

## **PASC Governing Board Meeting Minutes January 6, 2014**

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

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

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

Members absent: Ms. Bloomshaft, Ms. Miles

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

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

### **III. GENERAL PUBLIC COMMENT**

Sawako Nitao announced that the 22nd Annual Empowerment Congress Summit will take place on January 18th at USC.

Arnold Arbiso requested information on new Board members; Ms. Navarro responded that two new Board members will be introduced later in the meeting, and Ms. Tostado-Hernández responded that notices will be sent to individuals who applied. Mr. Thompson added that appointments are made both by the Board of Supervisors and by DPSS.

Mr. Arbiso reported that he received healthcare cards with other individuals' names and information, and reported it to L.A. Care; Mr. Thompson offered to assist Mr. Arbiso with communicating with L.A. Care.

### **IV. APPROVAL OF NOVEMBER 4, 2013 MINUTES**

Approved on motion of Mr. Castano, seconded by Mr. Adler, by consensus.

### **V. NOVEMBER 2013 FINANCIAL REPORT NOVEMBER 2013 FINANCIAL REPORT – NPER OCTOBER 2013 FINANCIAL REPORT OCTOBER 2013 FINANCIAL REPORT – NPER**

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

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

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

### **VI. CHAIR'S REPORT**

## INTRODUCTION TO NEW COMMISSIONERS

Ms. Navarro reported that she attended a L.A. Care-Health Net meeting regarding Cal MediConnect, and there are plans to continue these joint meetings. Ms. Navarro also attended a SILC meeting to discuss possible new funding for independent living centers, and assisted with the rewrite of PASC's draft of its position on Cal MediConnect.

Ms. Navarro introduced new Board member Randi Bardeaux.

Ms. Belton reported that PASC made a donation to the Red Cross from its Sunshine Fund.

## VII. EXECUTIVE DIRECTOR'S REPORT

### 1. MMR

Mr. Thompson called Board members' attention to the report in the Board packet; Registry participation has increased. PASC is nearing completion of its annual external audit, and has purchased two new photocopiers, in order to bring additional printing inhouse and see a cost savings. PASC's new telephone system and SQL server are effectively gathering data on PASC's communications with consumers, and have enabled PASC to save money on postage through telephone, email, and internet communication.

Mr. Thompson reported that PASC's December Tele TownHall was attended by nearly 1000 callers; Mr. Thompson will provide additional data on this event at a later date.

Ms. Belton reported that Ms. Bardeaux facilitated a recent event at her housing complex in Pasadena, attended by 45-50 residents.

### 2. BROWN ACT

Mr. Thompson called Board members' attention to a report in the Board packet of a recent presentation on the Brown Act attended by Mr. Oliver. **Mr. Davila-Castro requested that a copy of the Brown Act be available at every meeting; Mr. Thompson agreed.**

### 3. LEGISLATIVE REPORT

Mr. Thompson called Board members' attention to CAPA's report in the Board packet, and provided information on attending the Governor's upcoming budget meeting.

### 4. LA CARE AGREEMENT

Mr. Thompson reported that the county has requested additional information on this agreement; there are concerns over PASC appearing to favor L.A. Care over Health Net, and the legality of a public authority entering into this type of contract. Mr. Thompson requested an additional month to review the contract and gather additional information. Ms. Becker Kennedy and Mr. Magady voiced their objections to this agreement.

### 5. SEIU UHW PETITION

Mr. Thompson reported that SEIU UHW is gathering signatures on a petition for a California ballot measure mandating a 75-hour training program for all IHSS providers. PASC sent an email to consumers notifying them of this action, which incorrectly identified UHW as UDW; a corrected email was later sent. Mr. Fisher's initial thoughts were this type of

consumer communication was within the scope PASC's mandate however he would be providing a report after further research.

## **VIII. MANAGED CARE COMMITTEE**

### **1. CAL MEDICONNECT**

Ms. Becker Kennedy stated the following motion: The Los Angeles County public authority, by reason of its mission, strongly opposes the transition of the In-Home Supportive Services Program into Cal MediConnect for Los Angeles County. It equally opposes the larger plan to transition the whole county to Cal MediConnect for the following reasons: One, there is no evidence to show that the parties involved in the design of Cal MediConnect have shown careful thought and solicited enough input from stakeholders, or have exhibited sufficient care of the careful description of the future IHSS Program, its new efficiencies and enhancements, under the proposed Cal MediConnect, that assures the prevention of foreboding results already evident in the pilot implementation. Two, there are no evidence-based studies of any improvements regarding the discontinuity of care and the damaging and at times life-threatening delays in critical medical services in Medi-Cal managed care, that have caused serious harm to substantial numbers of seniors and people with disabilities with complex and comorbid conditions. Three, there has been no evidence of improvements in plan sufficiency in terms of missing specialties, to assure that recipients who need to be seen by their special doctors are going to have continued and competent treatment. With no definitive description of how In-Home Supportive Services is to change beyond the first year, and with two proposed significant initiatives that could have a negative impact on the consumers we represent and changes to IHSS gravely without our participation, the PASC is taking a risk, violating its mission, and leading its thousands of consumers into dangerous uncharted territory, creating their civil rights for the unknown, risking their well-being and their right to adequate health- and homecare. We thereby strongly oppose both transition of IHSS services and medical care of the IHSS consumers we serve into Cal MediConnect at present. Motion seconded by Mr. Adler.

