



## FACT SHEET Resolution Recognizing the IHSS Program

### **SUMMARY**

This resolution would put the Assembly and Senate on record in recognizing and supporting the maintenance and preservation of home care services for the elderly, blind and disabled.

### **BACKGROUND**

The core goal of the IHSS program, which was signed into law by Governor Ronald Reagan in 1973, is to provide care to elderly, blind and disabled Californians, to avoid premature institutionalization and allow consumers to live independently in the community at a lower cost than institutional care. More than 450,000 aged, blind and disabled individuals who are very frail and extremely poor currently receive IHSS and have been determined by county social workers to need these personal care services to avoid the risk of injury or other harm.

IHSS consumers include veterans, widows with Alzheimer's disease, and children born with Cerebral Palsy, spina bifida, muscular dystrophy or other disabilities. To be eligible, consumers can be of any age and must be a citizen of the United States (or a qualified alien) and a California resident. IHSS consumers must be assessed and found to be aged, blind or disabled and unable to remain safely in their own homes without assistance. Consumers must also need specific income requirements consistent with eligibility for Medi-Cal. The types of services which can be authorized through IHSS are housecleaning, meal preparation, laundry, grocery shopping, personal care services (such as bowel and bladder care, bathing, grooming and paramedical services), accompaniment to medical appointments, and protective supervision for the mentally impaired.

IHSS is extremely cost effective, given the comparative costs of out-of-home care. Nursing homes, for example, cost five times as much as services received by a typical IHSS consumer. Most IHSS recipients need only a few hours of assistance per day or week. However, this assistance makes all the difference in a consumer's ability to live safely at home.

The IHSS program has been nationally praised as a model state program for helping the elderly and disabled live independently. In 2001, President George W. Bush focused his "New Freedom Initiative" on expanding home-based, long-term-care solutions, of which IHSS was a prime example. Governor Schwarzenegger also recognized the value of the IHSS program by signing Executive Order S-10-08, which states, "California has a demonstrated record of success in providing services that support the full integration of persons with disabilities in community life through such programs as In-Home Supportive Services, Medi-Cal, community mental health, and the comprehensive array of services defined under the Lanterman Act."

### **PROBLEM**

In February 2009, the legislature approved Governor Schwarzenegger's proposal to reduce State financial participation for IHSS provider wages to \$9.50 per (plus \$.60 in benefits). On June 26<sup>th</sup>, the U.S. District Court stopped that cut, concluding that, "*Plaintiffs have established a strong likelihood of success on their claim that the State Defendants have violated the procedural requirements of the Medicaid Act. The Court also concludes that Plaintiffs will suffer an irreparable injury if the IHSS cuts are implemented and, furthermore, the cuts are reasonably likely to cost the State more money in the long run as individuals currently receiving in-home health services are required to turn to institutionalized care due to the difficulty of finding IHSS providers willing to work for the reduced wages. Accordingly, the Court grants the preliminary injunction.*"

In July 2009, the legislature approved cuts that were proposed by Governor Schwarzenegger to eliminate or severely reduce homecare services for more than 100,000 recipients. The court has recognized these cuts were a step backward in addressing the goals of the Americans with Disability Act and the Supreme Court ruling in the *Olmstead* decision, which requires individuals who can live at home to be given that option as opposed to institutional care. Governor Schwarzenegger's basis for proposing massive cuts is the state's budget crisis. However, the court's order took the budget crisis into account, stating that *"[a]lthough the State counters that its budget crisis requires such cuts, and the Court weighs this in the balance, the increase in more expensive hospitalization and institutionalization of needy disabled and elderly people will likely outweigh the short-term savings."*

Governor Schwarzenegger is now proposing to eliminate eligibility for 426,733 IHSS consumers and terminate employment for 385,000 homecare providers. Eliminating these home care jobs would have a negative effect on the economy—resulting in an estimated 2 percentage point increase in the state unemployment rate. The individuals receiving IHSS are low-income and could not afford to pay out-of-pocket for the services provided through the program. This would have the effect of shifting care to other sectors of the government including the developmental disability system, aging programs, long-term care and emergency rooms. Because the IHSS program is predominantly funded by the federal Medicaid program, reducing these services also would return an estimated \$1.7 billion annually to the federal government if fully implemented.

### **PURPOSE OF THIS RESOLUTION**

IHSS is a budget solution; California cannot afford the costs that would be associated with undermining this critical program. This resolution acknowledges and supports the maintenance and preservation of home care services for the elderly, blind and disabled.

### **SUPPORT**

### **FOR MORE INFORMATION**

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