

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: ~~COMMUNITY SERVICES AGENCY~~  
Urgent \_\_\_\_\_ Routine X

BOARD AGENDA # B-14

AGENDA DATE OCTOBER 30, 2001

CEO Concurs with Recommendation YES prt NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT:

APPOINT AN IN-HOME SUPPORTIVE SERVICES (IHSS) ADVISORY COMMITTEE.

STAFF  
RECOMMEN-  
DATIONS:

1. APPOINT ELEVEN INDIVIDUALS TO AN IHSS ADVISORY COMMITTEE AS RECOMMENDED IN ATTACHMENT B.
2. AUTHORIZE THE ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS FOR THE ESTABLISHMENT OF AN EMPLOYER OF RECORD FOR THE PURPOSE OF COLLECTIVE BARGAINING FOR WAGES AND BENEFITS BY JANUARY 1, 2003.
3. AUTHORIZE A STIPEND OF \$20.00 PER MEETING FOR COMMITTEE MEMBERS.

FISCAL  
IMPACT:

Stipend payments for eleven committee members could total \$7,040 for 32 weekly meetings beginning in November 2001. Appropriations and Estimated Revenues to support the Advisory Committee stipend payments have already been included in the Community Services Agency Final Approved Budget in Fund 1631. Advisory Committee support will be funded through the IHSS allocation which is approximately 85% Federal and State revenues. The 15% county cost, or \$1,056 is already covered within the General Funds established for Fund 1631. There is no additional impact to the County General Fund as a result of this action at this time.

BOARD ACTION AS FOLLOWS:

No. 2001-841

On motion of Supervisor Simon , Seconded by Supervisor Mayfield  
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Christine Ferraro Deputy

File No. BD-75-2

## APPOINT AN IN-HOME SUPPORTIVE SERVICES (IHSS) ADVISORY COMMITTEE.

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**DISCUSSION:** On December 5, 2000, this Board approved the establishment of an IHSS Advisory Committee.

This action was based upon AB 1682 (Attachment A) and SB 288 which specified the make up of the Advisory Committee and the recruitment process to establish the Committee.

AB 1682 requires each county that has not established a Public Authority (PA) to appoint an IHSS Advisory Committee that will provide:

1. Recommendations on preferred modes of service to be used in the county.
2. Recommendations on who will be the employer of record for IHSS for the purpose of collective bargaining in the county.
3. On-going advice and recommendations regarding the IHSS program.

The Board of Supervisors is required to solicit recommendations for committee members through a fair and open process that requires written public notice and reasonable response time.

The Community Service Agency (CSA) has conducted a recruitment process to solicit potential Advisory Committee members that included the following actions:

### **Newspapers**

Advertisements were placed in County newspapers announcing the recruitment for the committee. Press releases regarding the changes in the IHSS program and the recruitment for the committee were given to all County Newspapers.

### **Letters**

Approximately 8,000 letters were mailed to current IHSS recipients and providers as well as community-based organizations and agencies that work with the elderly and disabled informing them about the Committee and inviting them to request an application for Committee membership.

Of the 8,000 letters that were mailed, there were 414 requests for applications. Applications were sent to all persons requesting them. By the application closing date of June 30, 2001, 63 applications were received.

The applicants were as follows:

- 34 applicants were IHSS providers
- 26 applicants were IHSS recipients
- 3 applicants were community advocates

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## DISCUSSION (Cont'd):

Out of the 63 applications received, 47 were complete and reviewed according to:

- Supervisor District
- Experience
- Awareness of issues/interest as indicated by their application

### **Screening**

Attachment B is a list of recommended committee members. The recommendations reflect the required composition of the committee and a balance among the five Supervisor districts, aged and disabled applicants, and experience and non-experienced applicants. All recommended applicants have had a face to face discussion with staff to ensure their understanding of the Advisory Committee function and their commitment to complete the task at hand.

