

DEPARTMENT: Board

BY: Supervisor Stewart

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Adopt a resolution requesting that the State take immediate steps to adequately fund the In-Home Supportive Services (IHSS) Program to reduce counties' share of cost for IHSS.

See the attached resolution from Fresno County. Information will be forthcoming from the Human Services Director relative to the statistics for Mariposa County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this specific request.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- 1) Approve
- 2) Provide alternative direction

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

CLERK'S USE ONLY:

Res. No.: 02-405 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Am Approved () Denied

() 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'S RECOMMENDATION:
This item on agenda as:

_____ Recommended

_____ Not Recommended

_____ For Policy Determination

_____ Submitted with Comment

_____ Returned for Further Action

Comment: _____

C.A.O. Initials: MLL

1 BEFORE THE BOARD OF SUPERVISORS
2 OF THE COUNTY OF MARIPOSA
3 STATE OF CALIFORNIA
4 IN THE MATTER OF URGING THE STATE OF CALIFORNIA TO)
5 RECOGNIZE AND ACCEPT ITS ADMINISTRATIVE)
6 OVERSIGHT AND FISCAL RESPONSIBILITIES TO THE)
7 MANDATED IN-HOME SUPPORTIVE SERVICES PROGRAM)

RESOLUTION NO. 02-405

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10 WHEREAS, the In-Home Supportive Services (IHSS) program is a State
11 mandated and regulated program that is operated at the county level in accordance with the
12 Welfare and Institutions Code, Sections 12300 through 12316. Both Federal and State laws
13 serve to make IHSS an entitlement program, where interested individuals have a right to apply
14 for and are guaranteed IHSS services if financial and functional eligibility criteria are met; and

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17 WHEREAS, beginning in the 1950's, the Federal government addressed the
18 needs of older adult blind and disabled individuals through the Old Age Assistance, Aid to the
19 Blind and Aid to the Totally Disabled programs and California established the Attendant Care
20 program. Funded by both the State and Federal government, the Attendant Care program
21 allowed for cash grants to be directly distributed to eligible consumers for use in contracting with
22 individual caregivers; and

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25 WHEREAS, in the early 1970's, the Homemaker program was added to the
Attendant Care Program, which allowed recipients who could not hire or supervise their own
individual providers the opportunity to receive services; and

WHEREAS, the California legislature in April 1979 acted to eliminate the
distinction between the county homemaker and attendant care service provision modes, with
the new program being the predecessor of today's IHSS program. The legislature identified
consumers as the employer, yet maintained the responsibility of IHSS provider payments and
fiscal issues with the State; and

WHEREAS, the California Department of Social Services and counties share
administrative responsibility for the IHSS program; with the State's primary function to oversee

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2 the Electronic Data Systems that track information about consumers and caregivers and
3 process the payroll for caregivers. The State is responsible for paying unemployment and
4 worker's compensation insurance on behalf of IHSS consumers, collecting reimbursement from
5 the counties for costs the State incurs on their behalf, and writing regulations for the IHSS
6 program; and
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11 WHEREAS, in April 1993, when the Personal Care Services Program (PCSP) was
12 created, the IHSS administrative allocation formula was reevaluated as a result of Proposition
13 13 and the Senate Bill 90 requirement that all new State mandates be fully funded by non-
14 county funds. However, dramatic changes in IHSS demographics have put unjust and
15 unreasonable fiscal pressure on counties; and
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21 WHEREAS, the passage of Assembly Bill 1682 in 1999, which mandates the
22 establishment of employers of record for IHSS caregivers for the purpose of collective
23 bargaining for wages and benefits, is an important factor in funding formulas as this law is
24 significantly raising the costs of the IHSS program; and
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WHEREAS, counties are reaching the breaking point in meeting the costs of
continuing caseload growth, increased accessibility, wage and benefit increases, and other
costly demands for improvements in the IHSS program. County costs for IHSS have doubled
and tripled in some counties in a very short period of time and there is no cap on the growth of
the program.

Mariposa County has experienced an 8% average growth rate in the program
over the past eight (8) years. Growth during the past four (4) years ranged from 7% to 16% on
an annual basis (from 132 to 170 cases) with an estimated growth of 8% (184 cases) in Fiscal
Year 2002-03.

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2 WHEREAS, while the IHSS program is supported through Federal, State, and
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4 County funding sources, County Realignment and General Funds are inadequate to meet
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6 current and future program needs.

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8 Costs associated with mandated State minimum wage increases and IHSS
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10 program caseload growth have resulted in Mariposa County's total program costs rising from
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12 \$993,909 in 1998-99 to a projected \$1,892,165 in Fiscal Years 2003/04, the first year of full
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14 operation after the implementation of AB 1682. Mariposa County's share of these program costs
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16 will increase from \$293,700 in Fiscal Year 1998/99 to an estimated
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18 \$426,476 in Fiscal Year 2003/04.

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20 WHEREAS, while Realignment and General Fund dollars are used to support
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22 other county services and mandated programs, during economic downturns these funding
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24 sources are insufficient to meet the overall needs in counties throughout the State. Increased
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IHSS costs pressure Realignment funds, particularly within the Social Services account but
could potentially affect all programs funded by Realignment; and

WHEREAS, the Sales Tax Account in Realignment did not achieve the base in
2001-02 and counties will not receive any funds from the Caseload Growth Subaccount, which
pays for caseload growth in social services programs, including IHSS. As caseloads grow in
realigned programs and Realignment funding does not keep pace, counties will have fewer
dollars for these programs and IHSS costs could consume the funding for other realigned
programs; and

WHEREAS, the State has a legal obligation to preserve the financial viability of
counties through appropriate administrative oversight and fiscal management and funding of
mandated programs and services. To that end, it is imperative that the State Department of
Social Services reevaluate the IHSS administrative funding formula; develop strategies to

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2 address cost controls that preserve the IHSS philosophy and protect the needs of consumers at
3 risk of losing independence; provide consistent financial participation regardless of a County's
4 employer of record structure; and provide written guidelines to counties to increase
5 reimbursement for appropriate activities for income-eligible PCSP cases.
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10 NOW, THEREFORE, be it resolved that the Mariposa County Board of
11 Supervisors urges the State of California, Department of Human Services, to recognize its
12 administrative oversight and fiscal responsibilities to the mandate In-Home Supportive Services
13 program by developing strategies to address cost controls that preserve the IHSS program
14 philosophy and provide guidelines to counties to increase reimbursement for service activities
15 performed in IHSS.
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22 BE IT FURTHER RESOLVED, that as California counties are facing unjust and
23 unreasonable fiscal pressure due to dramatic changes in IHSS demographics, the State must
24 take immediate steps to adequately fund the IHSS program to reduce counties' share of cost for
25 IHSS in recognition of its status as primarily a Medi-Cal program by allowing counties to bill
Medi-Cal for appropriate service activities or it must assume total responsibility for
administration and funding of the program without further eroding either County Realignment or
the County General Fund and relieve counties of this escalating financial burden.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this
12th day of November, 2002 by the following vote:

AYES: Parker, Reilly, Stewart, Pickard and Balmain
NOES: None
ABSENT: None
ABSTAINED: None

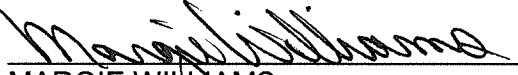


ROBERT C. STEWART, Chairman
Board of Supervisors


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ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel