



PASC Governing Board Meeting Minutes August 6, 2012

I. CALL TO ORDER AND ROLL CALL

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

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

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

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. GENERAL PUBLIC COMMENT

Sawako Nitao from the Los Angeles County Client Coalition reported on a recent newspaper article on decluttering your home.

IV. APPROVAL OF JULY 2, 2012 MINUTES

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

V. MAY 2012 FINANCIAL REPORT JUNE 2012 FINANCIAL REPORT JUNE 2012 FINANCIAL REPORT – NPER SUNSHINE FUND

May 2012 Financial Report – NPER approved on motion of Mr. Castano, seconded by Mr. Adler, by majority with one opposed and one abstaining.

June 2012 Financial Report approved on motion of Mr. Castano, seconded by Ms. Belton, by majority with two opposed.

June 2012 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), Ms. Otero reported on interest income for June 2012.

Ms. Otero reported on the current balance of the Board's Sunshine Fund. Ms. Belton encouraged Board members to continue to make donations to the Fund.

In response to a concern from Ms. Becker Kennedy, Ms. Navarro asked the Finance Committee to discuss funding for compensation of providers when their consumers are hospitalized, and report their recommendation to the Board.

In response to a concern from Ms. Belton, Ms. Navarro asked the Finance Committee to draft guidelines for use of Sunshine Funds; Ms. Otero agreed.

VI. CHAIR'S REPORT

Ms. Navarro reported that Ms. Becker Kennedy has provided an enhanced list of consumer protections, which has been added to by C.A.L.I.F. A letter stating PASC's position on managed care for dual eligibles was sent to CMS.

Ms. Navarro suggested that the Board hold a retreat to rethink its purpose and activities, in light of the upcoming formation of a statewide public authority.

Ms. Navarro reported that she, Mr. Castano, and Mr. Fisher attended the most recent collective bargaining session; discussions of a wage increase for providers are ongoing, and a mediation session is scheduled for August 13th.

Ms. Navarro emphasized the importance of encouraging consumers to request a reassessment in order to receive additional hours, in response to the upcoming 3.6% reduction.

Ms. Miles suggested that PASC create a staff position to advocate with seniors, ILCs, rehabilitation offices and other public entities to educate them about the dual eligibles program, how to opt out, and how to increase their hours. Mr. Hennemann responded that Ms. Igar currently provides much of this information to community organizations; trainings on these issues are coordinated with Bet Tzedek. PASC has begun discussions on how to disseminate information on the Coordinated Care Initiative, once enrollment issues have been resolved and finalized by the state. Ms. Navarro stressed that the Board should work with Mr. Thompson on these staffing issues.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Thompson reported that he participated in a conference call on the Coordinated Care Initiative. The State Transition Plan must be submitted to CMS in August. **The state has distributed two sample operational county MOUs, one for the health plan and one for the public authority; Mr. Thompson will distribute copies of these to all Board members.** These MOUs will take effect no earlier than March 2013.

Mr. Thompson emphasized that there are no guarantees for county public authorities after the first year. Mr. Thompson communicated to the state PASC's concerns for maintaining consumer outreach and consumer protections at the local level, while ensuring that providers receive a living wage. Training for workers will be offered by the union through an \$11M grant, but will not be mandatory. PASC's involvement in this training has not yet been defined.

Mr. Thompson emphasized that PASC's ordinance prohibits PASC from lobbying. Mr. Thompson functions in this role through his participation in four statewide committees/workgroups related to the dual eligibles, his appointment to the state's Olmstead Committee, testimony at hearings, and legislative visits. PASC contributes funds to CAPA for its legislative advocacy and lobbying efforts. CWDA, DRC, and CSAC also conduct lobbying on behalf of IHSS. Mr. Thompson recommends against PASC hiring an additional person for this purpose.

Mr. Fisher agreed to research PASC's lobbying limitations, and provide a report at next month's meeting. In general, public resources may not be used to directly influence the public, but PASC is allowed to work with legislators and provide testimony to influence legislation.

Ms. Becker Kennedy urged PASC to hire a Director of Education to travel to Sacramento to advocate for PASC's priorities, which have not been sufficiently proactive and consumer-based. Teach-ins should be held at ILCs, senior centers, and other community-based organizations to

educate stakeholders about the opt-out process. A mechanism to monitor discontinuity of care and survey Medi-Cal recipients should be established, and consumer protections should be written into health plan contracts.

Mr. Thompson voiced his opinion that Ms. Becker Kennedy's criticisms are unfair, emphasizing that he has spent a great deal of time in Sacramento over the past two years, and continues to work hard to establish relationships in Sacramento to address these issues.

1. MMR

2. DUAL ELIGIBLE PILOT

VIII. RESOLUTION TO ADOPT AMENDMENT #23 TO THE AGREEMENT BETWEEN THE COUNTY AND PASC

Approved on motion of Mr. Castano, seconded by Ms. Becker Kennedy, by consensus.

IX. LOBBYING

X. ONE-YEAR EXPIRATION OF CBI RESULTS

XI. PAYMENT FOR PROVIDERS WHILE CONSUMERS ARE HOSPITALIZED

XII. LEGISLATIVE REPORT

Mr. Hennemann reported that the state legislature has been in recess for the past month, and reconvened today. The legislature has until the end of August to finalize bills for this session.

In response to a concern from Ms. Becker Kennedy, Mr. Thompson reported that CMS is working with the state on implementation of the managed care pilots, and has asked the state to develop a readiness plan. There is so far no indication that Los Angeles County will be removed from the pilot; the eight pilot counties remain unchanged.

XIII. DPSS REPORT

Ms. Perez reported that the state began mailing notices to consumers on July 16th regarding the July 1st restoration of hours and subsequent August 1st reduction. The notice states that these hours are not appealable.

XIV. IHSS CONSUMER UNION

XV. UNION ISSUES

Tom Csekey from ULTCW reported that the union has conducted activities in Sacramento for the past two weeks, including a demonstration of 5000 individuals at the capital and arrests of 52 consumers and providers during a civil disobedience action outside the governor's office.

In response to a question from Mr. Csekey, Ms. Belton clarified that she and Ms. Navarro suggested that PASC and the union work together to establish a fund to provide compensation for providers when their consumers are hospitalized. Mr. Csekey responded that all decisions regarding union budgeting and expenditures are made by the Member Executive Board, made up of approximately 80 IHSS providers and nursing home workers; the Board's focus is to save the IHSS Program, and the union is not in a position to provide unemployment assistance.

XVI. MISSION MOMENTS

XVII. NEW BUSINESS

XVIII. CLOSED SESSION

Ms. Navarro reported from the closed session that the closed session consisted of the interview of the PASC lawyers, a discussion of the status of the overtime case against PASC, and a discussion of however it might conclude based on legal precedence. There was also discussion of the continuing negotiations between PASC and SEIU on the non-negotiable mandates to the IHSS wage-increase motion of the LA County Board of Supervisors.

XIX. ADJOURNMENT

Approved by

Date minutes approved

ACTION POINTS

- In response to a concern from Ms. Becker Kennedy, Ms. Navarro asked the Finance Committee to discuss funding for compensation of providers when their consumers are hospitalized, and report their recommendation to the Board.
- In response to a concern from Ms. Belton, Ms. Navarro asked the Finance Committee to draft guidelines for use of Sunshine Funds; Ms. Otero agreed.
- The state has distributed two sample operational county MOUs, one for the health plan and one for the public authority; Mr. Thompson will distribute copies of these to all Board members.
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