

BOARD OF SUPERVISORS
Yolo County, California

Meeting Date: February 6, 2001

To: CAO
County Counsel ✓
Auditor
Plan & Pub Works
Alcohol Drug/MH
Health Services
Human Resources
DESS ✓
Liaison ✓

Agenda Item No. 30
In-Home Supportive Services

Minute Order No. 01-36: Took the following action for selection of the In Home Supportive Services Advisory Committee:

- A. Appointed the following members to the In-Home Supportive Services (IHSS) Advisory Committee according to the requirements of Assembly Bill 1682 and Senate Bill 288:

Annie Mae Irby	Lisa Katz
Nancy Seyden	Lurdes Montiel-Galvan
Judith McDermott	Connie Smith
Dorothy DeWeese	Regina Goggin
Nelson Hernandez	Roger Clarkson
Dorothy Adamo	

Alternates if alternates are permitted under applicable laws. If not, these persons would be given the necessary training for possible later appointment to the IHSS Advisory Committee.

Debra Murray	Soua Neng Vue
Lynda Findley	Maria Gomez

- B. Designated additional IHSS Advisory Committee applicants to receive committee training with the appointed members.
- C. Adopted and authorized the Chair to sign Resolution No. 01-13 recreating the Yolo County IHSS Advisory Committee to allow alternate members and adopt procedures to assist its operation.
- D. Approved the use of allocated State funds for reasonable and necessary IHSS Advisory Committee expenses.

MOTION: Rosenberg. SECOND: McGowan. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.



Yolo County Department of Employment and Social Services


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TO: The Honorable Tom Stallard, Chair
And Members of the Board of Supervisors

FROM: Gerald R. Rose, Director 
Department of Employment and Social Services

DATE: February 6, 2001

SUBJECT: Selection of the IHSS Advisory Committee Membership, amend Resolution No. 00-174 to allow alternate members and operational procedures, and approve the use of State funds for reasonable Advisory Committee expenses.

RECOMMENDED ACTION:

It is recommended that the Board of Supervisors:

1. Appoint 11 members to the In-Home Supportive Services (IHSS) Advisory Committee according to the requirements of Assembly Bill 1682 and Senate Bill 288.
2. Designate addition IHSS Advisory Committee applicants to receive committee training with the appointed members.
3. Accept and authorize the Chair to sign Resolution No. _____ which amends the IHSS Advisory Committee to allow alternate members and adopts procedures to assist its operation.
4. Approve the use of allocated State funds for reasonable and necessary IHSS Advisory Committee expenses.

REASON FOR RECOMMENDED ACTION:

The next step in implementation of AB 1682, Employer of Record legislation, is to select specific members for the IHSS Advisory Committee. Several county IHSS Advisory Committees have experienced sudden turnover in membership and recommend establishing

REPLACED BY: ANNY MARGO PHONE: 9127



Page two

replacement members. The selected members and alternates will be educated in all issues related to and resulting in recommending an Employer of Record to the Board of Supervisors.

County Counsel has recommended a Resolution to amend Resolution No. 00-174 with respect to membership and adopting procedures to assist in its operation. The resulting Resolution is on file with the Clerk of the Board.

The State allows for funding of reasonable and necessary IHSS Advisory Committee expenses in order to conduct the committee meetings. This may include special accommodations or transportation for the members of the committee.

BACKGROUND:

On August 29, 2000 Board Resolution No. 00-174 approved and authorized the establishment of the In-Home Supportive Services Advisory Committee. In response to Resolution No. 00-174, a fair and open solicitation process resulted in 14 interested applicants that met the criteria of AB 1682 and SB 288. According to AB 1682 and SB 288, a maximum of eleven members is allowed on the IHSS Advisory Committee, one of which may be a county employee. Other counties have experienced relatively high IHSS Advisory Committee membership turnover and advise that alternate members be educated along with full members so that replacements will not restrict the progress of the committee.

In Yolo County, there are approximately 750 recipients served by 700 providers of care for consumers of In-Home Supportive Services. AB1682 requires the County to act as or establish an "Employer of Record" for collective bargaining purposes. This will result in well-deserved improved wages and benefits for the providers of In-Home Supportive Services and indirectly improve the quality of care for the elderly and disabled adults receiving those services. Higher provider wages will increase the pool of available providers, resulting in a more stable workforce. Depending on the "Employer of Record" chosen, other services that would improve the quality of care, may be required, such as worker screening and training. The IHSS Advisory Committee will also address other ways of assuring improved quality of care for these needy clients.

