

IN-HOME SUPPORTIVE SERVICES

May 15, 2018

SUMMARY

The public is generally unaware of the function and benefits of In-Home Supportive Services program. This program is designed to enable elderly and disabled individuals to stay safely in their own homes with the assistance of a provider. This is a long term service for low income elderly, disabled individuals and couples, and disabled children with extraordinary needs.

The state refers to caregivers as providers. The county is not the employer of the providers. The recipient of care chooses and employs the caregiver who provides personal care and domestic tasks. Payment to the caregivers is managed by the state. Caregiver screening, training, and oversight is provided by the county.

The Mendocino County Grand Jury found during its investigation that necessary information on the county website regarding application, contact information, reporting abuse, and misuse of the program were not apparent. Computer searches for Mendocino County IHSS do not reveal any useful contact information.

Based on the county's ageing population, it is anticipated that this program will continue to grow in the future. If this program was eliminated or reduced, many of the individuals served by this program would be without needed care.

BACKGROUND

The 2017-18 Mendocino County Grand Jury decided to investigate In-Home Supportive Services (IHSS), a department of Mendocino County Health and Human Services Agency (HHSA), due to concerns voiced by the public.

APPROACH

The grand jury interviewed Public Authority/Quality Assurance staff, HHSA management and staff, and the District Attorney. The grand jury reviewed the Older American Act of 1965, state guidelines and Mendocino County documents defining the roles and responsibilities of both the recipient and the caregiver, and the HHSA 2017 goals for IHSS.

DISCUSSION

The In-Home Supportive Services program is designed to enable Medi-Cal eligible elderly and disabled individuals to stay safely in their own homes with the assistance of a caregiver. This is a long term service for low income elderly, disabled individuals and couples, and disabled children with extraordinary needs who require assistance. The public is generally unaware of the function and benefits of the IHSS program.

The entry for IHSS on the county website is vague and lacks the necessary information to help or guide those individuals who need information the most. Here it is in its entirety:

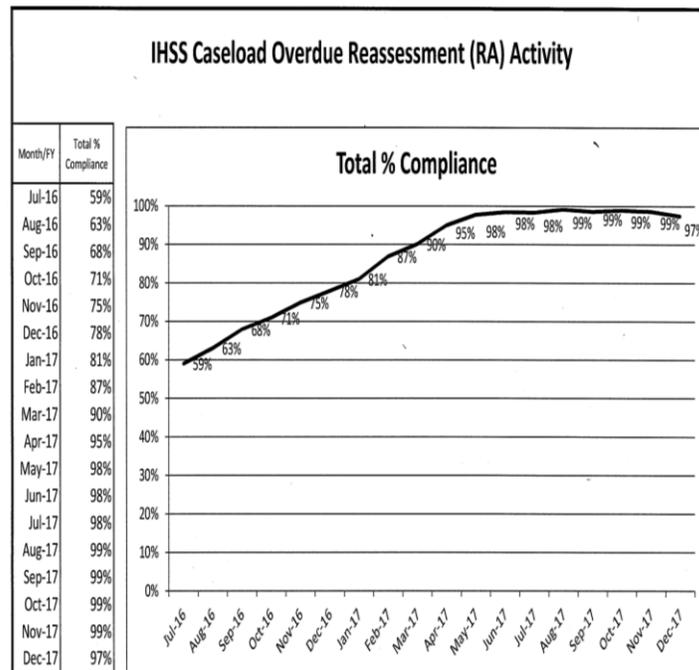
IHSS is a program for services to low income elderly and disabled individuals and couples who need assistance in order to remain safely in their own homes. Disabled children with extraordinary need may also be eligible for IHSS. IHSS Social Workers make a home visit to determine eligibility and need for IHSS and complete an assessment of the applicant’s ability to complete activities of daily living.¹

The grand jury tried to find an application form online and found no links available on the county website. While an applicant could find a listing on the state website, the link from the state to the county does not reveal any phone number or other contact information. This lack of information on the county’s website may be a barrier to individuals in need of assistance.

