

## AGENDA

### **In-Home Supportive Services Advisory Committee Meeting**

**Wednesday April 10th, 2024 – 10:00 a.m.**

The In-Home Supportive Services Advisory Committee (IHSSAC) welcomes the public to this meeting and encourages participation. This agenda contains a brief general description of each item to be considered. If you wish to speak to an individual item, please do so during the time period and state your name for the record. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comments. Members of the public will have five (5) minutes per person to speak on each agenda item at that time. Requests for accessibility may be made at least three (3) business days prior to the meeting by calling (559) 600-2300 or emailing [dssasu@fresnocountyca.gov](mailto:dssasu@fresnocountyca.gov).

**Members of the public have the option of attending this meeting virtually or via conference call using the information above.**

Supporting documentation is available for public review on the committee's website: <https://www.fresnocountyca.gov/Departments/Social-Services/DSS-Administration/IHSS-Advisory-Committee>

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**PROGRAM ACCESSIBILITY AND ACCOMMODATIONS:** The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities, and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the IHSS Advisory Committee staff as soon as possible during office hours at (559) 600-2300 or at [dssasu@fresnocountyca.gov](mailto:dssasu@fresnocountyca.gov). Reasonable requests made at least **48 hours** in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

## AGENDA

### Call to Order:

### Introductions/Roll Call:

### Members Present:

### County Staff Present:

#### A. Approval of Minutes – Chair

Approve March 13th, 2024 regular meeting minutes.

Motion by:

Second by:

Ayes:

Noes:

#### B. Public Comments/Announcements

This portion of the meeting is reserved for persons desiring to address the IHSSAC on any matter not on this agenda, which is within the jurisdiction of the IHSSAC. Presentations are limited to five (5) minutes per person and no more than fifteen (15) minutes per topic.

#### C. IHSSAC Business

- Clerk Update
- Vote for Revision to the IHSS AC BYLAWS
  - Allows \$50 stipend to AC members
- Pathway Career Incentive Discussion
- IHSS AC Orientation Manual Review

#### D. Strategic Plan

#### E. IHSS Updates

- Updates from Bambi

**F. Director's Report**

PA Executive Director.

**G. Next Meeting/Agenda Items**

Discuss agenda items for the **05/08/2024** meeting. All agenda items must be submitted to the Chair or the IHSSAC Liaison via email no later than **Friday April 26, 2024**. The Chair's email is available upon request and the IHSSAC Liaison can be reached by emailing [dssasu@fresnocountyca.gov](mailto:dssasu@fresnocountyca.gov). If submitting via email, please include a brief description of the item and include your name on the submission.

**H. Adjourn**

Next Regular Meeting: **May 8<sup>th</sup>, 2024 from 10:00am – 12:00pm**

**AGENDA- 03/13/2024**

**Call to Order:**

unknown. No quorum, until Karina arrived at 10:15 AM, Minutes were started by Leandra at 10:18 AM.

**Introductions/Roll Call:**

Not present. Roll call again at 11:30- Ulises SEIU rep, Ua, Diana, Karina, Nick on Teams, Cheryl Campbell- applicant district 3

Erika Hartsfield, Oralia Gomez, Bambi Heckmann, Brent, Kimberly Balch, Pao Yang, Karla Rios, Jesse Ocegueda-Abarea, and Leandra Malveaux

**Members Present:**

Diana and Karina

**County Staff** Erika Hartsfield, Oralia Gomez, Bambi Heckmann, Brent, Kimberly Balch, Pao Yang, Karla Rios, Jesse Ocegueda-Abarea, and Leandra Malveaux

**Public Present:** Ua, Nick, Cheryl Campbell- applicant district 3, Ulises SEIU rep

**I. Approval of Minutes – Chair**

Approve February 14th, 2024 regular meeting minutes.

Motion by: Diana  
Ayes: 2

Second by: Karina  
Noes:

**J. Public Comments/Announcements**

This portion of the meeting is reserved for persons desiring to address the IHSSAC on any matter not on this agenda, which is within the jurisdiction of the IHSSAC. Presentations are limited to five (5) minutes per person and no more than fifteen (15) minutes per topic.

#### **K. IHSSAC Business**

- Update on Board Agenda Item that went to the Board on 02/20/2024
  - Committee Chair Diana Kenderian spoke for support of the item.
  - Consent Item to go on March 5, 2024Ordinance update goes through two boarding meetings. We can amend next month Stipends in April- Begins ability to waive stipend.  
Page 4 bylaws update read by Jesse.  
Stipend of \$50- review only, 04/10/2024 accept.

#### **L. Strategic Plan**

- Budget Discussion/Approval
  - Budget approval passed to all members created by Karina. All 9 members were included in Karina's budget.
  - Applications for advisory board Cheryl has applied for District 3. Another applicant for district 2.

