



## PASC Governing Board Meeting Minutes February 2, 2015

### 1) **CALL TO ORDER/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. Magady, Ms. Navarro, Ms. Otero, Ms. Poole, Ms. Miles.

Members absent: Ms. Boonshaft, Mr. MacDonald

### 2) **READING OF THE MISSION STATEMENT AND MOMENT OF SILENCE – ATTACHMENT B**

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

### 3) **COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA**

Phyllis Coto announced that she is a part of a private home care agency called “Just Right” and she was given a list of home care provider that are not able to assist her in her home.

Sawako Nitao from the Aging Coalition and the Los Angeles County Client Coalition announced that there will be an 8<sup>th</sup> Annual Community Mental Health Wellness Cultural Forum for Black History Month on Saturday, February 28, 2015.

### **MINUTES – APPROVAL OF THE FEBRUARY 2, 2015 MINUTES – ATTACHMENT C**

February 2, 2015 minutes approved on motion of Mr. Adler, seconded by Ms. Belton, by consensus.

### 5) **FINANCIAL REPORT – APPROVAL OF DECEMBER 2014 – ATTACHMENT D-1 FINANCIAL REPORT – APPROVAL OF DECEMBER 2014 NPER – ATTACHMENT D-2**

In accordance with California Government Code Section 53646(b)(1), Mr. Wagstaff reported on interest income for December 2014.

December 2014 report approved on motion of Mr. Castano, seconded by Mr. Adler, by consensus.

December 2014 report, NPER, approved on motion of Mr. Castano, seconded by Ms. Miles, by consensus.

Mr. Thompson reported regarding issues that PASC is having with the DPSS County Contracts Division in regards to not reimbursing PASC for services, such as legal fees. PASC received a letter from the contracts department disallowing \$43,000 in legal fees and will need to be cut out of the future budget going forward. Mr. Thompson is asking permission from the PASC Board to postpone the signing of next year’s budget until these matters are resolved.

Mr. Alder asked if there was a written record of these statements and Mr. Thompson stated that everything is documented.

**Motion: The postponement of signing the next year's budget with the DPSS County contracts until it is resolved approved on motion of Ms. Becker-Kennedy, seconded by Mr. Adler and Ms. Miles, by consensus.**

A question was raised by Mr. Davila-Castro in regarding to any current lawsuits and Mr. Thompson stated no, there are no pending lawsuits.

## **6) BOARD CHAIR'S REPORT**

Ms. Navarro reported that CALIF will be working with the city on the Disability Fest. Ms. Navarro commends the efforts of the Managed Care Committee consumer regarding the Olmstead Compliance Act. Ms. Navarro also stated that it is very important to keep IHSS in the IP Mode, Individual Provider Mode and to keep caregiving organic.

Ms. Bardeaux asked Ms. Navarro a question on what does the PASC Board do to preserve the IP Mode standards. Mr. Adler suggested that when Ms. Kennedy gives her report, Mr. Bardeaux's question will be answered.

Ms. Navarro stated that PASC and the ULTCW meet and discuss various issues and as long both parties keep a positive and productive communicative relationship that is a start.

Ms. Miles stated that she would like to invite members of the CLTC and SEIU to address some concerns that the PASC Board may have in regards to the IP Mode and the mandatory training portions.

Ms. Belton stated that DPSS presented a PowerPoint presentation on its relationship to IHSS. She also stated that in that presentation, PASC should be included. Ms. Belton also invited the Board members to a LACOA meeting on the 1<sup>st</sup> Monday of each month.

Ms. Navarro asked how many callers did PASC received for the last Tele TownHall. Mr. Thompson stated that the topics were FLSA, 7% restoration, and Cal MediConnect and the system dialed 19,000 consumers, and PASC answered 3,500 plus calls that were answered and the peak attendance was around 1,600 and 300 callers at the end.

Ms. Kennedy asked a question regarding who pays for the Tele TownHall and Mr. Thompson stated that it depends on the topic. PASC has a budget and the Health Plans also participates in the cost.

Ms. Miles suggested that for future Tele TownHall topics that PASC address the new timesheet process.

Ms. Bardeaux made a comment regarding the Tele TownHall calls and Cal MediConnect that there was a nearly 46% opt-out rate with Cal Medi Connect but IHSS recipient in Los Angeles County, the opt-out rate is 80%. Mr. Thompson and other were congratulated for their efforts from Denny Chen.

