



United Domestic Workers of America
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October 25, 2011

Toby Douglas, Director
Department of Health Care Services
1501 Capitol Ave., Suite 6001
Sacramento CA 95814

RE: Site Selection Criteria for California's Duals Integration Demonstration

Dear Director Douglas,

Please accept the following recommendations of criteria to include in your Department's Request for Solutions (RFS) or Request for Proposals (RFP) for the upcoming Duals Integration Demonstration.

These recommendations are based on the premise that services currently available through the In-Home Supportive Services (IHSS) program will be integrated into or coordinated through the Demonstration. Therefore our use of the term "IHSS Consumer" refers to those individuals who currently receive services through the IHSS program and who will continue to receive similar homecare services in the Demonstration. Our use of the term "IHSS Provider" refers to those individuals who current serve as homecare providers in the IHSS program and who will continue to provide similar homecare services in the Demonstration as well as those individuals who are hired in the future to provide homecare services in the Demonstration.

IHSS CONSUMERS:

- ✓ In support of the goals of the Demonstration as outlined in SB 208 - "Maximizing the ability of dual eligibles to remain in their homes and communities with appropriate services and supports in lieu of institutional care" and "Increasing the availability of and access to home- and community-based alternatives" - IHSS consumers must maintain their right to receive services in their homes and to self-direct these services. This includes the right to choose the individuals that provide their care and to hire, fire, and supervise these individuals.
- ✓ IHSS consumers must maintain the right to employ family members.

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- ✓ IHSS consumers should experience the greatest continuity of care possible. To that extent, they must be able to continue to employ their current IHSS provider while participating in the Pilot.

IHSS PROVIDERS:

- ✓ IHSS providers should, at a minimum, maintain all wages and benefits at their current levels.
- ✓ IHSS providers must maintain their statutory right to collective bargaining.
- ✓ UDW must remain the lawful collective bargaining representative of all existing bargaining units and all future bargaining units in its respective counties.
- ✓ All existing collective bargaining agreements, verbal or written, between UDW and IHSS Employers-of-Record must be maintained.

In addition, we recommend the following employer best practices for entities seeking to serve as a Duals Integration Demonstration site:

- ✓ All IHSS providers should have the option to participate in an affordable healthcare plan without a waiting period.
- ✓ All IHSS providers should have the option to participate in an employer-sponsored retirement savings plan.
- ✓ All IHSS providers should be granted the following benefits: mileage reimbursement at the IRS rate; paid time for work-related travel; paid holiday, vacation, sick, and bereavement time; paid overtime.
- ✓ Entities should implement a receipt and disbursement policy for recipient expenses to deter financial abuses.
- ✓ Entities should make available to IHSS providers standardized annual training that addresses the unique care needs of the dual eligible population and clarifies the roles and responsibilities of the provider and the employer. UDW recommends a minimum of 5 hours of orientation and safety training, and annual trainings thereafter for at least 8 paid hours on job-related topics.
- ✓ IHSS providers should not be required to pay for criminal background checks.
- ✓ IHSS providers should be given written notice of the number of authorized hours they are able to work each month and a list of the authorized services they are to provide.
- ✓ IHSS providers who are bi-lingual or multi-lingual should be granted higher wages if they must interpret on behalf of the IHSS consumer.
- ✓ IHSS providers should be granted “just cause” employment protection that simultaneously balances the right of the IHSS recipient to self-direct services.
- ✓ The Entity should implement a staffing backup plan in the event that an IHSS provider becomes unavailable to work a scheduled shift.

Finally, we recommend the following:

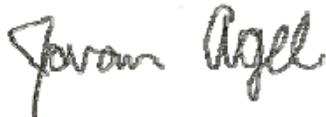
- ✓ In order to build a truly integrated health care delivery model that is centered around the needs of the Duals participant, the IHSS provider, where appropriate and with

the consent of the participant, should have the option to serve as a member of the participant's interdisciplinary care team. The unique perspective of the homecare provider – in terms of the hours spent in direct contact with the participant – would supplement the work of acute and chronic care providers, and could play a vital role in the participant's preventive care strategy.

- ✓ SB 208 directs the Department of Health Care Services (DHCS) to “monitor the utilization and caseload of the In-Home Supportive Services (IHSS) program before and during the implementation of the pilot program. This information shall be monitored in order to identify the impact of the pilot program on the IHSS program for the affected population.” In anticipation of this review, we urge DHCS to implement the Duals Integration Demonstration in a manner that does not negatively impact the utilization of the IHSS program for those individuals who are **not** participating in the Demonstration.

Thank you for the opportunity to provide input regarding the development and implementation of the Duals Integration Demonstration. We look forward to your response to our recommendations.

Sincerely,



Jovan Agee
Director of Political and Legislative Affairs

CC: Peter Harbage, Harbage Consulting
Will Lightbourne, Department of Social Services
Jennifer Troia, Senate Budget & Fiscal Review
Nicole Vazquez, Assembly Budget Committee