Julie recommends applicant call supervising BOS member, when application is submitted.

Cords for the sound Board is missing. Replace cords with money from the IHSS AC budget. If cords are found, we will have back ups in case another error has happened.

Motion to approve cords being brought for the sound board.

Motion made by Diana, second by Karina

Outreach items come back to Oralia to sign. Graphics will go negotiate a lower price for printing options.

What number to use on printed materials IHSS 600-6666

Attempt to create IVR process more calls to get options.

Call report abuse. Child-Adult mailbox phone number QR code to website.

Magnets QR code back to show design.

County logo- IHSS AC: theme Bring voice to the table. Phone number. Website. QR code.

#### **M. IHSS Updates**

- Updates from Bambi
  - AB 1245 hearing 04/01/2024 view on state website. Health care professionals. Dr., Dentist, all nurses, nurse practitioner to sign forms. Expand to allow others to review in hopes to make it easier/make the process easier and faster to get their notes.

Internal discussion being they're for clients to make services quicker. Erika and Bambi attend meetings at state level IHSS AC to give feedback on legislative items to allow state to know what is helpful to users of the service. Feedback is important.

AB 1968 CalFresh for seniors work with CA tax board to auto-enroll eligible individuals 60 and older if they meet income qualifications. Still in the works. No hearing dates.

AB 2241 Public Social Services reporting information verification by any means in person by phone fax etc. bill has no hearing dates.

AB 2446 coverage for infant/toddlers greater than 3 impacts minor children. No hearing dates.

IHSS AC asked for link to Bambi's notes. Bambi stated she will be included on the website and send notes for the agenda.

AB 3079 undoc providers can apply to be IHSS provider. Must get Tax ID and related to the 5<sup>th</sup> degree to recipient. Live in the same house. No background checks. They will sign form that they are not criminals and do not have a criminal history. No date to hearing or state review. May cause issues due to no background check. Committee is interested in bill and will follow up.

Senate Bill- SB 1078 language access creates offices of language access to across different depts to verify languages and accessible to all languages and types. Equalize with MC to have regionality availability. Hmong has still not been added. Resources to translate based on LA and San Fran, large cities.

SB 1355 IHSS redeterminations. IHSS continuous eligibility. 3 years after approval. Clients can contact SWs for help or to be redetermined. Eligibility workers being added for quicker processing.

Sick leave not used by June 30, 2024, will not carry over to FY 2024- 2025.

2 Applications- IHSS AC completed interviews in the past. Sent recommendations to following interview.

Noted to check with J. Watts

Check process with Clerks BOS.

## **N. Director's Report**

PA Executive Director

## **O. Questions/other concerns**

Karina- what happens when a provider does not have an assigned recipient?

Applications are on file for 12 months. No activity removed and restart process to become a care provider.

IHSS has 90 days from when packet is mailed to complete new intake.

Medical certifications 45 new IHSS applicant. Applicant needs to reach out to allow us to know what challenges they are experiencing.

Social workers can allow for good cause.

Vendor career CPR personal care chair lift at next class.

Enrollment for 12, only 5 in attendance. 3<sup>rd</sup> round in 3 weeks. Additional weeks need full waitlist.

Most Fresno County participants.

Career pathways to continue if state budget allows. Incentives for participation.

In May/June QA review goes over report sent by the social worker. May 6<sup>th</sup> – May 9<sup>th</sup>.

Plan to fill 6 social worker vacancies. New staff will meet goal of state goal to improve.

**P. Next Meeting/Agenda Items**

Discuss agenda items for the **04/10/2024** meeting. All agenda items must be submitted to the Chair or the IHSSAC Liaison via email no later than **Wednesday March 27, 2024**. The Chair's email is available upon request and the IHSSAC Liaison can be reached by emailing [dssasu@fresnocountyca.gov](mailto:dssasu@fresnocountyca.gov). If submitting via email, please include a brief description of the item and include your name on the submission.

**Q. Adjourn**

# Legislation Updates for IHSS Advisory Committee

April 10, 2024

To receive updates, create an account and add the bills to “My Subscriptions”

California Legislative Information website: <https://leginfo.legislature.ca.gov/faces/home.xhtml>

