



County of Santa Cruz

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HUMAN RESOURCES AGENCY

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December 26, 2001

AGENDA: January 8, 2002

BOARD OF SUPERVISORS

County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

STATUS REPORT ON THE IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE AND PUBLIC AUTHORITY IMPLEMENTATION

Dear Members of the Board:

As you may recall, on September 18, 2001, your Board received a status report on the activities of the In-Home Supportive Services (IHSS) Advisory Committee and the implementation of the MSS Public Authority. At that time, your Board approved a number of actions that initiated Public Authority implementation activities. The purpose of this letter is to report on the many activities that have taken place since September 18, 2001 and to advise your Board of the anticipated implementation of the Public Authority. This letter further advises your Board regarding the term of the existing MSS Advisory Committee and **seeks** authorization to take action to reappoint this mandatory advisory body.

BACKGROUND

On March 21, 2000, your Board adopted a timeline for the designation and implementation of an MSS employer of record for MSS providers. The timeline required that an employer of record be implemented by March 31, 2002. **As** you know, an IHSS Advisory Committee was established and first convened in July 2000. Regular status reports have updated your Board regarding the activities and recommendations of the Committee. On September 18, 2001 your Board considered and approved a proposed Employer/Employee Relations Policy (EERP), a Report of Findings and Recommendations regarding the establishment of an MSS Public Authority, and a proposed Ordinance, that was adopted on September 25, 2001. Your Board further directed the Human Resources Agency Director to begin implementation of the recommendations of the Committee and to submit a Public Authority rate request package to the California Department of Social Services (CDSS) after the effective date of the Ordinance. In addition, your Board directed Personnel to expedite classification of the recommended administrative positions of the Public Authority.

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Your Board took further significant action on November 6, 2001, maintaining \$700,000 in restricted contingencies for future implementation of a living wage program and designating it specifically to be available for negotiating with IHSS Independent Providers if a collective bargaining process is commenced.

IMPLEMENTATION ACTIVITIES

The Ordinance became effective on October 25, 2001, establishing the IHSS Public Authority as a public entity with your Board as the governing body. This triggered several other significant actions. On October 29, 2001 the Public Authority rate request package was submitted to CDSS. A response is expected within sixty (60) days of submission. Approval of the rate is key to increased State participation in the funding of the Public Authority administration and provider wages up to \$8.50 per hour. At the time of this writing, HRA has not received a formal response to the rate request.

Steps related to collective bargaining for IHSS providers began on October 25, 2001. Service Employee Union International (SEIU) Local 415 presented interest cards to the County demonstrating that 32% of the eligible IHSS independent providers support union representation. Fifteen percent (15%) approval is required to hold an election, according to the EERP approved by your Board. After a thirty-day waiting period, an election was held. The election was conducted by mail between November 26, 2001 and December 15, 2001, according to procedures set forth in the EERP. Ballots were presented to the County Election Office on December 17, 2001 where a certified count was conducted. Fifteen percent (15%) of eligible providers returned their ballots by the deadline, and a majority of 89% of the votes cast favored representation by SEIU Local 415. Formal communication from SEIU, requesting to commence bargaining, is anticipated sometime very early in 2002.

Finally, subsequent to the effective date of the Ordinance, the IHSS Public Authority of the County of Santa Cruz filed a required Statement of Facts to be registered with the Secretary of State of California, as a public agency.

As noted in the September 18, 2001 report to your Board, in addition to the rate approval, the Public Authority must be able to provide core services, before being eligible to claim to the approved rate, thus drawing down increased financial participation from the State. Toward that end, HRA, with the participation of the IHSS Advisory Committee, initiated activities necessary to hire staff for the Public Authority. On December 8, 2001 the Executive Director, Gail Groves, came on board as the first employee. Recruitment is currently underway for the positions of Supervisor, Office Manager and two Registry Specialists. It is anticipated that the majority of staff will be hired by February 2002.

Arrangements are also underway for establishing an office. Temporary office space has been secured at 1040 Emeline, in the building housing the north county Workforce Career Center. A mid-county location is being sought for a permanent home. Office equipment and supplies are being arranged.

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Among the essential functions of the Public Authority are the operation of a provider registry and support to IHSS consumers to hire and retain providers. The registry specialists will be handling these duties on a day to day basis. A crucial tool for the effective operation of a registry is specialized database software that can be used for collecting relevant consumer and provider information and producing lists of potential providers for consumers to choose from. Three such software products currently exist that are compatible with the IHSS Case Management Information and Payroll System (CMIPS). Information was requested and received from all three vendors. A subcommittee of the IHSS Advisory Committee and several members of HRA staff evaluated and rated the materials. Activities are underway to obtain the software from the most competitive vendor, and it is anticipated that the product will be delivered in February 2002 for installation and training.

COMMITTEE STATUS

The current IHSS Advisory Committee was established by Resolution 87-2000, adopted on March 21, 2000. The Committee was established in compliance with AB 1682 and California Welfare and Institutions code 12301.3, requiring all counties to appoint an IHSS Advisory Committee. Such committees are required to fulfill the following responsibilities: submitting recommendations regarding the preferred mode or modes of IHSS service delivery to be utilized in the county; and providing ongoing advice and recommendations regarding IHSS to the County Board of Supervisors and any administrative body in the County related to the delivery and administration of IHSS. The IHSS Advisory Committee of Santa Cruz County was initially established for a two-year period of time or until dissolved by resolution of your Board, whichever occurs first. Your Board charged the Committee to evaluate the options and recommend an employer of record for providers of IHSS, to establish a service delivery mode and to design an implementation plan. This charge has been met within the timeframe that was set. However, as California Welfare and Institutions code 12301.3 requires that a permanent advisory body exist for the purposes of providing ongoing advice and recommendations, HRA recommends that an ordinance be drafted to establish an ongoing IHSS Commission. Staff will return to your Board before March to propose an Ordinance to meet this State requirement.

NEXT STEPS

A great deal of activity has occurred toward the functional implementation of the IHSS Public Authority since the last report to your Board in September. Over the course of the next month, it is anticipated that all or most of the Public Authority administrative staff will be hired and trained and that the registry software will be procured and installed. State approval of the Public Authority rate request should also occur shortly. Once all three of these actions have been achieved, official operations will commence and the increased State financial participation will be accessible. In anticipation of this, marketing and outreach activities to both providers and consumers are being developed. HRA fully expects to meet the implementation deadline of March 31, 2002 set by your Board in March 2000.

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IT IS THEREFORE RECOMMENDED:

1. Accept and file this report on the progress of the IHSS Advisory Committee ;
2. Direct the HRA Administrator to return to your Board during budget hearings with a status report regarding the implementation and progress of the IHSS Public Authority; and
3. Direct the HRA Administrator to report back to your Board on February 12, 2002 with recommendations and a proposed Ordinance to reappoint an IHSS Advisory Body.

Very truly yours,



CECILIA ESPINOLA
Administrator

CE/FN

RECOMMENDED:



SUSAN ALMARAZ
County Administrator

CC:

HRA
Personnel
IHSS Advisory Committee
Commission on Disabilities
Seniors Commission
Long Term Care Interagency Commission
Service Employees International Union Local 415
Addus Health Care