From other information supplied to the grand jury, the addresses and contact phone numbers for the three offices of IHSS are:

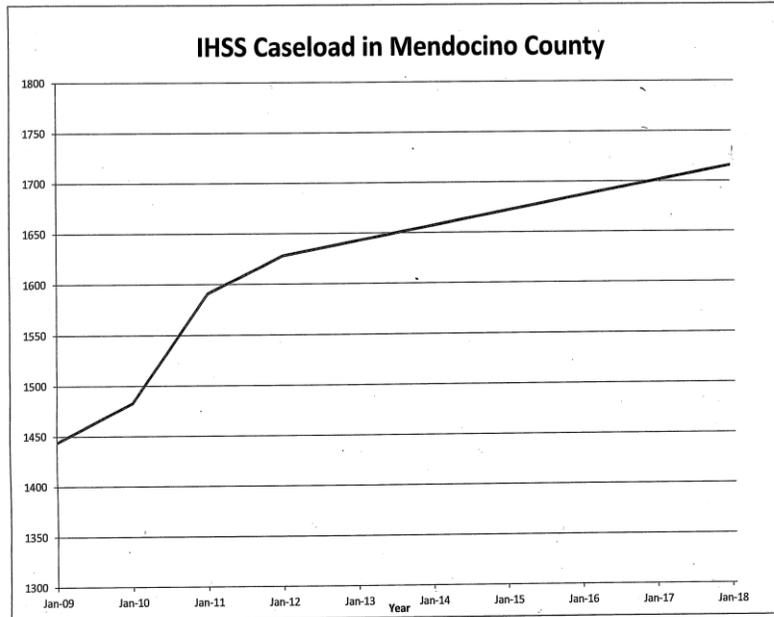
- Ukiah: 747 S. State St., 463-7900
- Willits: 221 S. Lenore Ave, 456-3740
- Fort Bragg: 764 S. Franklin St., 962-1000

In 2016, Mendocino County’s IHSS program was rated last of the 58 counties for failure to timely file state required reports. The State reviews a random sample of county IHSS records annually. In the current year, Mendocino County improved to 97% compliant in meeting the reporting standards due in part to an increase in some staffing. The following chart shows the improvement:



¹ <https://www.mendocinocounty.org/government/health-and-human-services-agency/social-services/adult-aging-services>

The IHSS caseload in Mendocino County is rising and is predicted to continue to rise due to the ageing population.



IHSS Recipient

To be eligible for the program, an individual must be Medi-Cal eligible and must have a statement of need from a physician. In 2015-16, according to HHSA, 1,774 individuals were able to remain in their own homes through the IHSS program.²

The recipient of IHSS is the employer who hires and fires the caregiver. The recipient or their designee signs the time card for the caregiver and is responsible for monitoring the completion of tasks. During the initial meeting with a county social worker, the recipient is instructed in the process of completing time cards and other responsibilities of being an employer. A recipient incapable of the process may designate a guardian or a person may be appointed by a power of attorney.

The recipient may receive up to 40 hours a week of care unless additional hours are needed for special circumstances and approved by a social worker. Some recipients may require more than one caregiver to meet their needs.

Once a recipient is accepted in the program, they can receive ongoing IHSS assistance subject to an annual social worker review.

IHSS Caregivers

According to the 2017-18 county budget, 1,557 caregivers are employed.³ The Public Authority maintains a list of caregivers from which a recipient may choose. However, the majority of the caregivers are family members of the recipients. All caregivers must be fingerprinted, pass a California Department of Justice criminal background check, and

² HHSA BU 5170 – In Home Supportive Services, 2017-18 Mendocino County budget overview, page 383.

³ Ibid.

attend an IHSS Program Provider Orientation. The orientation training is given in Ukiah, Willits, and Fort Bragg.

The job description for caregivers includes personal care and domestic tasks such as house cleaning, shopping, and laundry. Caregivers choose the tasks they are willing to provide for recipients. There are tasks not covered by the IHSS program such as pet care and window cleaning.