<p><a href="#">AB 1968</a> (Jackson)</p> <p>CalFresh Enrollment for Seniors</p> <p><i>Approved as amended and re-referred to Appropriations</i></p>	<p>This bill would require before January 1, 2026 and on an annual basis thereafter, and on an annual basis thereafter, the State Department of Social Services to create a system to automatically enroll and shall enroll in the CalFresh program qualifying individuals who meet the eligibility requirements of the Supplemental Security Income/State Supplementary Program (SSI/SSP) and those who meet those requirements but are not eligible for SSI/SSP benefits solely due to the individual’s immigration status. The bill would require, commencing January 1, 2026, or after the automatic enrollment process takes effect, whichever is sooner, the department to require county eligibility workers to regularly contact qualifying individuals who meet the requirements of the SSI/SSP to notify them of their estimated potential benefit, including through notice by mail. The bill would also require the department to require county eligibility workers to conduct interviews and assist individuals with applying for CalFresh benefits for the purpose of establishing eligibility for CalFresh benefits. The bill would require the department to collaborate with county agencies to effectuate these provisions, including after the automatic enrollment process takes effect. The bill would require the department, on or before July 1, 2025, to seek any waiver from the United States Department of Agriculture necessary to implement these requirements. By imposing additional duties on counties implementing the program, the bill would impose a state-mandated local program.</p>
<p><a href="#">AB 2241</a> (Alvarez)</p> <p>Public Social services: Reporting and Verification</p> <p><i>Hearing postponed</i></p>	<p>Require state and county agencies to accept the reporting by an applicant or recipient of public social services of any lawfully required information, changes, and verification required by law that affect eligibility and benefit amounts, by any means available to the applicant or recipient, including, but not limited to, in person, by telephone, through facsimile, by email, or by any other electronic means.</p>
<p><a href="#">AB 2446</a> (Ortega)</p> <p>Medi-Cal: Diapers Set for hearing on 4/2/24</p> <p><i>Approved as amended and re-referred to Appropriations</i></p>	<p>This bill would add to the schedule of Medi-Cal benefits diapers for infants or toddlers with certain conditions, such as a urinary tract infection and colic, among others. The bill would establish diapers as a covered benefit for a child greater than 3 years of age <i>who has been screened for or diagnosed</i> with a condition that contributes to <del>incontinence</del>. <i>incontinence and would establish diapers as a covered benefit for individuals under 21 years of age, if necessary to correct or ameliorate a condition pursuant to specified standards.</i> The bill would require the department to seek <del>any and all available federal funding to implement this provision and</del></p>

	<p><del>would implement these provision only to the extent that the department obtains any necessary federal approvals or waivers. any necessary federal approval to implement this section.</del></p>
<p><a href="#">AB 2819</a> (Bains)</p> <p>IHSS: Collective Bargaining penalty</p> <p><i>Referred to Human Services Committee &amp; P.E&amp;R</i></p>	<p>This bill would change the amount of the 1991 Realignment funding withholding of 10% to an unspecified percentage. <del>On or after October 1, 2023, if</del> <i>If</i> a public authority or nonprofit consortium established pursuant to Section 12301.6, acting as the employer of record, and the employee organization have not reached an agreement on a bargaining contract with in-home supportive services workers, either party may request mediation, pursuant to Section 3505.2 of the Government Code, which shall be mandatory. If the parties fail to agree on a mediator, the Public Employment Relations Board shall appoint one from the pool described in subdivision (c). The mediation shall be held no more than 15 business days from the date requested by either party.</p>
<p><a href="#">AB 2074</a> (Zbur)</p> <p><i>Re-referred to Human Services Committee</i></p>	<p>This bill would instead <del>require these criminal background checks to be conducted at the county's expense.</del> <i>prohibit a provider or a person who seeks to become a provider from being assessed a fee for any investigation or criminal background check conducted pursuant to the above-described provisions. The bill would also prohibit the Department of Justice from assessing a fee to a county to cover the cost of furnishing the criminal background checks described above.</i> To the extent the bill would create new duties for counties for the provision of criminal background checks, the bill would impose a state-mandated local program.</p>
<p><a href="#">AB 3079</a> (Ting)</p> <p>IHSS: Undocumented related providers</p> <p><i>Referred to Human Services Committee</i></p>	<p>Ensure that individuals without satisfactory immigration status, as defined, are able to receive IHSS benefits using a provider of their choice, including a provider who is related to the 5th degree to the recipient, as specified, and who has, or is in the process of obtaining, an individual taxpayer identification number. The bill would require the department, by January 1, 2025, and in consultation with specified stakeholders, to develop recommendations to enable any recipient of services to select a related provider of their choice, as specified.</p> <p>This bill would exempt a person who meets the requirements to be a related provider of IHSS, as described above, from those criminal background check requirements, but would require the person to attest to any convictions for the specified offenses. The bill would prohibit a person with a conviction for any of those offenses from providing IHSS.</p> <p>(1) The person is related to the fifth degree to the IHSS recipient. For purposes of this section, "fifth degree" means any person by blood, adoption, or marriage that is a spouse, child,</p>