The establishment of the IHSS Advisory Committee will result in a well-educated, globally-thinking and informed group of advocates for the frailest and most vulnerable of our community's population, the elderly and disabled. Its purpose will be to support the delivery of those services that will enable our customers to live with dignity and in the least restrictive environment.

Establishing this Committee is the first step in fully implementing AB 1682.

California Department of Social Services has made available \$1,589,000 statewide to be used for each county's Advisory Board. Each county has been allocated a proportionate share and CSA's share has been included in our County's IHSS allocation for FY 2001/2002. We have designated \$7,040 to be used for the support of the Advisory Board by providing stipends for board members. Stipend payments will be \$20.00 per meeting, for each Advisory Committee member. The \$20.00 stipend is a reasonable cost to eliminate transportation barriers that Advisory Committee members may encounter.

Additional financial support may be provided at a future time subject to the availability of federal and state IHSS allocation funds.

The purpose of the Advisory Committee will be to recommend to the Board of Supervisors the way in which IHSS will be provided in Stanislaus County and who will be the employer of record for the IHSS Program for the purpose of collective bargaining for wages and benefits. The recommendations of the Advisory Committee and the choices the Board of Supervisors make will directly impact the way services are delivered to the elderly and disabled within our community.

## POLICY ISSUE:

By approving this request, Stanislaus County will be in compliance with provisions of AB 1682 and will continue the Board's priority of Community Service Delivery and Efficient Government Operations.

## STAFFING IMPACT:

None.

## AB 1682 Fact Sheet

### General Information

- AB 1682 was a budget trailer bill approved by the Governor on July 12, 1999, Chaptered on July 12, 1999.
- The Bill was effective July 1, 1999.

### AB 1682

**Requires each county To Act as, or Establish, An Employer for In-Home Supportive Services (IHSS) by January 1, 2003 for collective bargaining purpose (WIC 12302.25):**

- Within 30 days of the effective date of this section, the Department of Social Services will develop a timeline for the counties to implement this subdivision.
  - 44 counties have reported as of February 2, 2000
- Each county may establish an employer through a:
  - Public Authority
  - Nonprofit Consortium
  - Contract Mode
  - County administration of the Individual Provider mode
  - A combination of the previous options
- Upon request from a recipient, counties with more than 500 IHSS cases shall be required to offer an IP employer option.

**Requires Each County to Establish an Advisory Committee (WIC 12301.3)**

- The committee shall be comprised of no more than 11 individuals.
- No less than 50 percent of the membership shall be current or past users of personal assistance paid through public or private funds.
- The committee will submit recommendations to the county board of supervisors on preferred mode or modes of service for IHSS.

- The committee shall provide on-going advice and recommendations regarding IHSS to the board of supervisors.
- The county board of supervisors shall solicit recommendations for qualified members through a fair and open process that includes the provision of reasonable written notice to, and reasonable response time by, members of the general public and interested persons and organizations.

### **Provides protections for recipients**

- IHSS hours of service for any recipient shall not be reduced below the amount determined to be necessary under the uniform assessment guidelines established by the department (WIC 12302.25)
- The bill also eliminated the wage rate formula for determining maximum service hours, which was known as the “dollar cap” (WIC 12303.4).

**RECOMMENDED IN-HOME SUPPORTIVE SERVICES  
ADVIORY COMMITTEE MEMBERS**

**RECIPIENT MEMBERS:**

Jose Acosta	District No. 1
Connie Muller	District No. 1
Kenny Brown	District No. 2
Horace Criswell	District No. 3
Don Everett	District No. 3
Margaret Harmon-Hoffler	District No.4

**PROVIDER MEMBERS:**

Vera Cahill	District No. 4
Bonnie Cyphers	District No. 5

**ADVOCATE MEMBERS:**

Madelyn Amaral	Ms. Amaral is both an advocate and a former provider of IHSS
Dwight Batemen	Executive Director of Disability Resource Agency for Independent Living

**COUNTY EMPLOYEE MEMBER:**

Jeff Lambaren	CEO Office
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