



# County of Santa Cruz 0203

## HUMAN RESOURCES AGENCY

CECILIA ESPINOLA, ADMINISTRATOR

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March 9, 2000

Agenda: March 21, 2000

### BOARD OF SUPERVISORS

County of Santa Cruz

701 Ocean Street

Santa Cruz, California 95060

### IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE, SCHEDULE, AND REQUEST FOR PROPOSALS

Dear Members of the Board:

As you know, the In-Home Supportive Services (IHSS) program serves eligible elderly, blind, or disabled individuals who are not able to remain safely in their homes without assistance. On March 7, 2000, the Human Resources Agency (HRA) provided your Board with background information regarding IHSS, described current issues facing clients, and described legislation requiring counties to establish an employer of record for IHSS by January 1, 2003. Your Board directed the HRA Administrator to report back on today's agenda with recommendations and a resolution to establish an IHSS Advisory Committee, as well as a revised implementation timeline for the process to establish an employer of record. An additional purpose of this letter is to seek authorization for HRA to issue a Request for Proposals (RFP) for IHSS and take other necessary steps to implement a new contract or contracts.

### **IHSS ADVISORY COMMITTEE**

AB 1682 became law on July 12, 1999. This law requires all counties currently without a Public Authority to establish an IHSS Advisory Committee. The Committee must be comprised of not more than 11 individuals of whom at least 50 percent are consumers who are present or past users of personal assistance services paid for through public or private funds.

HRA recommends that your Board adopt a resolution to establish an IHSS Advisory Committee by June 30, 2000. Consistent with the law, HRA recommends that the IHSS Advisory Committee be made up of 11 members, including: six current or past users of personal assistance services paid for through public or private funds (three from the Independent Provider Mode and three from the Contract Mode); three persons from existing County advisory bodies (one each from the Seniors Commission, the Commission on Disabilities, and the Long Term

Care Commission); and two providers of IHSS (one each from the Independent Provider and the Contract Care modes of service delivery). It is suggested that IHSS consumer representation should reflect both the older and younger client populations. It is also important that the Committee include representation from the Latino community; outreach to relevant organizations, including the Latino Affairs Commission, should be a part of the recruitment process. In support of the overall recruitment process, with your Board's approval HRA staff will conduct outreach activities to the Commissions and other potential interested candidates.

The Committee would be established in accordance with County Government Code Chapter 2.38. It is proposed that HRA provide staff support for the Committee, with the Human Resources Agency Administrator or her designated representative serving as the administrative secretary to the Committee.

It is proposed that the Committee meet at least monthly. Meetings will be covered by the provisions of the Brown Act, and all interested parties will have full access to present information, perspectives, concerns and analyses to the Committee's proceedings. It is recommended that the IHSS Advisory Committee exercise the following responsibilities: review the overall IHSS program; submit ongoing advice and recommendations to your Board regarding the preferred mode or modes of service to be used, the establishment of an employer of record, and implementation steps, if any. A copy of the proposed resolution to establish an IHSS Advisory Committee is attached.

### **IHSS EMPLOYER OF RECORD SCHEDULE AND REPORTS BACK**

On March 7, 2000, your Board directed HRA to report back with a revised schedule for meeting requirements of AI31682 and establishing an IHSS employer of record in the County of Santa Cruz. Following is a revised schedule for implementation of AB 1682.

<b>MANDATE</b>	<b>ACTIONS</b>	<b>TIMEFRAME</b>	<b>GOAL</b>
Establish an IHSS Advisory Committee	1. Adopt resolution 2. Public announcement 3. Public response and nominations 4. BOS appointments	3 months	Complete by June 30, 2000
Advisory Committee Recommendations Regarding Mode of Delivery	1. In-depth analysis of service delivery 2. Hold public meetings 3. Recommendation to BOS	9 months	Complete by March 31, 2001
Establish Service Delivery Mode and Implement New Program	Varies greatly depending on which mode is selected	6- 12 months	Complete no later than March 31, 2002

Your Board also directed HRA to propose a schedule of report back dates throughout the process of establishing an employee of record. Based on the proposed timeline for AB 1682 implementation, HRA proposes to report back to your Board on the following dates: June 27, 2000; September 26, 2000; and the first scheduled Board meeting in each of the following months: January 2001, April 2001, September 2001, January 2002, and April 2002.

