



PASC Governing Board Meeting Minutes September 29, 2009

I. CALL TO ORDER AND ROLL CALL

Ms. Otero called the meeting to order.

Members present: Mr. Adler, Ms. Becker Kennedy, Ms. Belton, Mr. Castano, Ms. Otero, Ms. Varga, Mr. Vasquez

Members absent: Ms. Argenta, Mr. Davila-Castro, Ms. Heinritz-Canterbury, Mr. MacDonald, Mr. Magady, Ms. Navarro, Ms. Park

II. READING OF MISSION STATEMENT AND MOMENT OF SILENCE

The mission statement was read, and a moment of silence was observed.

III. PUBLIC COMMENT

None.

IV. STRATEGY DEVELOPMENT TO ADDRESS IHSS CUTS AND RELATED NEW REGULATIONS

Ms. Otero reported on behalf of Ms. Heinritz-Canterbury on the recent training by Disability Rights California (DRC).

Ms. Heinritz-Canterbury suggested establishing a volunteer corps of DRC trainees to work with consumers who call PASC for assistance; volunteers can respond to calls from their homes. Ms. Heinritz-Canterbury volunteered to organize the volunteer corps.

Ms. Heinritz-Canterbury also recommended coordinating with the Union on communicating with consumers and providers. A mailing should be sent to the 8000 Registry consumers with a postage-paid response card. PASC should sponsor more trainings, and be more assertive about educating readers about the IHSS cuts in the E-News.

Ms. Otero stressed the importance of contacting entities that serve IHSS consumers, and suggested regional centers, major mental health providers, the Alzheimer's Association, senior centers, United Cerebral Palsy, and other aging organizations.

Ms. Varga reported that DPSS sent a notice to 8300 consumers who may be impacted by the cuts. Ms. Varga expressed her dissatisfaction with the notice's unspecific content; Ms. Belton agreed. Ms. Varga reported that consumers who contact their social workers to inquire about their functional index are not receiving return phone calls. Mr. Adler requested that DPSS send a more specific letter to the 8300 consumers, and that PASC review the letter in advance.

Ms. Tostado-Hernández emphasized that some consumers who received the notice may not be terminated in November, due to ongoing changes. Ms. Perez stressed that specific information cannot be given to consumers before November; Mr. Adler and Ms. Otero disagreed, and urged DPSS to provide current information to consumers. Ms. Otero reported that consumers with whom she has spoken are unconcerned, because they have received only vague, general information.

In response to a question from Mr. Adler, Ms. Tostado-Hernández reported that CMIPS does not track information on consumers' cognitive impairments.

1. DRAFT ALL COUNTY LETTERS

In response to a question from Mr. Adler regarding an All County Letter, Ms. Tostado-Hernández clarified that memory and orientation are ranked in CMIPS, but are not considered in the overall functional ranking. Ms. Tostado-Hernández emphasized that consumers should be able to manage their own care, or have an authorized representative who does so. Mr. Adler responded that individuals may no longer be able to manage their care in the state's current environment, and urged DPSS to use CMIPS data on mental functioning to send out notices to those who have mental functioning problems. Ms. Tostado-Hernández emphasized that consumers who have protective supervision and paramedical services will not be affected.

Beau Hennemann, Supervisor, Programs and Public Relations, reported that the All County Letter confirmed that the protective supervision and paramedical services exemptions apply to consumers affected by cuts to domestic and related services and loss of eligibility.

At Ms. Otero's request, Ms. Varga provided an overview of the DRC training; the functional index and functional ranking calculations are very complex. Rebeca Douglas, Assistant Director, Registry and Outreach, reported that 26 people attended the training; additional English- and Spanish-language trainings are being planned.

Ms. Varga commended the union for the clarity of its multilingual provider handout, and distributed copies.

Mr. Adler recommended that some Registry staff members be reassigned to support the functions suggested by Ms. Heinritz-Canterbury; Ms. Otero agreed. In response to a question from Ms. Otero, Mr. Hennemann reported that calls to PASC regarding the cuts are beginning to increase.

Mr. Golledge requested a list of consumers who may be eliminated from the IHSS Program, so that PASC can call and advise them. Mr. Golledge reported that he has data from other counties, and voiced his concern that LA County does not trust PASC with relevant data. Mr. Adler and Ms. Becker Kennedy agreed that sharing of data is urgent. Ms. Perez responded that DPSS is following the advice of two County Counsels.

