesheet, right handy when they need it." Seconded by Ms. Belton, approved by consensus.
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