

SUBCOMMITTEE #3: Health & Human Services

Chair, Senator Mark DeSaulnier

**Senator Elaine K. Alquist
Senator Bill Emmerston**



Outcomes for Agenda II¹ May 25, 2011

Staff: Jennifer Troia

Vote-Only Agenda

**0530 Health & Human Services Agency (HHS), including Office of
Systems Information (OSI)**

HHS Issue 1: Tech4Impact Grant Award

Voted 3-0 to approve the requested \$65,000 increase in Reimbursement authority for 0530-001-0001.

HHS Issue 2: Aging & Disability Resource Connection (ADRC) Services

Voted 3-0 to approve of the requested increases in expenditure authority and establishment of authority for the limited-term SSM I position.

HHS Issue 3: Child Welfare Services/Case Management System (CWS/CMS)

Voted 3-0 to approve the requested decreases in 2011-12 expenditure authority.

HSS Issue 4: Case Management Information and Payrolling System (CMIPS II) Project

Voted 3-0 to approve the proposed changes in HHS and DSS expenditure authority, as well as the requested one-year extension of the four limited-term positions at DSS.

¹ The agenda itself contains further details on the context for the actions described here. It is published online at <http://sbud.senate.ca.gov/subcommittee3>.

HSS Issue 5: Health Information Exchange Support

Voted 3-0 to approve this request.

HSS Issue 6: Proposed Elimination of the CA Health Care Quality Improvement & Cost Containment Commission

Voted 3-0 to approve the proposed trailer bill language to eliminate this Commission.

4140 Office of Statewide Health Planning & Development (OSHPD)

OSHPD Issue 1: Implementation of Senate Bill (SB) 90

Voted 3-0 to approve the requested position and expenditure authority for implementation of SB 90.

4170 Department of Aging (CDA)

CDA Issue 1: Carry-Over of Federal Funds

Voted 3-0 to approve of the requested technical changes to carry-over the federal MIPPA funding.

5160 Department of Rehabilitation (DOR)

DOR Issue 1: Increased Federal Funding for Vocational Rehabilitation Services

Voted 3-0 to approve the requested changes to Budget Bill Items for DOR, including Items 5160-001-0001, 5160-001-0890, and Reimbursements.

5170 State Independent Living Council (SILC)

SILC Issue 1: ADRC Federal Grant

Voted 3-0 to approve the requested resources.

5175 Department of Child Support Services (DCSS)

DCSS Issue 1: Estimate Changes

Voted 3-0 to approve of the requested adjustments.

DCSS Issue 2: Transfer of Postage Funds

Voted 3-0 to approve the proposed technical adjustments needed to implement the new method of paying postage costs.

5180 Department of Social Services (DSS)

DSS Issue 1: Estimate Changes and Technical Adjustments

Voted 3-0 to approve caseload and other estimate adjustments, with any changes to conform as appropriate to other actions that have been or will be taken.

DSS Issue 2: Staffing Requests Previously Denied Without Prejudice

Voted 3-0 to approve the requested authority for the following positions and deny the requested authority for the remainder of the positions described in this agenda item:

- Four two-year limited-term positions to support DSS's workload related to provider exclusions and the establishment of the provider sales tax at DSS (with two positions for each of these efforts).
- The one-year extension of four limited-term positions at DSS to support the final stages of CMIPS II development;

DSS Issue 3: Solano County Licensing Workload Transfer

Voted 3-0 to approve of the requested resources and 0.5 of a position.

DSS Issue 4: Updates to Proposed Realignment of Child Welfare Services (CWS) Programs

Voted 2-1 (Emmerson no) to approve the proposed revisions to the previously adopted realignment proposal [subject to any changes that may result from conforming actions, including for Issue 5 described below (AB 3632 funding)].