## IHSS CONTRACT

As you know, HRA maintains a contract to provide MSS to clients who are unable to employ an independent provider. The current contract with Addus HealthCare expires June 30, 2000. Under Section 12302.1 of the Welfare and Institutions Code (WIC), the County must implement a competitive process for a new IHSS contract to provide services for one year from July 1, 2000 through June 30, 2001, with the option to renew for an additional year. In order to comply with the State's timeline requirements for a competitive process, HRA requests authorization to issue a Request for Proposals (RFP) by March 21, 2000. Previously, HRA employed an Invitation for Bid (IFB) process for procuring IHSS contract care, which required HRA to select the lowest responsible, responsive bid. However, the California Department of Social Services (CDSS) procurement process for IHSS allows the County flexibility to issue either an IFB or an RFP. An RFP will allow HRA to take into consideration the cost of services proposed while also considering the quality of services proposed.

The RFP will seek proposals to provide up to 190,000 hours of service at an hourly rate not to exceed \$13.25 for a contract ceiling not to exceed \$2,517,500. The RFP will allow for the possibility of up to two contracts: one for the general MSS population and one for IHSS eligible residents of the new Dakota (Dakota) Supportive Living Project in Capitola. The Dakota offers supported and independent living opportunities for up to 24 individuals with physical disabilities and/or traumatic brain injury. If a separate, smaller contract is issued for the Dakota, it will not exceed 20,000 hours, thereby leaving 170,000 hours for the "general" IHSS population. A copy of the RFP and the draft contract are on file with the Clerk of the Board.

CDSS regulations for procuring an IHSS contract require that counties undertake a number of procedural activities within somewhat strict timelines. In order to complete the process, HRA also requests direction to designate a Proposal Review Committee, comprised of the chairs of the Seniors Commission, the Commission on Disabilities, the Human Services Commission, the Long Term Care Interagency Commission, or their designees, and County staff, appointed by the HRA Administrator, to review and evaluate proposals. HRA will convene and chair the Committee and will report back to your Board on or before April 26, 2000 with the Committee's recommendations for a contract award. HRA also seeks authorization to meet CDSS requirements that the County submit documentation of the RFP process.

As a result of CDSS requirements, it is also necessary to authorize HRA to notify proposers of the Committee's recommendations and to respond to any protests received from proposers. Regulations require that a public hearing be scheduled at least 30 days prior to the effective date of a new contract or contracts, so HRA recommends that your Board set a public hearing for May 23, 2000 to formally consider the proposals and to award a contract or contracts.

**CONCLUSION**

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In order to meet State requirements, HRA recommends the creation of an MSS Advisory Committee to plan for establishment of an employer of record by March 2002. In the meantime, it is critical that IHSS consumers continue to receive services appropriate to their level of functioning and need through the appropriate service delivery mode, either independent provider or contract care. Therefore, HRA recommends that your Board authorize HRA to contract for a portion of MSS until June 30, 2001.

IT IS THEREFORE RECOMMENDED that your Board:

1. Adopt the attached resolution to establish an IHSS Advisory Committee by June 30, 2000;
2. Adopt a revised schedule for implementation of an MSS employer of record by March 31, 2002 and a schedule for reports back on this matter through April 2002;
3. Authorize HRA to issue a Request for Proposals for In-Home Supportive Services on March 21, 2000, and direct HRA to convene and chair a Proposal Review Committee comprised of the chairs of the Seniors Commission, the Commission on Disabilities, the Long Term Care Interagency Commission, the Human Services Commission, or their designees, and County staff, appointed by the HRA Administrator, to review and evaluate the proposals;
4. Authorize HRA to submit the RFP, proposed contract(s), and proposed award to the California Department of Social Services as required, and to notify the proposers of the proposed award(s) and respond to protests; and
5. Direct HRA to report back to your Board on or before April 26, 2000 regarding recommendations for a contract award or awards, and to set a public hearing on May 23, 2000 to formally consider the proposals and award a contract or contracts.

