State Wide Meeting Minutes for Wednesday, April 15, 2009
Via Conference Call

1. CALL TO ORDER

Meeting called to order by Janie Whiteford at 10:03AM.

2. ROLL CALL AND INTRODUCTIONS

Members Present
Shirley Adams, Orange County
Heidi Aharonian, Orange County
Yvonne Almore, Orange County
Cindy Calderon, Humboldt County
Patricia Cornell, Mendocino County
Paul DeMange, Contra Costa County
Jenilyn Jimeniz, San Diego County
Michael Just, Santa Barbara County
Kristine Loomis, Riverside County
Herb Meyer, Marin County
Chris Otero, Los Angeles County
Richard Rangel, Monterey County
William Reed, Placer County
George Russel, Marin County
Fran Smith, Yolo County
Michele Stewart, Sacramento County
Sandy Varga, Los Angeles County
Janie Whiteford, Santa Clara County
Virginia Wilson, San Diego County
Lawrence Zynda, San Diego County

CICA Support Staff
Amy Terhorst, CICA Administration

CAPA Liaison
Donna Calame, CAPA

Guests
Karen Keeslar, UDW Legislative Consultant
John Stansbury, CICA Consultant

3. STATE BUDGET AND CURRENT LEGISLATIVE BILLS

Karen Keeslar reported that the big news in March was dealing with the stimulus trigger. $947 Million worth of cuts were linked to a trigger which said that if the state received more than $10 Million from the Federal Recovery and Reinvestment Act, than those cuts would not go into effect and one of the tax increases would to into effect. At the end of March, it was confirmed

that we would not be receiving the $10 Million. Two cuts have been confirmed for the IHSS Program. First cut will be that IHSS providers will not be receiving a share of cost for wages. All new consumers as of July 1 who would have a share of cost will not have the state buy out the difference between SSI and SSP Share of Cost. Approximately 14 million new consumers are expected to be affected by these cuts. The second cut is to the state sharing in IHSS wages. The state will decrease financial participation to $9.50/hour plus $.60 for benefits. Currently, 23 counties currently are above the $9.50/hour level. Most counties will likely cut provider wages back based on this cut. The IHSS Coalition is working hard to create sympathy in the legislature regarding these cuts. The May revise is expected at the end of May (later than normal) and it is expected that the budget deficit will be anywhere from $8 billion to $14 billion.

Current Legislative Bills

AB378 - requires every Public Authority after consulting with the Advisory Committee to adopt training standards for providers and consumers.
AB452 – deals with people who are not eligible for IHSS but need help getting a care giver. Project Independence attempts to build a way that middle class can get a good care giver.
AB682 – deals with fraud. Requires the state to put together a task force of IHSS stakeholders, including consumers, to quantify how much fraud is really happening and if that state has sufficient tools to detect and prosecute fraud. It includes making recommendations to improve the investigation, detection, and prosecution process.
AB1000 – mandates all employers to provide for paid sick leave for workers including IHSS providers. This bill was vetoed last year by the governor.
AB1532 – dictates that counties savings need to supplement the IHSS program by improving the program.
SB141 – says that timesheets submitted by providers have to be signed under penalty of perjury.
SB142 – has to break down the timesheet by time for each task.
SB791 – makes it clear that the Public Authority is responsible for being the COBRA employer to be sure that workers don't get left out of this benefit.

4. OVERSIGHT AND OUTCOMES FROM SENATOR STEINBERG'S OFFICE

Karen Keeslar reported that they are looking at fraud, CMIPS Quality Assurance (SB1104). The current CMIPS system is the oldest in the state (implemented in 1978) and the state is doing a procurement upgrade to a new system (CMIPS II). The current opinion is that the report is very critical of the IHSS program. The report is indicating high amounts of fraud. The Sacramento Bee has done an editorial alleging a lot of fraud as well as the Los Angeles Times. Some Op Eds have been submitted, but we really need to get more letters into the papers letting them know that they are wrong and that there is very little fraud in the IHSS program. Janie Whiteford recommended that this issue get on the IHSS Advisory Committee agendas.

5. CICA FINANCIALS

Janie Whiteford reported that membership renewals will be sent out in May for the Fiscal Year 2009/2010 CICA membership. The CICA website RFP process has been completed and proposals have been coming in for redesign of the CICA website to become more attractive, functional, and ADA compliant.

6. CICA REGIONAL MEETINGS

Northern Region – Cindy Calderon reported that they have acquired sponsorship for the northern regional meeting. Save the Date card is going out and the meeting will take place on Tuesday, June 9 at the Redding Library. There was some discussion about the location of the meeting and Cindy noted that the decision was made to hold the meeting at the Redding Library at the last CICA Conference.

Southern Region – Shirley Adams reported that the southern regional meeting will take place on May 6 at the Dale McIntosh Independent Living Center in Garden Grove. UDW is sponsoring the meeting.

Central Region – Herb Meyer reported that he is working on a date for the meeting. A planning committee for this meeting has been formed.

Mountain/Valley Region – Tracy Harrel was not on the call to report.

7. CAPITOL ACTION DAY

Janie Whiteford reported that CICA is sponsoring a Legislative Training Day on May 26 in Sacramento, the day before Capitol Action Day (May 27). The session will be from 10AM to 4PM and is eligible for AB1682 funding since it is an educational event. CICA is also participating with an educational piece on May 27 at Capitol Action Day. A portion of this training will include an update on Olmstead as part of it's 10th Anniversary. Please register for the Legislative Training Day at www.disabilityactioncoalition.org. Budget changes are being announced on May 19.

8. PROVIDER ENROLLMENT FORM

(This item was moved to the top of the agenda) Donna Calame reported that the State Department of Social Services is saying that they are required by federal law to change the provider enrollment form because IHSS providers are considered Medi-cal providers. IHSS is partially funded through Medi-cal/Medicaid funds. DSS is saying that they are proud that they have talked the form down from the original 21 pages required to the 4-5 now included in the form. Many people are concerned that this form will present a barrier to people becoming homecare workers or at least it will create more time. DSS is being challenged by many in the IHSS program asking what authority is requiring this form to be implemented. A meeting will be taking place to review the legal requirement to fill out this form. If it is found to be a legal requirement, then Donna reported that her position will be that there should be exemptions made to the requirement to alleviate the burden of filling out this form. Sandy Varga reported that she is concerned that the form does not include any statement of the consumer being the employer responsible for hiring and firing the provider. Herb Meyer asked if other counties are doing criminal background checks and if this is part of the issue in requiring this enrollment form to be completed. Donna suggested this particular issue be tabled and focus on the legal issues involved in requiring this form. Janie Whiteford reported that she will send everyone the FAQ's about the form and the information about the meeting including the call in number for the meeting. Donna reported that most counties are having issues with this form, including CAPA. Implementation date is still planned for July 1, 2009.

9. CICA STATEWIDE CONFERENCE

Amy Terhorst reported that the CICA conference will be taking place at the San Jose Doubletree January 22-24, 2010.

10. COUNTY HAPPENINGS

Michele Stewart reported that the Sacramento IHSS Advisory Committee has 36 grand jury statements that they have questions on regarding recent fraud allegations. At their last meeting, they had the district attorney's office and fraud investigation office there. They are working on a response to the grand jury.

13. ADJOURNEMENT

The meeting adjourned at 11:00AM. The next regularly scheduled CICA statewide meeting will take place Wednesday, May 20 at 10:00AM.

Submitted by Amy Terhorst