



County of Santa Cruz

HUMAN RESOURCES AGENCY

Cecilia Espinola, Administrator

1000 Emeline Avenue, Santa Cruz, CA 95060

(831) 454-4130 or 454-4045 FAX: (831) 454-4642

January 31, 2002

AGENDA: February 12, 2002

BOARD OF SUPERVISORS

County of Santa Cruz

701 Ocean Street

Santa Cruz, CA. 95060

CHANGE STATUS OF THE IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE TO COMMISSION AND REQUEST FOR PROPOSALS

Dear Members of the Board:

On March 21, 2000, in compliance with Assembly Bill 1682, your Board adopted Resolution 87-2000 establishing the **MSS** Advisory Committee. The term of the **MSS** Advisory Committee was two years from the date of inception, or until otherwise dissolved by your Board, whichever occurs first. Although the Committee has accomplished its original charge, AB 1682 also requires counties to maintain advisory bodies for **MSS** to provide ongoing advice and recommendations regarding **IHSS** to the County Board of Supervisors, and any administrative body related to the delivery and administration of **MSS** services. The purpose of this letter is to request that your Board take steps to establish an **MSS** Advisory Commission to comply with requirements of AB 1682. An additional purpose of this letter is to seek authorization for HRA to issue a Request for Proposals (RFP) for **MSS** Contract services and take any other necessary steps to implement a new contract or contracts.

IHSS ADVISORY COMMISSION

As you know, the charge from your Board to the **MSS** Advisory Committee was to review the overall **IHSS** program and submit ongoing advice and recommendations to your Board regarding the preferred mode or modes of service to be utilized in the County for **MSS**, the establishment of an employer of record for **IHSS** providers, and implementation steps, if any. The Committee has accomplished these tasks and submitted its recommendations to your Board in two separate reports. The first of these reports was submitted on March 13, 2001 recommending maintaining a mixed mode of Independent Provider and Contract Modes in Santa Cruz County. The second report was submitted on September 18, 2001 regarding a recommended implementation plan for establishing an **MSS** Public Authority for the Independent Provider Mode.

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In order to fulfill the additional requirements of **AB 1682** and California Welfare & Institutions Code 12301.3 to provide ongoing advice and recommendations regarding **MSS**, it is necessary to authorize a permanent advisory body. County Code requires that a Commission be established for advisory bodies with duties extending beyond two years. Therefore, it is recommended that the status of the **MSS** Advisory Committee be changed to an Advisory Commission. In acknowledgement of the significant body of knowledge acquired over the past two years by current Advisory Committee members, it is also suggested that your Board, in considering nominations to the Advisory Commission, consider interested members of the outgoing Advisory Committee. A proposed Ordinance for the establishment of an **MSS** Advisory Commission is attached to this letter.

IHSS CONTRACT

As stated above, **MSS** continues to be delivered to eligible consumers in Santa Cruz County through a mixed mode of independent providers and contract services. The Contract Mode of service delivery typically best serves those consumers who are unable to hire and supervise home care workers on their own. The county's current contract with Addus Healthcare expires on June 30, 2002. Under Section 12302.1 of the Welfare and Institutions Code (WIC), the County must implement a competitive process for a new **MSS** contract to begin July 1, 2002. In order to comply with the State's timeline process, HRA requests authorization to issue a Request for Proposals by March 19, 2002. The RFP process allows 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 a specified number of hours of service at an hourly rate not to exceed the Maximum Allowable Contract Rate (MACR) set by California Department of Social Services (CDSS) for Santa Cruz County, and for a total contract amount not to exceed \$2,042,500.

California Department of Social Services regulations for procuring an **MSS** 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 Workgroup, comprised of representatives of the **MSS** Advisory Commission and County staff, appointed by the HRA Administrator, to review and evaluate the proposals. HRA will convene and chair the workgroup and will report back to your Board on or before May 7, 2002 with a recommendation for a contract award.

Per CDSS requirements, it is also necessary for HRA to notify proposers of the recommendation to award 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. Therefore, HRA requests that your Board set a public hearing on May 21, 2002 to formally consider the proposals and to award a contract or contracts.

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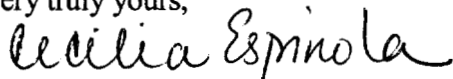
CONCLUSION

In order to satisfy State requirements, HRA recommends the creation of an **IHSS** Advisory Commission to provide ongoing advice and recommendations regarding service delivery of the **IHSS** program. A proposed Ordinance has been developed for the consideration by your Board. In addition, it is critical that **MSS** consumers continue to receive services appropriate to their level of functioning and need through the most appropriate service delivery mode. Therefore, HRA requests that your Board authorize HRA to issue an RFP for **MSS** contract services from July 1, 2002 through June 30, 2003, with an option to renew for up to one additional year.

IT IS THEREFORE RECOMMENDED that your Board:

1. Adopt the attached Ordinance to establish the **MSS** Advisory Commission by March 31, 2002, and direct the Clerk of the Board to place this Ordinance on the next agenda for final approval;
2. Direct the Clerk of the Board to post a notification of eleven at-large vacancies, **as** outlined in the attached Ordinance, with nominations for appointment to be received on March 12, 2002, and final appointments to be made March 19, 2002;
3. Authorize HRA to issue a Request for Proposals for In-Home Supportive Services on or before March 19, 2002, and direct HRA to convene and chair a Proposal Review Workgroup comprised of representatives of the **MSS** Advisory Commission and County staff, to review and evaluate the proposals;
4. Authorize HRA to submit the RFP, proposed contract(s) and proposed award(s) to the California Department of Social Services **as** required, and to notify proposers of the proposed award(s) and respond to protests; and
5. Direct HRA to report back to your Board on or before May 7, 2002 regarding recommendations for a contract award or awards and to set a public hearing on May 21, 2002 to formally consider the proposals and award a contract or contracts.