Very truly yours,



Cecilia Espinola  
Administrator

CE/ewc N:\HRA\BOARD\IHSS Permission to RFP and Advisory Committee 3-00.doc

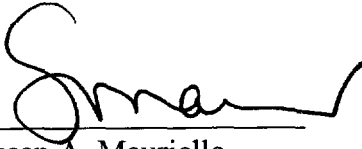
BOARD OF SUPERVISORS

Agenda: March 21, 2000

In-Home Supportive Services: Advisory Committee, Schedule, and Request for Proposals

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RECOMMENDED:



Susan A. Mauriello

County Administrative Officer

cc: County Administrative Office  
County Counsel  
California Department of Social Services  
Seniors Commission  
Commission on Disabilities  
Human Services Commission  
Long Term Care Interagency Commission  
Santa Cruz County HomeCare Coalition  
United Domestic Workers  
Service Employees International Union  
Addus HealthCare  
Assisted Care, Inc.

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0208

RESOLUTION NO.

On the motion of Supervisor  
duly seconded by Supervisor  
the following resolution is adopted

RESOLUTION ESTABLISHING THE SANTA CRUZ COUNTY  
IN-HOME SUPPORTIVE SERVICES (IHSS) ADVISORY COMMITTEE

WHEREAS, the County of Santa Cruz provides In-Home Supportive Services (IHSS) to qualified aged, blind, and disabled persons to enable them to remain safely in their homes and avoid institutionalization; and

WHEREAS, Assembly Bill 1682, enacted into law as Chapter 90, Statutes of 1999, requires counties to act as or to establish an employer of record for IHSS no later than January 1, 2003 and to choose the mode or modes of service to be utilized in the County for IHSS service delivery; and

WHEREAS, each county is required to incorporate guidance from the citizenry in designing an IHSS program to best meet the needs of recipients, service providers, and the community; and

WHEREAS, Welfare and Institutions Code Section 12301.3 requires each county to appoint an IHSS advisory committee that shall be comprised of not more than 11 individuals. No less than 50 percent of the membership of the advisory committee shall be individuals who are current or past users of personal assistance services paid for through public or private funds or as recipients of services; and

WHEREAS, committees established by the Board of Supervisors must be organized in compliance with Section 2.38.070 of the Santa Cruz County Code.

NOW, THEREFORE BE IT RESOLVED AND ORDERED that

The In-Home Supportive Services Advisory Committee is hereby established under the authority of Section 2.38.070 of the Santa Cruz County Code.

BE IT FURTHER RESOLVED AND ORDERED that

The In-Home Supportive Services Advisory Committee shall have the following purpose, powers, and duties. The Committee shall exercise the following responsibilities:

- a. Review the overall IHSS program and submit ongoing advice and recommendations to the County Board of Supervisors regarding:

1. The preferred mode or modes of service to be utilized in the County for IHSS;
  2. The establishment of an employer of record; and
  3. Implementation steps, if any.
- a. Provide a forum for citizens affected by the County's MSS program.

BE IT FURTHER RESOLVED AND ORDERED that

The In-Home Supportive Services Advisory Committee shall have the following membership. The Committee shall consist of eleven (11) at-large members nominated and appointed pursuant to Section 2.38.080 of the Santa Cruz County Code. Membership shall include the following representation:

- a. Six (6) current or past users of personal assistance services paid for through public or private funds (three from the Independent Provider Mode and three from the Contract Mode) ;
- b. Three (3) persons from existing County advisory bodies (one each from the Seniors Commission, the Commission on Disabilities, and the Long Term Care Commission); and
- b. Two (2) providers of In-Home Supportive Services (one each from the Independent Provider and the Contract Care modes of service delivery).

BE IT FURTHER RESOLVED AND ORDERED that

The In-Home Supportive Services Advisory Committee shall have the following terms of office. The Committee members shall serve until expiration of the Committee two years from today or until the Committee is dissolved by resolution of the Board of Supervisors, whichever occurs first.

BE IT FURTHER RESOLVED AND ORDERED that

The In-Home Supportive Services Advisory Committee shall have the following organization and procedures. The Committee shall comply in all respects with Sections 2.38.110 through 2.38.250 of the Santa Cruz County Code.

The County Human Resources Agency Administrator or her designated representative shall serve as the administrative secretary to the Committee.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ d a y \_\_\_\_\_, 2000, by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Mardi Wormhoudt, Chairperson  
Board of Supervisors

ATTEST: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

*Gene M. Scott*  
Assistant County Counsel

Distribution: County Counsel  
Clerk of the Board  
Human Resources Agency