



IHSS Coalition

QUALITY CARE BEGINS AT HOME

August 30th, 2011

Charissa S. Miguelino, Chief
Adult Programs Policy and Operations Bureau
California Department of Social Services
744 P Street
Sacramento, CA 95814

Re: Draft ACL on IHSS Provider Wage Reimbursement for Unpaid Excess Medi-Cal Share of Cost Deductions

Dear Charissa:

On behalf of the IHSS Coalition members listed below, thank you for this opportunity to provide written comments in response to the draft ACL.

We have the following concerns regarding the draft ACL:

New Provider Reimbursement Process

With reference to step 2.a. on page two of the draft ACL, the Department should provide a timeline for notification that the correct Medi-Cal SOC was taken.

With reference to step 2.b. on page two of the draft ACL, it is unclear whether the county forwards two separate Claim Forms, one to the provider and one to the recipient. We specifically request that only one form be sent to the provider for streamlining purposes. As well, the Department should specify a timeline for the county to fill out the Claim Form and forward it on to the recipient and provider, and another timeline for the provider to return the completed form to the county.

With reference to step 3 on page two of the draft ACL, the Department should specify a timeline for the county to send the provider's completed claim form back to CDSS.

With reference to the first paragraph of page three, the Department should specify a time frame for mailing the provider, recipient, and county the notification of final

decision. The Department should also specify a timeline for provider reimbursement upon final decision.

It is our contention that, per California Labor Code, the Department must reimburse the provider within ten days of receipt of the Wage Reimbursement Claim form. If the Department does not abide by this timeline, it is at risk of penalties and damages.

IHSS Provider Wage Reimbursement Claim Form

On the claim form page one, box six needs to be revised to clarify whether “amount claimed” refers to amount to be reimbursed or amount incorrectly deducted. The same adjustment is necessary for page two, box seven.

Again, we appreciate the opportunity to submit comments and suggestions.

Sincerely,

ACLU of Southern California
Bet Tzedek Legal Services
California Alliance for Retired Americans (CARA)
California Church IMPACT
California Congress of Seniors
California Disability Community Action Network (CDCAN)
California Foundation for Independent Living (CFILC)
California Senior Legislature
California United Homecare Workers (CUHW)
Californians for Disability Rights, Inc. (CDR)
Communities Activities Living Independent & Free (CALIF)
Disability Rights California (DRC)
Dayle McIntosh Center for the Disabled
East Bay Community Law Center
Friends Committee on Legislation
Gray Panthers
Independent Living Resource Center, Inc.
Independent Living Services of Northern California (ILSNC)
Los Angeles Personal Assistance Council (LA-PASC)
Marin IHSS Public Authority
National Senior Citizen’s Law Center
National Senior Citizen’s Law Center
Northern California ADAPT
Older Women’s League
Olmstead Committee SCNetwork
Paralyzed Veterans of America (PVA)-Bay Area and Western Chapter of the
San Diego IHSS Coalition
San Francisco IHSS-Health Task Force
SEIU-State Council

SEIU- Local 521
SEIU-UHW
SEIU-ULTCW
Southeast Asia Resource Action Center | California Office
The Arc and United Cerebral Palsy in California
UDW/AFSCME- Local 3930