Payment for the IHSS program is provided by federal, state, and county funds. The caregiver base pay rate in Mendocino County is currently \$11 an hour. If a caregiver provides services for two or more recipients, they may work for a maximum of 66 hours a week. Job related travel time is compensated separately within this program. While the recipient signs the timecards, there is little government oversight of the accuracy of the timecards.

Social Worker

An initial visit by a social worker provides the assessment of the recipient's needs. After the initial assessment, the social worker is to visit annually and be available to evaluate problems as they arise. Social workers are in the field at least three days a week seeing up to six recipients a day. Due to the social worker position vacancies, the program supervisors often work in the field. Contributing factors to the vacancies are non-competitive salaries and high caseloads.

Home Care Coordinator

The Home Care Coordinator/Social Worker Assistant is required to make a home visit two weeks after the program is initiated and then monthly thereafter. Additional visits can be made at the request of the recipient, the caregiver, or the social worker.

Nurse Case Manager

The Nurse Case Manager conducts consultations and case management functions, including:

- visiting homes with social workers and evaluating clients
- reviewing current files
- creating nursing files
- completing various documents
- creating, implementing and/or revising treatment plans
- consulting with officials of other agencies

As of the date of this report, there are no nurse case managers in IHSS. It is not clear that all or any of these tasks are being completed in the absence of nurse case managers.

According to Mendocino County Human Resources, the nurse case manager in Ukiah left the position on July 29, 2017. This position was not been filled and, as of August 1, 2017,

the request to fill the position was withdrawn and replaced by a Social Worker III position. The Fort Bragg incumbent left the position on November 18, 2017. The Fort Bragg position was requested to be filled on December 18, 2017. As of the date of this report, the position has not been filled. The grand jury has been informed that new requisitions will be submitted in the near future.

Public Authority

The Public Authority is responsible for maintaining a list of caregivers who have completed the requirements of fingerprinting, criminal background check, and the orientation training. This unit is also tasked with investigating claims of fraud. The majority of fraud deals with time card abuse. According to the District Attorney's office, cases of fraud that are charge and trial ready are turned over to their office for review and potential prosecution.

A handout from the Mendocino County Department of Social Services, Adult Protective Services lists the following phone numbers to report abuse of elderly and dependent adults:

- Ukiah – 463-7900
- Willits – 456-3700
- Fort Bragg – 962-1102

FINDINGS

- F1. The continuous vacancies within all levels of IHSS impairs the ability of this department to function as intended and required.
- F2. The non-competitive salaries are a major factor in the vacancies.
- F3. The public is generally unaware of the function and benefits of this program.
- F4. Caregivers may choose from a variety of helping tasks and may exclude tasks they are not comfortable performing, which is helpful in recruitment.
- F5. Currently, IHSS staff expends the effort needed to cover vacant positions.
- F6. The lack of an IHSS nurse case manager causes deficiencies in the services offered by the program.
- F7. The website does not provide adequate information, which is a barrier to anyone trying to access the program.

RECOMMENDATIONS

- R1. All IHSS vacancies at the county level be filled in order to implement and manage this program effectively. (F1, F6)

- R2. Adjust salaries to be competitive with other rural counties. (F2, F6)
- R3. Increase public awareness of the IHSS program through marketing strategies. (F3, F7)
- R4. Emphasize flexibility in choosing tasks when recruiting for providers. (F4)
- R5. Change the website to include all pertinent contact information, forms, and complaint procedures and phone numbers. (F7)

RESPONSES

Pursuant to Penal Code §933.05, responses are required from the following governing body:

- Mendocino County Board of Supervisors (all findings, all recommendations)

Pursuant to Penal Code §933.05, responses are requested from the following individual(s):

- Mendocino County Human Resource Director (F1, F2, F7 and R1, R2, R5)
- Mendocino County Health and Human Services Agency Director (F3, F4, F7 and R3, R4, R5)

This report was issued by the Mendocino County Grand Jury with the exception of jurors who were former employees of HHSA. These grand jurors were excluded from all parts of the investigation, including interviews, deliberations, and the writing and approval of this report.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.