BUDGET IMPACT:

The State Budget Act of 2000 appropriated funds for the establishment of the County Advisory Committee as required by AB 1682. Yolo County received \$27,054 for reasonable Advisory Committee costs. Yolo County may utilize these funds once the State provides Counties with guidelines for claiming Advisory Committee expenses.

Advisory Committee funding	Federal	State	County
	\$15,125	\$11,929	0.00

OTHER AGENCY INVOLVEMENT:

Yolo County Counsel assisted in the development of Resolution No. 00-174 and is assisting in the development of the current Amended Resolution.

Attachment 1

IHSS Advisory Committee Applicants

AB1682 and SB288 require that the IHSS Advisory Committee contain no more than 11 members, including 6 consumers and 2 providers. Board Resolution No. 2000-174 allows for 6 consumers, 2 providers, 1 community based organization (CBO) that advocates for providers, 1 community-based organization (CBO) that advocates for consumers, and 1 county employee. We also suggest at least three non-voting alternates who attend all meetings as potential replacements.

The names of the following individuals are forwarded per direction of the IHSS Committee Board liaisons Supervisors Mike McGowan and Dave Rosenberg.

District	Member	Criteria
1	Annie Mae Irby	Consumer
2	Nancy Seyden	Consumer
4	Judith McDermott	Consumer
5	Dorothy DeWeese	Consumer
5	Nelson Hernadez	Consumer
3	Dorothy Adamo	Consumer
4	Liza Katz	Provider
1	Lurdes Montiel-Galvan	Provider
3	Connie Smith	CBO Advocate for Consumers
1	Regina Goggin	CBO Advocate for Providers
	Roger Clarkson	County Employee

Alternates

4	Debra Murray	Consumer
1	Soua Neng Vue	Provider
5	Lynda Findley	Provider
5	Maria Gomez	Provider

FILED

FEB 14 2001

PATRICIA CRITTENDEN, CLERK OF THE BOARD
BY *Ana Morales*
DEPUTY

RESOLUTION NO. 2001- 13

(Resolution Recreating the Yolo County In Home Support Services Advisory Committee
and Setting Forth Certain Procedural Matters)

WHEREAS, Welfare and Institutions Code Section 12301.3 requires each county to appoint an in-home supportive services (IHSS) advisory committee comprised of not more than 11 individuals, with no less than 50 percent of the membership of the advisory committee being individuals who are current or past users of personal assistance services paid for through public or private funds or as recipients of In Home Support Services; and

WHEREAS, this Board is committed to improving the quality of care for recipients of In Home Support Services; and

WHEREAS, on August 31, 2000, this Board of Supervisors adopted Yolo County Resolution 2000-174 creating the Yolo County In Home Support Services Advisory Committee; and

WHEREAS, the State has provided funds for the County to make reasonable accommodations as necessary to assist members of the Advisory Committee to attend and participate in Committee meetings; and

WHEREAS, it appears necessary and appropriate to adopt this Resolution to set forth additional procedural matters to assist the Yolo County In Home Support Services Advisory Committee in the conduct of its business.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yolo as follows:

Section 1. Creation. There is hereby created the Yolo County In Home Support Services Advisory Committee.

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Section 2. Membership.

The membership of the Yolo County In Home Advisory Committee (hereinafter, "Committee") shall consist of eleven rotating members, who shall be appointed by the Board of Supervisors as follows:

(a) Six (6) Consumer Members who shall be residents of Yolo County who are current or past users of personal assistance services paid for through public or private funds or as recipients of In Home Support Services.

(b) Five (5) Categorical Members who shall reside or work in Yolo County and who are appointed one from each supervisorial district as follows:

(1) At least two members of the Committee shall be current or former providers of In Home Support Services.

(2) Individuals who represent organizations that advocate for people with disabilities or seniors may be appointed to the Committee.

(3) Individuals from community-based organizations that advocate on behalf of home care employees may be appointed to Committee.

(4) The Board shall not appoint more than one County employee as a member of the advisory committee, but may designate any County employee to provide ongoing advice and support to the Committee.

Section 3. Selection Process.