DSS Issue 5: Proposed Transfer of Funding for Residential Costs of Special Education-Related Out-of-Home Placements (AB 3632)

No action taken. The outcome of this agenda item will conform to the Committee's action on the larger shift of responsibilities for the program from counties to schools. If such a transfer of program responsibilities is adopted by the Committee, the proposed shift of residential funding from DSS to CDE should also be approved. To the extent that trailer bill language may be necessary to effectuate that outcome, it will be approved as placeholder language subject to review and consideration in the trailer bill drafting process.

DSS Issue 6: Adoptions Assistance Program – Overpayments

Voted 3-0 to approve technical trailer bill language to fix the inaccuracies in current law regarding sharing ratios to be used when collecting overpayments.

DSS Issue 7: Proposed Elimination of the Continuing Care Advisory Committee

Voted 3-0 to approve the proposed trailer bill language to sunset the CCAC a year earlier than would otherwise occur.

DSS Issue 8: Proposed Suspension of Nutritional Requirements for Child Care Facilities (AB 2084)

Voted 2-1 (Emmerson no) to reject the proposed suspension of AB 2084 and related trailer bill language, directing the Department to instead absorb this minimal workload during its regularly scheduled inspections.

DSS Issue 9: Technical Adjustment to CalWORKs Stage One Child Care Funding

Voted 2-1 (Emmerson no) to approve this technical adjustment to the funding for Stage One Child Care.

DSS Issue 10: Proposed Extension of Moratorium on Group Home Rate Applications

Voted 3-0 to approve the trailer bill language and proposed one-year extension of the moratorium on group home rate applications.

DSS Issue 11: Proposed Suspension of Foster Youth Identity Theft Prevention Efforts (AB 2985)

Voted 3-0 to approve the proposed 2011-12 savings and adopt trailer bill language to delay implementation of the requirements of AB 2985 until July 1, 2013 (rather than make them subject to appropriation).

DSS Issue 12: Proposed Suspension of Resource Family Approval Pilot Efforts (AB 340)

Voted 2-1 (Emmerson no) to approve the proposed funding for 2011-12 and the trailer bill language that suspends implementation until January 1, 2012-- but with an amendment to delete the provision that would make implementation beyond that date subject to appropriation.

Discussion Agenda

4140 Office of Statewide Health Planning & Development (OSHPD)

OSHPD Issue 1: Proposed Eliminations of Three Healthcare-Related Policy Commissions

Voted 3-0 to approve trailer bill language to eliminate these three healthcare-related Commissions.

4200 Department of Alcohol & Drug Programs (ADP)

ADP Issue 1: Revision to Drug Medi-Cal (DMC) Estimates and Proposed Transfer of DMC to Department of Health Care Services (DHCS)

Voted 3-0 to approve the technical, estimate-related changes to the budget for the DMC program and the transfer of responsibility for administering the DMC program from ADP to DHCS. Correspondingly, adopted placeholder trailer bill language to effectuate this transfer. Amendments to the Administration's proposed trailer bill language will be made as necessary, including any amendments needed to preserve Legislative oversight. The Subcommittee will have the opportunity to address the related budget bill language under future health-related agenda items.

5160 Department of Rehabilitation (DOR)

DOR Issue 1: Proposed Change to Appeals Process

Voted 3-0 to approve the proposed elimination of the Rehabilitation Appeals Board.

5180 Department of Social Services (DSS)

0530 Health & Human Services Agency (HHS), including Office of Systems Integration (OSI)

AUTOMATION ISSUES

DSS Issue 1: Child Welfare Services (CWS)/Web Project

Voted 3-0 to approve the proposed suspension of CWS/Web and adopt trailer bill language directing DSS, in partnership with OSI and stakeholders, including Legislative staff and counties, to complete the following and provide an update to the Legislature by January 10, 2012:

1. Determine and describe the degree to which the CWS/CMS system:
 - a. Is in compliance with current law, regulation, and policy.
 - b. Supports current Child Welfare Services practice, including but not limited to key Child Welfare Service functions, ease of access to case and service information, multidisciplinary case management, and ease of use.
 - c. Links to information that enhances investigation, case management, or efficiency.
 - d. Provides ready access to data for reporting, planning, management, and program outcome monitoring.
2. Determine the best approach to address any missing functionalities that are critical to CWS operations. Options shall include building functionality into the current CWS/CMS system, restarting the CWS/Web procurement, or developing a new procurement.
3. Assess and report on communication from the federal government regarding requirements of the system, both by the January 1, 2012 deadline and thereafter when there is additional direction on federal expectations.
4. Recommend next steps, including a timeline, for implementing the recommended approach or approaches.

