DEPARTMENT: Human Services/IHSS

RECOMMENDED ACTION AND JUSTIFICATION:

It is respectfully recommended that your Board consider enacting the attached Resolution in Opposition of AB 1470 / SB 936.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Please See Attached.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Please See Attached.

Financial Impact? ( ) Yes (X) No Current FY Cost: $ 
Budgeted in Current FY? ( ) Yes (X) No ( ) Partially Funded
Amount in Budget: $ 
Additional Funding Needed: $ 
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

Annual Recurring Cost: $
List Attachments, number pages consecutively
Board Memo, 1-2
Resolution, 3-4

CLERK’S USE ONLY:
Res. No.: 5
Ord. No. ______
Vote – Ayes: 5 Noes: ______
Absent: ______

Approved
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: 
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ____________________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
✓ Requested Action Recommended
( ) No Opinion
Comments:

CAO: ________________________

Revised Dec. 2002
MARIPOSA COUNTY BOARD OF DIRECTORS

IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

RESOLUTION NUMBER 03-189

A RESOLUTION OPPOSING THE PASSAGE OF

ASSEMBLY BILL 1470 (AB 1470) AND SENATE BILL 936 (SB 936)

WHEREAS, AB 1470 would allow the wages and/or benefits of In-Home Supportive Services (IHSS) providers to be increased by a local voter initiative and would circumvent the ability of the Mariposa County IHSS Public Authority to set and negotiate wages with IHSS providers as currently empowered by statute; and

WHEREAS, additional cost increases in IHSS imperil the County budget and threaten other vital local services; and

WHEREAS, existing law provides for a process of collective bargaining with IHSS providers; and

WHEREAS, SB 936 would expand personal care services available to IHSS recipients by allowing such services to be provided under IHSS for up to thirty days when a recipient is admitted to a hospital or skilled nursing facility; and

WHEREAS, SB 936 would serve to alter the intent of the IHSS program which serves recipients in their homes; and

WHEREAS, it is unclear as to why services under IHSS would be needed by hospitalized or institutionalized recipients since employees at such facilities are not only able but intended to meet the needs of their patients; and

WHEREAS, the liability concerns arising from IHSS employees providing services within hospitals and skilled nursing facilities are potentially significant and have yet to be fully explored; and
Resolution NO. 03-189

WHEREAS, the cost of the IHSS program has nearly doubled statewide in the past five years; and

WHEREAS, AB 1470 and SB 936 violates existing law established by SB 90 imposing additional, unfunded mandates upon the County and serves to further increase program costs; and

WHEREAS, the state and counties are now facing unprecedented budget deficits for 2003/2004 and future fiscal years; and

WHEREAS, Mariposa County can ill afford new program mandates and related cost increases during this time of fiscal crisis.

NOW, THEREFORE, BE IT RESOLVED, that the Mariposa County Board of Supervisors of the Mariposa County IHSS Public Authority calls upon the Governor and the California State Legislature to oppose the passage of AB 1470 and SB 936.

This Resolution was passed and adopted by the Mariposa County Board of Supervisors of the Mariposa County IHSS Public Authority at a regular meeting thereof on the 27th day of May, 2003.

AYES: STETSON, BALMAIN, BIBBY, PARKER, PICKARD

NOES: NONE

ABSENT OR NOT VOTING: NONE

Bob Pickard, Board of Supervisors Chair

ATTEST: Margie Williams
Clerk of the Board of Supervisors

By: Margie Williams

APPROVED AS TO FORM:

JEFFREY GREEN
COUNTY COUNSEL

By: Jeffrey D. Green
June 10, 2003

Governor Gray Davis
State Capitol
Sacramento, California 95814

Re: In Home Supportive Services/Resolution in Opposition of AB 1470 and SB 936

Dear Governor Davis:

On May 27, 2003, the Mariposa County Board of Supervisors voted unanimously to adopt Resolution 03-189, opposing the passage of Assembly Bill 1470 (AB 1470) and Senate Bill (SB 936) and urges your support in these matters.

AB 1470 and SB 936 would expand the current In-Home Supportive Services (IHSS) program, which would drive up costs within the program. This program provides assistance to eligible aged (over 65), blind and disabled adults who are unable to remain safely in their own homes. Assistance is currently given by “providers” of personal care who are hired directly by the elderly or disabled client.

The California State Association of Counties (CSAC) indicates that AB 1470, “would authorize, in any county, the increase in in-home supportive services wages, benefits, or both, by voter initiative to the same extent that these wages and benefits may be increased by the board of supervisors under the In-Home Supportive Services (IHSS) program” There are no provisions to pay for an increase in local costs.

SB 936 would expand personal care services available to recipients by allowing these services for up to 30 days when a recipient is in a hospital or skilled nursing facility. Therefore, SB 936 would alter the entire intent of the IHSS program which is to keep people safely in their own homes to avoid costly hospitalization. Local costs would be provided if the Commissioner on State Mandates finds that there is a fiscal impact.

The IHSS program already costs this County more of its realignment dollars than the other social service programs. This is because the IHSS share of cost is greater (approximately 19%) in IHSS than in other programs.

Attached, please find a copy of the Mariposa County Board of Supervisor’s Resolution 03-189 and thank you for your help and thoughtful consideration of this request. If I can provide you with any further information on this matter, please contact me.

Sincerely,

BOB PICKARD
Chairman

Attachment

cc: Senator Chuck Poochigian
    Assembly Member Dave Cogdill
    Cheryle Rutherford-Kelly, Human Services Director
    File