(a) Prior to making appointments to the Committee, the Board of Supervisors shall solicit recommendations for qualified members through the following fair and open process that includes the provision of the following reasonable notice to, and reasonable response time by, members of the

1 general public and interested persons and organizations by completing the following at least fifteen (15)
2 days prior to making any appointments:

- 3 (1) Direct mailings of the notice sent to each current IHSS service provider.
4 (2) Direct mailings of the notice sent to each current IHSS recipient.
5 (3) Direct mailings of the notice sent to community-based organizations providing
6 services to the elders and disabled.
7

- 8 (4) Publication of notice in local papers.
9 (b) Efforts shall be made to recruit and select Advisory Committee members representing
10 the ethnic, racial, geographic, age and other diversities of the County's IHSS consumer and provider
11 populations. The application for membership shall include a section where applicants may voluntarily
12 state their ethnicity.
13

14 **Section 4. Duties; Liaison.**

- 15 (a) The duties and responsibilities of the Committee shall be as follows:
16 (1) Submit recommendations to the Board of Supervisors on the preferred mode
17 or modes of service to be utilized in Yolo County for In Home Support Services.
18

- 19 (2) Provide ongoing advice and recommendations regarding In Home Support
20 Services to the Board of Supervisors, any administrative body in Yolo County that is related to the
21 delivery and administration of In Home Support Services, and the governing body and administrative
22 agency of the public authority, nonprofit consortium, contractor, and public employees.
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- 24 (b) Liaison. The County Director of Department of Employment and Social Services or
25 his/her written designee shall serve as County liaison.
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Section 5. Terms; Vacancy.

(a) The term of membership shall be four (4) years.

(b) The foregoing notwithstanding, six (6) of the initial members shall serve a term of two (2) years, and five (5) shall serve a term of four (4) years. The initial appointees shall determine these terms among themselves by drawing lots.

(c) The prescribed terms shall commence February 1 and expire on January 31; provided, however, the terms of the initial members shall be deemed to commence on February 1, 2001; provided further, that the term of an incumbent shall not end until a successor is appointed.

(d) A vacancy shall occur upon the death, resignation, removal or disqualification of any member (including but not limited to the termination of residency in the County or in any district if required, or the cessation of the status which qualified the member for appointment). Any person appointed to fill a vacancy shall serve for the unexpired portion of the term of such office.

Section 6. Appointment and Removal; Resignation.

(a) A Committee member shall be appointed by majority vote of the Board of Supervisors, shall serve at the pleasure of the Board, and may be removed at any time for any reason by majority vote of the Board.

(b) Any Committee member may resign at any time by submitting a written resignation to the Clerk of the Board of Supervisors. Any such resignation shall be effective upon submission if no effective date is specified therein. If an effective date is specified therein, the resignation shall be effective upon the specified date if such date is not more than sixty (60) days after the date of submission, or upon the sixtieth (60th) day after submission if the date specified is more than sixty (60) days after the date of submission.

1 **Section 7. Meetings; Requirements; Officers; Minutes.**

2 (a) Meetings shall be held from time to time as is appropriate. Regular meetings shall be
3 held at such times and places as may be specified by the Committee. Special meetings may be called
4 by the chair, a majority of the members, or the County staff member designated to serve as liaison.

5
6 (b) The Committee shall meet at least once each year, on or before March 31 of each year,
7 and at the first meeting of each year shall select from among its members a chair to preside over all
8 meetings, a vice-chair to act in the absence of the chair, a secretary to draft and keep the minutes and
9 other records of Committee, and such other officers and sub-committees as the Committee may deem
10 necessary. The term of all such offices shall be one (1) year and until a successor is selected, and any
11 vacancy in any such office shall be filled by the Committee for the unexpired portion of the term of such
12 office.

13
14 (c) Minutes shall include the names of all members who are present and absent, all reports
15 received, approved or otherwise considered, any formal actions or votes taken (including but not
16 limited to recommendations adopted) and the vote of each member who voted thereon, and such
17 additional information as is deemed necessary and appropriate. Copies of all minutes shall be
18 transmitted to the Board of Supervisors.

19
20 **Section 8. Quorum; Voting; Rules; Permissive Use of Roberts Rules.**

21 (a) A majority of the members of the Committee shall constitute a quorum.

22
23 (b) A majority vote of those present and constituting a quorum, excluding those who
24 abstain due to a legal conflict of interest, but including those who abstain for any other reason, shall
25 be required for any action by the Committee, except that a vote of a majority of those present shall be
26 sufficient to adjourn or continue any proceeding.

