



IHSS Coalition

QUALITY CARE BEGINS AT HOME

October 19, 2011

Charissa S. Miguelino, Chief
Adult Programs Policy and Operations Bureau
California Department of Social Services
744 P Street
Sacramento, CA 95814
Attn: Penny Baltikauski at Penny.Baltikauski@dss.ca.gov
Leora Filosena at Leora.Filosena@dss.ca.gov

Re: Draft ACIN - New Notice for Providers, Procedures and Processes in CMIPS

Dear Ms. Miguelino,

On behalf of the undersigned organizations, the IHSS coalition offers the following comments regarding the draft ACIN referenced above:

- This draft ACIN implements the requirement contained in WIC Section 12301.22, which states that CDSS "... shall develop a process to ensure that a provider of services....receives a list specifying the approved duties to be performed for each recipient under the provider's care and a complete list of supportive services tasks available under the IHSS program."

However, this draft ACIN ignores the requirements contained in WIC Section 12301.15, which states in part, "...providers will be given written notice of the recipient's authorized services and full number of services hours allotted to the recipient."

We request that the draft SOC 858 be amended to include not only the list specifying the approved duties but also the full number of services hours allotted to the recipient, as both are required by statute.

To that end, we recommend revising bullet #4 to read, "The Recipient named above has been authorized for {X} number of total services hours. If the Recipient has more than one provider, it is the responsibility of the Recipient to set a schedule for each provider so that the total hours worked by all providers does not exceed the monthly authorized total."

- Throughout the SOC 858, the phrase “as your employer” should follow the word “recipient”. This reflects that the recipient has the authority, responsibility and obligation for managing IHSS services.

- **Second Bullet Point:**

The Department should completely remove the second sentence: “The hours you can claim on your timesheet will be reduced if you start work in the middle of a month.” This statement is confusing in that it is not clear which hours are being referenced.

- **Fifth Bullet Point:**

Remove the existing sentence entirely and replace it with, “The IHSS program will not pay for the hours in excess of the monthly authorized hours.”

- **Sixth Bullet Point:**

Remove the first sentence. Medical information including IHSS recipient information is confidential and belongs to the IHSS recipient. Sharing confidential medical information without the recipient/employer's consent is inappropriate and puts an unacceptable burden on the provider/employee; e.g. if there are several providers, is each expected to call the county if the consumer is hospitalized?

- **Seventh, Eighth, Ninth Bullet Points:**

Remove entirely. While wage deductions and share of cost are important topics that need to be addressed, this is not the vehicle for that information.

- **Recommended Additional Bullet Points:**

“Any other services not stated on this notice are considered unauthorized. It will be considered fraud if a provider claims hours for provision of unauthorized services.”

“These tasks are authorized only for the employer/consumer, not for other members of the household.”

- **Complete List of Tasks:**

We suggest that the list and description of all supportive services tasks available under the IHSS program (page two of the draft SOC 858) should be the same as the list included in the new NOA that was recently created (NA 1253 as of 1/09). We request this change in order to avoid discrepancies between what the Provider and the Recipient believes are included in each task.

In addition, the list as currently printed is in too small a font size and is difficult to read. Please make the font size larger and more readable.

Thank you for the opportunity to comment on this ACL.

Sincerely,

ACLU of Southern California
California Alliance for Retired Americans (CARA)
California Association of Public Authorities (CAPA)
California Church IMPACT
California Council of the Blind
Californians for Disability Rights, Inc. (CDR)
California IHSS Consumer Alliance (CICA)
California Senior Legislature
California Disability Community Action network (CDCAN)
California United Homecare Workers (CUHW)
Congress of California Seniors
Dayle McIntosh Center for the Disabled
Disability Rights California (DRC)
East Bay Community Law Center
Friends Committee on Legislation
Gray Panthers
Independent Living Resource Center Inc.
Independent Living Services of Northern California (ILSNC)
Marin IHSS Public Authority
National Senior Citizen's Law Center
Nevada-Sierra-Plumas Public Authority
Older Women's League
Resources for Independent Living
The San Diego IHSS Coalition
San Francisco Public Authority
Service Employees International Union – State Council
SEIU United Long Term Care Workers
SEIU United Healthcare Workers West
SEIU Local 521
Silicon Valley Independent Living Center (SVILC)
Southeast Asia Resource Action Center | California Office
The Arc and United Cerebral Palsy in California
Tri-County Independent Living Center, Inc.
UDW /AFSCME Local 3930