Very truly yours,



CECILIA ESPINOLA

Administrator

Attachments:
Proposed Ordinance

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CE\FN

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

CC: County Administrative Office
Auditor Controller
HRA-Fiscal
County Counsel
MSS Advisory Committee
Commission on Disabilities
Long Term Care Interagency Commission
SEIU Local 415
Addus Healthcare

ORDINANCE NO.

ORDINANCE ADDING CHAPTER **2.124 OF**
THE SANTA CRUZ COUNTY CODE ENTITLED
“THE IN-HOME SUPPORTIVE SERVICES ADVISORY
COMMISSION **OF THE COUNTY OF SANTA CRUZ**’

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Chapter 2.124 of the Santa Cruz County Code is hereby added to read as follows:

Chapter **2.124**

THE IN-HOME SUPPORTIVE SERVICES ADVISORY
COMMISSION **OF THE COUNTY OF SANTA CRUZ**

Sections:

- 2.124.010** Established--Statutory authority.
- 2.124.020** Definitions.
- 2.124.030** Purpose.
- 2.124.040** Membership.
- 2.124.050** Term of office.
- 2.124.060** Organization and procedures.
- 2.124.070** Powers and duties.

2.124.010 Established--Statutory authority.

The In-Home Supportive Services Advisory Commission of the County of Santa Cruz is established under the authority of Welfare and Institutions Code Sections 12301.3 and 12301.6.

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2.124.020 Definitions.

The following words and phrases, whenever used in this chapter, shall have the meanings set forth in this section:

- A. “IHSS” means the In-Home Supportive Services of the County of Santa Cruz.
- B. “The Commission” means the In-Home Supportive Services Advisory Commission of the County of Santa Cruz.
- C. “Board of Supervisors” means the Board of Supervisors of the County of Santa Cruz.
- D. “County” means the County of Santa Cruz.
- E. “Contract Mode” means the State-sanctioned service delivery system for in-home supportive services whereby the County contracts with a home care vendor to provide authorized in-home supportive services. Under this mode, authorized in-home supportive services are provided by employees of the contractor.
- F. “Independent Provider Mode” means the State-sanctioned provider mode whereby the in-home supportive services consumer selects, hires, schedules, trains and supervises a home care provider of his or her own choosing.
- G. “Provider” means a person who provides in-home supportive services to a recipient using the independent provider mode. For purposes of this chapter, “Provider” does not mean a person who provides in-home supportive services under the in-home supportive services Contract Mode.
- H. “Recipient” means a person eligible and authorized to receive in-home supportive services under Welfare and Institutions Code Sections 12300 et seq.
- I. Unless otherwise specified, “Code” means the Santa Cruz County Code.

2.124.030 Purpose.

The purpose of the Commission shall be to provide ongoing advice and recommendations regarding the IHSS to the Board of Supervisors and any administrative body in the County that is related to the delivery and administration of the **IHSS**.

2.124.040 Membership.

A. The Commission shall consist of eleven (11) at-large voting members and shall include the following representation:

1. Six (6) current or former users of personal assistance services paid for through public or private funds (including representatives from the Independent Provider Mode and from the Contract Mode);
2. Three (3) persons from existing County advisory bodies, or two (2) persons from existing County advisory bodies and one representative of County staff; and
3. Two (2) current or former providers of in-home supportive services (one each from the Independent Provider and the Contract Care modes of service delivery).

2.124.050 Term of office.

The majority of the members shall serve for a term of four years, commencing on April 1st of the year in which the fourth district supervisor begins a full term. The remaining members of the Commission shall serve for a term of four years commencing on April 1st of the year in which the fifth district supervisor begins a full term.

2.124.060 Organization and procedures.

- A. General Organization. The Commission shall comply in all respects with Chapters **2.38.110** through **2.38.250** of the Santa Cruz County Code, unless otherwise provided herein.
- B. Staff. The County Human Resources Agency Administrator or designated representative shall serve as the Administrative Secretary to the Commission. The Administrative Secretary shall provide staff support for the Commission. The Administrative Secretary shall provide copies of all reports and recommendations submitted to the Board of Supervisors, prepare **and** mail the agendas, take minutes at each meeting, and perform

other duties as directed by the Commission.

2.124.070 Powers and duties.

The Commission shall exercise the following responsibilities in its efforts to obtain the highest quality and most effective in-home supportive services within the County:

- A. Serve in an advisory capacity to the Board of Supervisors, as the governing body of the **IHSS** Public Authority, and any administrative body in the County related to the delivery and administration of the **IHSS**;
- B. Review policies related to the delivery of in-home supportive services and make recommendations to the Board of Supervisors regarding any proposed changes;
- C. Review pending state and federal legislation that may impact the **IHSS** program, consumers, and/or providers and make recommendations to the Board of Supervisors regarding any proposed changes;
- D. Stay informed and educated on in-home supportive services and public authority issues;
- E. Provide a forum for consumers and providers of personal assistance services, advocates and other interested parties to participate in **IHSS** policy and program development.

SECTION II

Subsection 2.121.030(e) of the Santa Cruz County Code is hereby deleted.

SECTION III

This ordinance shall take effect on the 31st day after the date of final passage.


PASSED AND ADOPTED this ____ day of _____, 2002, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

Jan Beautz
Chairperson of the
Board of Supervisors

Attest: _____
Gail Borkowski
Clerk of the Board

APPROVED AS TO FORM:

 1-31-02

Ligi Coleen Yee
Assistant County Counsel

Distribution: IHSS Public Authority
County Administrative Office
County Counsel
Clerk of the Board
Human Resources Agency