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(c) The Committee may adopt such rules, consistent with this Resolution and all provisions of State law and Federal law, as it deems necessary for the conduct of its business.

(d) Roberts Rules of Order do not govern the proceedings and shall not be otherwise binding, but may be used for guidance purposes as deemed necessary or appropriate by the chair of the Committee unless otherwise decided by a majority vote of the members who are then present.

Section 9. Compliance With Laws.

All meetings and actions of the Committee and its members shall comply with the Brown Act (Government Code Section 54950 and following), the Political Reform Act and other conflict of interest laws (Government Code Sections 1090 and following, 1126 and following, and 87100 and following; Yolo County Code Section 2-6.42 and the Yolo County Conflict of Interest Resolution), and the Public Records Act (Government Code Section 6250 and following), as they may be amended from time to time, as well as with all other applicable laws.

Section 10. Supersedes Resolution 2000-174. This Resolution supersedes and replaces Resolution 2000-174.

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PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 6th day of February, 2001, by the following vote:

AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

NOES: NONE.

ABSENT: NONE.

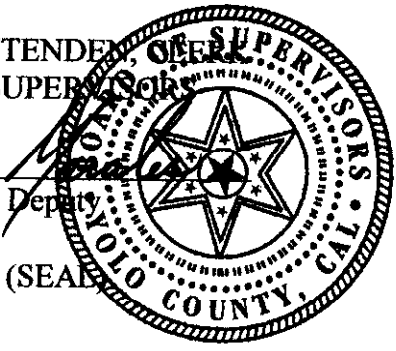


TOM STALLARD, CHAIRMAN
BOARD OF SUPERVISORS
COUNTY OF YOLO, STATE OF CALIFORNIA

ATTEST:

PATTY CRITTENDEN,
BOARD OF SUPERVISORS

By 
Deputy



(SEAL)

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BOARD OF SUPERVISORS
Yolo County, California

Meeting Date: August 29, 2000

To: CAO
County Counsel ✓
Auditor
Plan & Pub Works
Alcohol Drug/MH
Health Services
Human Resources
DESS ✓
Liaison ✓

Agenda Item No. 10
Support of SB 673 (Escutia)

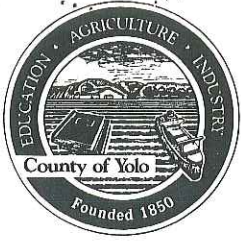
Minute Order No. 00-300: Approved letters of support in securing amendment to SB 673 (Escutia) to remove local government from the bill which would dictate revenues from the Master Tobacco Settlement Agreement be directed toward specific health care purposes.

MOTION: Pollock. SECOND: Stallard. AYES: Stallard, Rosenberg, Pollock, McGowan, Wolk.

Agenda Item No. 32
In-Home Support Services

Minute Order No. 00-301: Adopted and authorized the Chair to sign Resolution No. 00-174 creating the Yolo County In-Home Support Services Advisory Committee with an amendment to Section 2 – Membership (b) to indicate that the Five (5) Categorical Members shall be appointees recommended by each Member of the Board of Supervisors.

MOTION: Pollock. SECOND: Stallard. AYES: Stallard, Rosenberg, Pollock, McGowan, Wolk.



Yolo County Department of Employment and Social Services

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MEMORANDUM

TO: The Honorable Lois Wolk, Chair
and Members of the Board of Supervisors

FROM: Dana Johnson, Interim Director
Department of Employment and Social Services

DATE: August 29, 2000

SUBJECT: Approve and authorize the establishment of the In-Home Supportive Services
Advisory Committee.

RECOMMENDED ACTION:

It is recommended that the Board of Supervisors:

Accept and authorize the Chair to sign Resolution No: _____ that establishes the In-Home Supportive Services (IHSS) Advisory Committee required by Assembly Bill 1682.

REASON FOR THE RECOMMENDED ACTION:

The next step in implementation of AB 1682 Employer of record is to establish an In-Home Supportive Services Advisory Committee. The Advisory Committee is required to make recommendations to your Board on the preferred mode of In-Home Supportive Services (IHSS). The regulations states that the Advisory Committee shall submit recommendations to your Board on the preferred mode of service to be utilized by the county for In-Home Supportive Services.