## **7) EXECUTIVE DIRECTOR'S REPORT**

**FLSA** – Mr. Thompson reported that the FLSA was over turned. Mr. Thompson requested from the PASC Board what are their thoughts and what PASC position is in regards to the overtime issues.

Several members of the Board asked questions and shared their concerns pertaining to the overtime issues.

**Motion 1: Mr. Adler stated a PASC strongly support the current position of the state in light of the injunction of the federal level that states obligations is to pay or the state plans to pay overtime be suspended.**

**Motion 1: approved on motion of Mr. Adler, seconded by Ms. Kennedy, by consensus.**

**Motion 2: Mr. Adler stated In light of the fact that this makes their \$365,000,000 budgeted for this and that there previously been a 7% reduction cutting into the needs not wants of the IHSS community, that this money be utilized by the state to reverse the 7% cut and raise the IHSS providers dipping back where it should have been.**

**Motion 2: approved on motion of Mr. Adler, seconded by Ms. Miles, by consensus.**

**a) MMR – ATTACHMENT F**

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

Mr. Thompson noted that Ms. Kennedy would like to make the senior community are aware of a default towards safety.

**Ms. Navarro asked for the 2015 updated schedule of trainings and Mr. Thompson made note of it.**

Ms. Belton suggested a change on Attachment E Activity Calendar to reflect that the general meeting of LACAO is open to everyone. Ms. Otero noted to Ms. Belton that Attachment E already reflects Ms. Belton’s suggestion.

**b) ISSUE TRACKING CHART**

Mr. Thompson brought the attention to the chart and that there will be changes to enhance it.

**c) LEGISLATIVE REPORT**

**Mr. Thompson called Board members’ attention to the report and the Bills that CAPA are looking at and Mr. Thompson made some point on several Bills pertaining to IHSS. Mr. Thompson stated that he will send the Board the letter**

There were discussion and concerns on several Bills pertaining to IHSS and SB33 (Hernandez).

Ms. Becker Kennedy would like to make a motion that PASC should be a part of the discussion that effect IHSS.

**Motion: Mr. Adler moves that PASC express its view that IHSS consumers in general and PASC should be consulted and part of the discussion with regards to any legislation and administrative change to the IHSS program which affects IHSS consumers. With an amendment from Ms. Kennedy, that PASC agrees with the views and stated from Disability Rights Movement model “Nothing about us, without us”**

**Motion 1: approved on motion of Mr. Adler, seconded by Ms. Miles, by consensus.**

**d) BOARD STIPEND**

Mr. Thompson wanted to clarify how, what and when Board stipends should be paid.

Ms. Otero stated that they finance committee will take a look at this for clarification and a statement and informed the PASC Board that it has limited Board funding of \$3,500.

**e) PROVIDER TRAINING – 1115 MEDICAL WAIVER**

Mr. Thompson reported that SEIU has put a proposal in to be reimbursed to do voluntary provider training.

There were discussion and concerns regarding the voluntary provider training.

**Motion: Mr. Adler moves that PASC support the letter from CAPA and CICA of January 21<sup>st</sup> with regards to the sections 1115 Medi-Cal Waiver renewal and that PASC wants to emphasize that the IHSS community including disability rights advocates that were not included in its early stage and we support their conclusion that the 1115 waiver package submitted to CMS exclude IHSS training from the final waiver package.**

**Ms. Kenny made an amendment with the IHSS Consumer's Union made comment and is being included.**

**Motion 1: approved on motion of Mr. Adler, seconded by Ms. Bardeaux, with 1 abstention, it passes with a majority.**

**8) SENIOR CONCERNS COMMITTEE**

**9) MANAGED CARE COMMITTEE**

Ms. Becker Kennedy reported on IHSS Consumer's Union initiated Bill, the Olmstead Compliance Act.

**10) DPSS REPORTS**

Ms. Cinthie Gomez reported that Naomi Tostado-Hernandez has been re-assigned to the medi-cal section and has been replaced by Ruby Del Real-Gaspar as the PASC liaison and Ms. Gomez will continue to be the back-up.

Ms. Cinthie Gomez reported the FLSA has been halted as a result of decisions that were made in December and January. DPSS is aware that the DOL has proceeded forward with filing and appealing a decision from the current decision was made against DPSS and will be waiting on what is going to happened and following CDSS direction as well as DPSS has instructed their line staff about what to do regarding the halt. DPSS is working on some enhancements to the new timesheet. DPSS will be sending out a letter to all consumer and providers regarding the stop of the FLSA.

