

COUNTY OF SACRAMENTO
IN-HOME SUPPORTIVE SERVICES
ADVISORY COMMITTEE
September 18, 2018

Attendees: Francisco Godoy, Deborah Hibbler, Kimberly Lathrop, Stormaliza Powmacwizalord, and Carolyn Rose

Absent: Denise Blockmon, Leoma Lee, and Antoinette Lopez-Coles

Staff & Guests: Jennifer Bettencourt (DCFS), Ramona (IHSS Provider), Deanna Jekayinfa (PA), John Kozitza (PA), and Teresita Perez-Godoy (Provider)

I. Called to Order at 1:00pm by Chair Deborah Hibbler

II. Introductions:

III. Consent Calendar

- A. Agenda: No Quorum
- B. Minutes: No Quorum

IV. Reports:

A. Chairs' Report: Deborah Hibbler – The Union (SEIU) Local 2015 will provide a timesheet training, at 4:00 p.m. in west Sacramento. Senate bill AB2872 (Peer to Peer training) and AB3032 (Education – Sexual Harassment) was discussed in the CICA call.

B. Service Employees International Union (SEIU) Local 2015: Not present

C. Department of Child, Family and Adult (DCFAS) Senior and Adult Services – IHSS – Jennifer Bettencourt: The previous FSLA Supervisor, Anneka Streeter, was promoted to Planner, Aimee Lee hired as new specialist, also hired an Eligibility Specialist, a Planner, an Account Clerk, a FSW Supervisor, three Social workers, an additional specialist and Jennifer Bettencourt will now supervise the FSLA social workers. Whenever there are overtime issues you should contact the FSLA social workers. IHSS is offering appoints in our lobby for providers who have violation issues. The Gifts From the Heart program will provide gifts for Senior and children (receiving IHSS services). The social worker will identify and submit recipients on their case load who may need Gifts from the Heart. Exemption for provider violations – for providers who have 2 or more recipients and exceed the 66 hours per week cap.

“As required under State statutes, the maximum number of hours an IHSS or WPCS provider may work in a workweek for all the time he/she works for two or more recipients is 66 hours. To ensure continuity of care and to allow IHSS

recipients to remain safely in their homes, CDSS established exemptions for limited, specific circumstances that allow the maximum weekly hours to be exceeded.

Exemption 1: Live-In Family Care Providers

IHSS providers who met the following requirements on or before January 31, 2016 may provide services to two or more live-in family member recipients and work up 90 hours per workweek, not to exceed 360 hours per month:

- The IHSS provider works for two or more IHSS recipients; and
- The IHSS provider lives in the same home as all the IHSS recipients for whom he/she provides services; and
- The IHSS provider is related to all the IHSS recipients for whom he/she provides services, as his/her parent, adoptive parent, step-parent, grandparent or legal guardian. Recipients whose providers qualify for this exemption and work the maximum monthly 360 hours must hire additional IHSS providers as necessary to provide any remaining authorized IHSS.

Exemption 2: Extraordinary Circumstances Exemption

The CDSS developed the Extraordinary Circumstances Exemption for providers who serve two or more recipients who meet one or more of the conditions listed in the [attachment](#) to allow them to work up to 360 hours per month, up to 90 hours per week combined for all recipients, and not receive a workweek violation. In order to be approved for Exemption 2 at least one of 3 of the criteria must be met:

- **Criteria A:** Have complex medical and/or behavioral needs that must be met by a provider who lives in the same home as the recipient.
- **Criteria B:** Live in a rural or remote area where available providers are limited and as a result the recipient is unable to hire another provider.
- **Criteria C:** Be unable to hire a provider who speaks his/her same language in order to direct his/her own care.

Under **Criteria A**, the IHSS provider must live in the same home as the recipient(s) applying for Exemption 2 under this condition.

Under **Criteria B and C**, the IHSS provider is not required to live in the same home as the recipient(s) applying for Exemption 2 under these conditions.

The request for Exemption 2 can only be made by the IHSS County Social Worker to CDSS on behalf of the IHSS recipients and their IHSS provider once all options to hire another provider have been explored and exhausted by the IHSS recipients (with county assistance as needed). The IHSS recipients are required to work with their IHSS County Social Worker to determine if their situation meets the extraordinary circumstances criteria, and if so the IHSS County Social Worker may submit an Exemption 2 referral to CDSS for review and determination.” (<http://www.cdss.ca.gov/inforesources/IHSS-Overtime-Exemption-2>)

June of 2018, counties started assessing exemptions; social workers now do an assessment and will refer to an FSLA worker when needed. Does the provider have two or more recipients with 264 hours or more per month or 70.75 hours per week.

D. Public Authority: John Kozitza, Executive Director, IHSS Public Authority: September 1, 2018, there was a wage increase for IHSS providers. Final budget September 5, 2018, no changes for 18-19 fiscal year. IHSS is looking at working better with DCFAS IHSS. Senate Bill SB1274 - SCDD Legislation for employment services for persons with disabilities data sharing between social services and disability services. AB1696 expands SB1274 with data sharing between the Employment Development Department services data sharing.

V. Committee Matters: None

VI. New Business:

A. Welcome Russell Rawlings, Director of Advocacy Resources for Independent Living and a new member on the IHSS Advisory Committee – discussed preliminary efforts to end cash and programs so people on SSI will be able to apply for CalFresh benefits. Providers need to be a part of this process so they can advocate for their recipients who receive SSI.

VII. Old Business: None

VIII. Public Comment: None:

IX. Meeting adjourned at 1:50pm.

Next meeting is January 16, 2019, 9750 Business Park Drive Suite 104, Sacramento, CA 95827