BACKGROUND:

In July 1999, the governor signed into law Assembly Bill 1682 that will significantly affect the administration, methods of service delivery, and costs of the IHSS program. In particular, on or before January 1, 2003, each county must act as an employer or establish an employer of record for individual providers in the IHSS program.

AB1682 also requires that your Board appoint an IHSS Advisory Committee that shall be comprised of not more than 11 individuals. The law makes certain stipulations regarding the

Reviewed by: ARMY MAGE Phone #: 8127



make-up of the membership of the IHSS Advisory Committee. Those stipulations are included in the attached resolution prepared by County Counsel.

Page 2

Currently, there is legislation pending in SB 288 that would make minor changes to the composition of the Advisory Committee as outlined in AB 1682. SB 288 as written does not change the requirements of AB 1682. SB 288 makes the following stipulations and they have been included in the resolution:

- At least two members of the Committee shall be a current or former provider of In-Home Supportive Services.
- The Board shall not appoint more than one County employee as a member of the Committee, but may designate any County employee to provide ongoing advice and support to the Committee.

This resolution is coming to your Board prior to disposition of SB 288 because creation of the Advisory Committee is the next step in determining the preferred mode of service to be used by the County for In-Home Supportive Services.

On June 27, 2000, your Board approved and authorized a contract to retain RTZ Associates to perform a detailed cost analysis of each of the five IHSS delivery models. RTZ will provide the results of this analysis to the IHSS Advisory Committee by November 2000 so that they can make recommendations to your Board.

The resolution creating the Yolo County In-Home Support Services Advisory Committee is attached.

BUDGET IMPACT:

The State Budget Act of 2000 has appropriated \$1.8 million in total funds for the establishment or continued operation of the county Advisory Committee required by AB 1682. This money will be distributed equally to the counties who have established or will be establishing their AB 1682 Advisory Committee during the FY 2000/2001.

OTHER AGENCY INVOLVEMENT:

County Counsel prepared the attached resolution.

FILED

AUG 31 2000

PATRICIA CRIZZENDEN, CLERK OF THE
BY *Ana Morales*
DEPUTY

RESOLUTION NO. 2000-174

**RESOLUTION CREATING THE YOLO COUNTY IN HOME SUPPORT SERVICES
ADVISORY COMMITTEE**

WHEREAS, this Board makes the following recitals:

1. Welfare and Institutions Code (WIC). Section 12301.3, enacted by Stats. 1999, c. 90 (AB 1682), as modified by SB 288 as amended on July 6, 2000, requires the following:
 - (a) Each county shall appoint an In-Home Supportive Services (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 recipient of In-Home Supportive Services.
 - (b) Prior to the appointment of members to a committee required by subdivision (a), the County Board of Supervisors shall solicit recommendations for qualified members through a fair and open process that includes the provision of reasonable written notice to, and reasonable response time by, members of the general public and interested persons and organizations.
 - (c) The Advisory Committee shall submit recommendations to the County Board of Supervisors on the preferred mode or modes of service to be utilized in the county for In-Home Supportive Services and shall provide ongoing advice and recommendations regarding In-Home Supportive Services to the County Board of Supervisors, any administrative body in the county that is related to the delivery and administration of In-Home Supportive Services, and the governing body and

administrative agency of the public authority, nonprofit consortium, contractor and public employees.

2. This Board desires to create the Yolo County In Home Support Services Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yolo as follows:

Section 1. Creation. There is hereby created the Yolo County In Home Support Services Advisory Committee.

Section 2. Membership.

The membership of the Yolo County In Home Support Services Advisory Committee shall consist of eleven (11) rotating members, who shall be appointed by the Board of Supervisors as follows:

- (a) Six (6) Consumer Members who shall be residents of Yolo County who are current or past users of personal assistance services paid for through public or private funds or as recipients of In-Home Supportive Services.
- (b) Five (5) Categorical Members who shall reside or work in Yolo County who are appointed one from each supervisorial district as follows:
 - (1) At least two members of the Committee shall be current or former providers of In-Home Supportive Services.
 - (2) Individuals who represent organizations that advocate for people with disabilities or seniors may be appointed to the Committee.
 - (3) Individuals from community-based organizations that advocate on behalf of homecare employees may be appointed to the Committee.