Ms. Otero requested that, if DPSS will not provide the list requested by Mr. Golledge, DPSS call the 8000 consumers potentially affected. Ms. Becker Kennedy requested that caseworkers complete forms on the consumers' behalf to be sent to attorneys. Ms. Becker Kennedy recommended that a letter be sent to consumers who have a functional index of 1, providing them with the 800 number to attorneys who are filing a class-action lawsuit. Ms. Otero and Mr. Adler responded that DPSS will not encourage consumers to join a lawsuit; Ms. Otero suggested that PASC's phone number be provided.

Ms. Becker Kennedy reported that an attorney has requested a statement from DPSS outlining why the functional index is not an accurate reflection of a person's ability; Mr. Adler responded that County Counsel has advised DPSS not to make that statement.

2. DRAFT PASC LETTER TO CONSUMERS

Ms. Douglas suggested that PASC send its own letter to the 8000 consumers slated for termination. Mr. Adler suggested that DPSS mail the letter for PASC, at PASC's expense, and that DPSS not approve the letter, as it is being sent by PASC. Ms. Douglas reported that the letter could be delivered to DPSS within a week.

Mr. Adler suggested that the letter state: Recent legislation has been enacted which impacts the IHSS Program. Current data indicates that you are one of the people who will be terminated as a result of this legislation. You will get a Notice of Action from the state that this is happening within 10 days before November 1st. When you receive this notice, if you feel that you cannot manage without the IHSS Program...Ms. Becker Kennedy suggested that the letter continue: ...appeal, ask for aid paid pending, and call an 800 number for assistance. Ms. Becker Kennedy moved that this wording be approved, Mr. Castano seconded.

Ms. Becker Kennedy amended her motion to authorize Mr. Adler and Ms. Douglas to write the letter; Ms. Varga seconded. Passed unanimously.

Ms. Tostado-Hernández called Board members' attention to information in the All County Letter: After November 1st, a consumer who requests a reassessment sooner than their next scheduled reassessment must provide documentation from their physician of a change in their functional ability.

Ms. Varga reported that LA County appeals hearings are being scheduled 15 weeks in advance, and that the decision to grant aid paid pending is made by the LA County Appeals Board.

Mr. Adler suggested that PASC respond to the All County Letter, requesting changes in language. Mr. Hennemann responded that the deadline for responding has passed, and reported that the County Welfare Directors Association of California responded with the same concerns.

Ms. Becker Kennedy urged those who have received a notice on the share of cost to contact Elena Ackel regarding legal action.

Ms. Varga reported that Medi-Cal caseworkers have a caseload of 1700 each; IHSS workers have a caseload of approximately 300. Ms. Perez clarified that the average is 340.

In response to a question from Ms. Otero, Ms. Tostado-Hernández reported that the share of cost will be cut for 3896 consumers in LA County.

In response to question from Ms. Belton, Mr. Hennemann reported that the E-News distribution list is approximately 2000 addresses; Ms. Douglas reported that very few consumers are willing to tell PASC whether or not they have a share of cost. Mr. Adler suggested that PASC send an email to its distribution list regarding the share of cost; Mr. Hennemann responded that an article will appear in tomorrow's E-News.

Ms. Becker Kennedy suggested that PASC write a letter regarding the share of cost to be sent by DPSS; Ms. Belton and Mr. Adler disagreed. **Mr. Adler suggested that the information requested by Ms. Becker Kennedy be included in the E-News article; Mr. Hennemann agreed.**

Ms. Becker Kennedy suggested that PASC contact each ILC for information on the calls they are receiving regarding the share of cost notice; Ms. Otero agreed.

Ms. Belton urged PASC staff members to proceed with the volunteer corps suggested by Ms. Heinritz-Canterbury, recommended that volunteers undergo criminal background investigations, and that a checklist be used. **Ms. Douglas offered to email the existing checklist to all Board members for input.**

Ms. Varga requested information to distribute at upcoming multiple sclerosis events; Ms. Douglas agreed to forward materials to her.

Ms. Becker Kennedy reported that she was recently unable to reach a senior staff person when she contacted the office; Mr. Hennemann clarified that he was at lunch when she called. Ms. Becker Kennedy requested that staff members wear beepers.

Mr. Adler moved that the Board accept Ms. Heinritz-Canterbury's offer to implement a volunteers corps; Mr. Castano seconded. Approved by consensus.