	<p>grandchild, great-grandchild, parent, grandparent, great-grandparent, great-great-grandparent, sibling, nephew or niece, grandnephew or grandniece, great-grandnephew or great-grandniece, uncle or aunt, great-uncle or great-aunt, great-granduncle or great-grandaunt, first cousin, or first cousin once removed of the IHSS recipient.</p>
<p><a href="#">SB 1078</a> (Min) Language Access <i>Hearing set for 4/10/2024</i></p>	<p>Create an Office of Language Access to provide critical oversight, accountability, and coordination across various state agencies to ensure limited-English-proficient individuals have meaningful access to government programs and services, as specified.</p>
<p><a href="#">SB 1355</a> (Wahab) IHSS: Redetermination <i>Hearing set for 4/10/2024</i></p>	<p>Require an IHSS recipient to be continuously eligible for Medi-Cal for 3 years, <i>if they have a fixed income</i>, and would prohibit a redetermination of Medi-Cal eligibility before 3 years, except as specified. The bill would make the implementation of its provisions contingent upon the department obtaining all necessary federal approvals, the department determining that systems have been programmed to implement these provisions, and the Legislature has appropriated funding to implement these provisions after a determination that ongoing General Fund resources are available to support the ongoing implementation of these provisions. To the extent the bill would increase county duties in administrating the IHSS program, the bill would impose a state-mandated local program.</p>
<p><a href="#">SB 1245</a> (Ochoa-Bough) Sponsored by CWDA <i>Approved as amended and re-referred to Appropriations</i></p>	<p>Allow the same licensed health care professionals (LHCP) who currently sign the IHSS Health Care Certification (SOC 873) also sign the Order and Consent for Paramedical Services (SOC 321). Currently, the only LHCPs allowed to sign the SOC 321 are physicians/surgeons, podiatrists and dentists. Expanding the list of LHCPs to include nurses and nurse practitioners will reduce delays that occur when the SOC 321 is signed by a LHCP that is prohibited from signing.</p> <p>a) <i>(1)</i> As a condition of receiving services under this article, <i>including, but not limited to, paramedical services</i>, or Section 14132.95 or 14132.952, an applicant for or recipient of services shall obtain a certification from a licensed health care professional, including, but not limited to, a physician, physician assistant, regional center clinician or clinician supervisor, occupational therapist, physical therapist, psychiatrist, psychologist, optometrist, ophthalmologist, or public health nurse, <i>or a nurse or nurse practitioner who is working under the direction of the licensed health care professional</i>, declaring that the applicant or recipient is unable to perform some activities of daily living independently, and that without services to assist the applicant or recipient with activities</p>

	<p>of daily living, the applicant or recipient is at risk of placement in out-of-home care.</p> <p><del>(1) For purposes of this section, a licensed health care professional means an individual licensed in California by the appropriate California regulatory agency, acting within the scope of their license or certificate as defined in the Business and Professions Code.</del></p> <p><i>(2) For purposes of this section, "licensed health care professional" has the same definition as "health care practitioner," as defined in Section 680 of the Business and Professions Code.</i></p>
<p><a href="#">AB 2800</a> (Kalra)</p> <p><i>Re-referred to Aging &amp; Long Term Care Comm.</i></p>	<p>This bill amend WIC 15610.57, 15610.63, and 15657 and would expand the definition of neglect to include (1) failure to implement a treatment plan, (2) failure to provide or arrange for services necessary for physical, mental, or emotional health, and (3) carelessness that produces or could reasonably be expected to result in serious physical injury, mental suffering, or death. This bill would expand the definition of physical abuse to include use of a physical or chemical restraint or psychotropic medication for discipline or convenience when not required to treat the resident's medical symptoms and administered by a long-term health care facility or residential care facility for the elderly, as defined. By expanding the definitions of neglect and physical abuse, thereby expanding the scope of the crime of failing to report the neglect or abuse, the bill would impose a state-mandated local program. The act provides for the award of attorney's fees and costs to, and the recovery of damages by, a plaintiff when it is proven by clear and convincing evidence that the defendant is liable for physical abuse, neglect, or abandonment, and that the defendant has been found guilty of recklessness, oppression, fraud, or malice in the commission of that abuse. This bill would instead apply a preponderance-of-the-evidence standard for those cases. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.</p>

**Other Updates:**

- IHSS Quality Assurance
  - CDSS will conduct a Quality Assurance (QA) Monitoring Visit in Fresno from May 6<sup>th</sup> -9<sup>th</sup>, 2024.
    - First in-person visit since pandemic
    - 40 cases will be reviewed and two field visits will be conducted

- Required case documents were provided to CDSS on 4/2/24
- Unannounced Home Visits
  - Annual program integrity activity to conduct UHV on 72 cases.
  - Focus this year is severely impaired cases with an unrelated provider.
- Employment Verifications
  - Plans to all for providers to print their own employment verifications through the Electronic Services Portal (ESP).
  - Due to feedback from counties, the deployment has been delayed from May to June in order to make changes.