Board members suggested rewrites to the motion. Mr. MacDonald requested that the motion be tabled until next month's meeting. Ms. Navarro agreed.

### **2. DOL OVERTIME REGULATIONS**

Ms. Becker Kennedy reported that she and Mr. Thompson attended a recent meeting on these regulations, which are scheduled to take effect January 1, 2015. A possible state cap of 160 hours and an injunction against DOL were discussed. Mr. Adler is discussing this issue with a representative from the National Senior Citizens Law Center, and provided background information on federal overtime laws pertaining to domestic workers and companionship regulations.

### **3. 75 HOUR MANDATED TRAINING**

Ms. Becker Kennedy distributed information on a similar Washington state initiative and proposed talking points, and suggested that the Consumer Corps address this issue with consumers.

Ms. Becker Kennedy suggested that blank SOC forms be available for providers to pick up at PASC's offices, district offices, and union offices, and that weekly orientations be held at all district offices.

#### **4. DASHBOARD OF MEDI-CAL MANAGED CARE**

Ms. Navarro asked that discussion of this issue be tabled until next month's meeting.

#### **IX. PROVIDER CBI/CIFCO**

#### **X. PASC/SEIU-ULTCW – LATE CHECKS/CBI**

#### **XI. DPSS REPORTS**

Ms. Tostado-Hernández reported that the state is no longer providing the exception report, so she is unable to provide this report requested by Mr. Davila-Castro at last month's meeting. The state is instead posting an extremely large online report for the entire county; Ms. Tostado-Hernández is looking at the possibility of putting together a report to replace the exception report, and will provide more information at next month's meeting.

Ms. Tostado-Hernández reported that the CAT Manager indicated to her and to Ms. Becker Kennedy that excepted timesheets are processed within two-three days. Replacement timesheets sent to providers are now accompanied by a letter explaining the reason for the timesheet exception.

Ms. Tostado-Hernández reported that each district office has scheduled days for provider orientations, and that providers must bring identification to the orientation; identification cannot be faxed or mailed in, and offices do not have the staff to serve drop-ins. Ms. Tostado-Hernández confirmed that DPSS is looking at alternate methods to provide training, such as online.

##### **1. ADDRESS ZIP CODES DUAL ELIGIBLE**

Ms. Tostado-Hernández reported that approximately 259,000 individuals qualify for Cal MediConnect.

#### **XII. SEIU-ULTCW REPORTS**

Mr. Tapia reported that the union and PASC have been meeting with DPSS regarding timesheet- and pay-related claims; progress has been made toward developing a centralized process for claims resolution, and DPSS response times have improved. There were 387 pay/timesheet claims in November, down from 927 in October. Claims increased slightly in December, to 491. Ms. Becker Kennedy responded that the reason for the drop in claims is that social workers' outgoing messages no longer include the union's phone number.

Ms. Poole reported that her provider has over the past three years only received one call from the union notifying her of a meeting, which was taking place an hour from when the call was received; the call was in English, and her provider speaks Spanish. Mr. Tapia responded that calls are made in multiple languages to providers notifying them of meetings.

#### **XIII. MISSION MOMENTS**

#### **XIV. NEW BUSINESS**

#### **XV. CLOSED SESSION**

Ms. Navarro reported from the closed session that the closed session of the PASC on 1/6/2014, attended by at least 9 board members, started with a brief review of the performance evaluation of PASC Executive Director Greg Thompson, completed by the Board Chair who also made the

following recommendations:

To increase the annual salary of the Executive Director starting January 1st, 2014

To provide a monthly transportation allowance.

The motion was made by Jim Adler and seconded by Kevin MacDonald and after discussion, was passed 8 to 1, which was an abstention. It was also agreed that the following steps would be taken:

1. Based on the strengths and weaknesses identified, the Board would write out a set of doable and measurable goals for negotiation and discussion with Greg;
2. These goals would also include the Board's contribution in terms of the things they need to be responsible for, in order to assist the Executive director to achieve the goals identified.
3. The renegotiated goals in final form would be brought to the full board for ratification.

Then, the Board heard the legal opinion of Dick Fisher on PASC's opinion on the 75 hour training and the Cal-Medi-Connect. His advice: we can do education efforts, i.e. we can write analysis and express it to the legislators but we cannot openly campaign for or against a measure.

## **XVI. ADJOURNMENT**

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Approved by

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Date minutes approved

## **ACTION POINTS**

- Mr. Davila-Castro requested that a copy of the Brown Act be available at every meeting; Mr. Thompson agreed.