Discussion and concerns were expressed regarding the new timesheets.

Ms. Bardeaux stated that back in October 2014, she requested that a tele-conference for consumer, providers and IHSS management before January 1<sup>st</sup>. She stated that the Lancaster IHSS office is rude to its constituents.

Ms. Bardeaux also stated that Mr. Adler asked DPSS to give data regarding delays and answering phone calls and response time and questioned whether DPSS could receive emails and text messages.

In response to Ms. Bardeaux 1<sup>st</sup> statements, Ms. Gomes responded that this concern was forwarded to management and she would follow-up and she apologized on behalf of the department and its actions.

In response to the 2<sup>nd</sup> statement, Ms. Gomez stated that unfortunately the phone systems DPSS has does not capture the number of calls that are received to an office or the number of messages that are received. DPSS does not have data in terms of calls of what coming in or returned and that their current telephone system does not support that and that it would have to be done manually and at this time it does not capture that information.

Ms. Miles shared her concerns in regards to how the DPSS line operations employees handle questions regarding provider payment and suggest that there be a system wide training. She also stated that she would like PASC be present at the trainings.

**Motion: Ms. Miles proposed a motion that there be training provided to supervisors and social workers staff at the DPSS office so that they know they are allowed to speak with consumers regarding provider pay and that PASC be present at these trainings.**

**Motion 1: approved on motion of Ms. Miles, seconded by Mr. Adler, by consensus.**

**Ms. Miles request that she be placed on the next month's agenda as well as representatives from the union regarding a comment made by Ms. Kennedy regarding the union and other topics.**

**Mr. Adler suggested that DPSS place on the employee paychecks, remember failure to do your job properly with regards to IHSS program will cause your paycheck to be delayed.**

**Ms. Gomez stated, noted.**

**Mr. Adler stated that he would like to see a report from DPSS regarding what the cost would be to correct the telephone system so it would capture the number of people that would call and it would record when those calls were returned.**

Discussion and concerns were raised regarding timesheets and Ms. Gomez responded.

Mr. Adler asked that DPSS give the PASC a power point presentation regarding timesheets.

Ms. Gomez responded that if PASC can wait to see what direction that CDSS is going to be taking with the timesheet so that DPSS knows whether they that there will be an impact to payment and processing before they put together a presentation so that it would be comprehensive and current.

Ms. Otero stated that a letter from the PASC Board should be sent to Ms. Naomi Tostado-Hernandez regarding how much we appreciate the services she has provided to the PASC.

## 11) SEIU-ULTCW REPORTS

Mr. Tapia reported on the statistical update from ULTCW January 2015 report which was passed out.

**12) MISSION MOMENTS**

Ms. Becker Kennedy reported on a consumer from a different county that needed a provider and since the provider process was lengthy, she hired a provider from a registry and was harmed.

**13) NEW BUSINESS – FUTURE AGENDA ITEMS**

Ms. Bardeaux wanted to remind the Ms. Navarro to follow through on motions approved at the October Board meeting whereby she was to contact the first and third districts' supervisors regarding their appointee and vacancies on the PASC Board.

Ms. Bardeaux also asked regarding the PASC Board retreat and Ms. Navarro stated that is was put aside due to dates and the lack of availability.

**Ms. Navarro stated we should agendize for the next Board meeting the strategic plan.**

**14) CLOSED SESSION**

No closed session

**15) OPEN SESSION**

**16) ADJOURN**

Meeting adjourned by Ms. Kennedy.

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Approved by

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Date minutes approved

**ACTION POINTS**

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- **Motion 1: approved on motion of Mr. Adler, seconded by Ms. Kennedy, by consensus.**
- **Ms. Navarro asked for the 2015 updated schedule of trainings and Mr. Thompson made note of it.**

- **Mr. Thompson called Board members' attention to the report and the Bills that CAPA are looking at and Mr. Thompson made some point on several Bills pertaining to IHSS. Mr. Thompson stated that he will send the Board the letter**
- **Motion 2: Mr. Adler stated In light of the fact that this makes their \$365,000,000 budgeted for this and that there previously been a 7% reduction cutting into the needs not wants of the IHSS community, that this money be utilized by the state to reverse the 7% cut and raise the IHSS providers dipping back where it should have been.**
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- **Mr. Adler suggested that DPSS place on the employee paychecks, remember failure to do your job properly with regards to IHSS program will cause your paycheck to be delayed.**
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- **Ms. Navarro stated we should agendize for the next Board meeting the strategic plan.**