Mr. Adler moved that PASC commend DPSS for its concern for consumers who will lose IHSS services, and its determination to send a letter to consumers who will be terminated, and urge DPSS to 1) send a letter to the 30,000 consumers whose hours will be affected, in addition to the 8000 who will be terminated, informing them of their appeals right and advising them of aid paid pending and how to qualify; 2) permit PASC to review the letter before it is sent and provide input; 3) determine through CMIPS data how many consumers have functional indexes below 2, how many with functional indexes between 2 and 4 have significant mental disabilities, and how many of these individuals are living alone; 4) share this information with PASC; 5) share with PASC the names, hours, and contact information of consumers who have functional indexes less than 2; 6) make arrangements to immediately mail PASC's letter to consumers with a functional index below 2, at PASC's expense. Motion seconded by Ms. Varga.

Ms. Belton added that the motion be sent in writing to DPSS; Mr. Adler agreed. Approved by consensus.

Ms. Becker Kennedy suggested that PASC work with the National Senior Citizens Law Center and the MSSP Program regarding consumers who will lose domestic services.

Ms. Tostado-Hernández reported that Oleeta Igar, Coordinator, Program Development, is participating in an IHSS workgroup with Partners in Care, which has provided an inservice training to the IHSS Chatsworth office. Visits to other IHSS offices and a resource guide are being planned.

Ms. Belton encouraged PASC to partner with senior organizations; Ms. Otero encouraged PASC to partner with developmental disability and mental health organizations, and suggested that this be a task of the volunteer corps.

Mr. Adler reported that the Board of Supervisors has not taken a position on the IHSS cuts, and moved that PASC urge the Board of Supervisors to take a position opposing the reductions in the IHSS Program; Ms. Belton seconded. Approved by consensus.

Ms. Belton and Mr. Adler suggested that Ms. Otero and others speak during the Supervisors' meeting.

3. APPEAL PROCESS EXPLANATION FOR PASC REGISTRY CONSUMER MAILING

V. DPSS REPORT

VI. UNION ISSUES

VII. NEW BUSINESS

Mr. Golledge reported that specific information on cuts to public authorities has not yet been released by the state; Mr. Golledge will provide this information to Board members when he receives it.

Ms. Belton reported that CICA will hold its 2nd annual conference in January 2010 in San Jose.

Ms. Becker Kennedy recommended that PASC or CICA write a letter opposing CAPA and asking that CAPA be disbanded. Mr. Adler suggested that the Board discuss PASC's CAPA membership at its next meeting; Ms. Otero responded that it is too late to agendaize this item for next week's meeting, but it will be agendaized for the November meeting.

VIII. CLOSED SESSION

IX. ADJOURNMENT

Yungsohn Park, PASC Board Secretary

Date minutes approved

ACTION POINTS

- Ms. Douglas suggested that PASC send its own letter to the 8000 consumers slated for termination. Mr. Adler suggested that the letter state: Recent legislation has been enacted which impacts the IHSS Program. Current data indicates that you are one of the people who will be terminated as a result of this legislation. You will get a Notice of Action from the state that this is happening within 10 days before November 1st. When you receive this notice, if you feel that you cannot manage without the IHSS Program...Ms. Becker Kennedy suggested that the letter continue: ...appeal, ask for aid paid pending, and call an 800 number for assistance. Ms. Becker Kennedy moved that this wording be approved, Mr. Castano seconded. Ms. Becker Kennedy amended her motion to authorize Mr. Adler and Ms. Douglas to write the letter; Ms. Varga seconded. Passed unanimously.
- Ms. Becker Kennedy suggested that PASC write a letter regarding the share of cost to be sent by DPSS; Ms. Belton and Mr. Adler disagreed. Mr. Adler suggested that the information requested by Ms. Becker Kennedy be included in the E-News article; Mr. Hennemann agreed.
- Ms. Becker Kennedy suggested that PASC contact each ILC for information on the calls they are receiving regarding the share of cost notice; Ms. Otero agreed.
- Ms. Belton urged PASC staff members to proceed with the volunteer corps suggested by Ms. Heinritz-Canterbury, and recommended that a checklist be used. Ms. Douglas offered to email the existing checklist to all Board members for input.
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- Mr. Adler reported that the Board of Supervisors has not taken a position on the IHSS cuts, and moved that PASC urge the Board of Supervisors to take a position opposing the reductions in the IHSS Program; Ms. Belton seconded. Approved by consensus.