- (4) The Board shall not appoint more than one County employee as a member of the Committee, but may designate any County employee to provide ongoing advice and support to the Committee.
- (c) Efforts shall be made to recruit and select Advisory Committee members representing the ethnic, racial, geographic, age and other diversities of the County's IHSS consumer and provider populations. The application for membership includes a section where the applicant may voluntarily state their ethnicity.

Section 3. Selection Process.

Prior to making appointments to the Committee, the Board of Supervisors shall solicit recommendations for qualified members through the following fair and open process that includes the provision of the following reasonable notice to, and reasonable response time by, members of the general public and interested persons and organizations by completing the following at least fifteen days prior to making any appointments:

- (a) Direct mailings of the notice sent to each current IHSS service provider.
- (b) Direct mailings of the notice sent to each current IHSS recipient.
- (c) Direct mailings of the notice sent to community-based organizations providing services to the elders and disabled.
- (d) Publication of notice in local papers.

Section 4. Membership: Term.

- (a) The term of membership shall be four (4) years.

- (b) Notwithstanding the foregoing, of the initial members, six (6) shall serve a term of two (2) years, and five (5) shall serve a term of four (4) years. The Advisory Committee shall determine the allocation of terms by lot.
- (c) The terms shall begin on February 1st and shall expire on January 31st. The terms of the initial members shall be deemed to commence on February 1, 2001.

Section 5. Termination.

- (a) The Board of Supervisors may terminate the membership of any person who has three (3) unexcused absences from scheduled meetings or who, in the opinion of the Board of Supervisors, is not adequately performing the duties for which the member was appointed.
- (b) Resignation of members shall be accompanied by a letter or written documentation from the member or the Advisory Committee.

Section 6. Membership: Organization.

The Advisory Committee shall meet and elect a chair, vice-chair and secretary. Such officers shall serve until their successors are elected.

Section 7. Meetings.

- (a) Date. Meetings of the Advisory Committee shall be held from time to time as is appropriate on a regular date set by the committee. The Chair may call such special meetings as may be necessary.

- (b) Quorum. A majority of all serving members shall constitute quorum of the Advisory Committee.
- (c) Minutes. The secretary shall keep minutes of all specific actions taken and of the recommendations made to the Board of Supervisors, of members present and absent and shall file copies of the minutes with the Clerk of the Board of Supervisors.
- (d) Liaison. The Director of the Department of Employment and Social Services of the County shall serve as County liaison.
- (e) Rules. Meetings shall be conducted in accordance with the Brown Act and County policy.

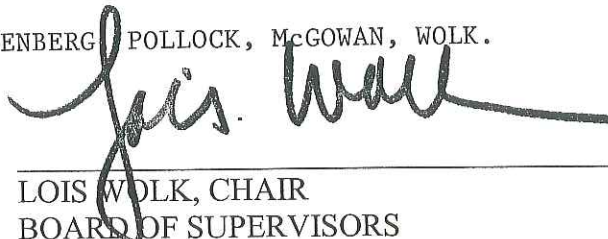
Section 7. Duties.

The duties and responsibilities of the Committee shall be to,

- (a) Submit recommendations to the Board of Supervisors on the preferred mode or modes of service to be utilized in Yolo County for In-Home Supportive Services, and
- (b) Provide ongoing advice and recommendations regarding In-Home Supportive Services to the Board of Supervisors, any administrative body in the County that is related to the delivery and administration of In-Home Supportive Services, and the governing body and administrative agency of any public authority, nonprofit consortium, contractor, and public employees.

PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 29th day of AUGUST, 2000, by the following vote:

AYES: STALLARD, ROSENBERG, POLLOCK, MCGOWAN, WOLK.
NOES: NONE.
ABSENT: NONE.

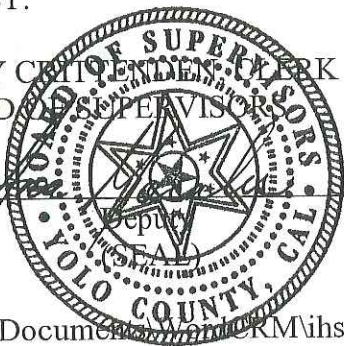


LOIS WOLK, CHAIR
BOARD OF SUPERVISORS
COUNTY OF YOLO, STATE OF CALIFORNIA

ATTEST:

PATTY CRITCHFIELD, CLERK
BOARD OF SUPERVISORS

By



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