DSS Issue 2: Los Angeles (LA) Eligibility, Automated Determination, Evaluation and Reporting (LEADER) Replacement System (LRS)

Voted 3-0 to sweep \$14.1 million GF that was budgeted for LEADER in 2010-11, via the addition of the following Budget Bill Language:

“5180-495 Reversion, Department of Social Services. As of June 30, 2011, the balances specified below, of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

0001- General Fund

(1) Item 5180-141-0001, Budget Act of 2010 (Ch. 712, Stats. 2010). Up to \$14,062,000 appropriated in Program 16.75 – County Administration and Automation Projects.”

Further, approved (also 3-0) a delay in the development of LRS in the budget year, with corresponding savings of approximately \$13 million GF for 2011-12, and any attendant technical changes that are required to effectuate this reduction.

OTHER CALWORKS ISSUES

DSS Issue 3: Proposed Amendments to SB 72 (March Trailer Bill)

Voted 3-0 to approve the proposed trailer bill language, subject to technical changes that may arise in drafting but are consistent with the proposed policy changes and clarifications.

IN-HOME SUPPORTIVE SERVICES (IHSS) ISSUES

DSS Issue 4: Proposed Amendments to SB 72 (March Trailer Bill)

- 1) Voted 3-0 to amend the proposed intent language as follows:

12301.03(a) Authorized hours under the IHSS program were reduced in fiscal year 1992/1993 and included a supplemental assessment process that ~~ensured~~ was intended to ensure that IHSS recipients remained safely in their homes.

(b) The reduction in authorized hours as provided for in the Act that added this section includes a supplemental assessment process that ~~will~~ is similarly intended to ensure that IHSS recipients will remain safely in their homes.

- 2) Voted 2-1 (Emmerson no) to reject the proposed elimination of the pre-approval process to exempt certain especially at-risk recipients from the reduction and approve of the proposed exemptions for recipients receiving services under specified waiver programs.
- 3) Voted 2-1 (Emmerson no) to replace (rather than deleting) the language related to exceptions to having a certification of need prior to receiving services described in #2 of the background section on Proposed Amendments above. The new language would read: “Services may be authorized temporarily pending receipt of the certification when the county determines there is a risk of out of home placement.”

- 4) Voted 3-0 to approve of the proposed repeal of the prohibition on backfilling lost IHSS hours with additional Waiver Personal Care Services hours.

DSS Issue 5: IHSS- Proposed Trailer Bill Language Related to Provider Exclusions

Voted 2-1 (Emmerson no) to reject the proposed trailer bill language to broaden and make more generic the list of criminal convictions that serve as a bar to being an IHSS provider and to reject any portion of the proposed funding that is attributed to the use of the state-level Suspended & Ineligible list for Medi-Cal providers.

DSS Issue 6: IHSS- Public Authority Administration Funding

Voted 2-1 (Emmerson no) to reject the proposed reduction to Public Authorities' Administration funding and adopt trailer bill language directing the Department, in consultation with stakeholders including at least the counties and public authorities, to develop a new rate-setting methodology for public authority administrative costs, beginning with the 2012-13 fiscal year.

DSS Issue 7: IHSS- County Administration and District Attorney Funding

Voted 2-1 (Emmerson no) to reject any part of the proposed reduction in counties' administration funding from March to May, as specified (approximately \$4.5M GF and corresponding other funds). In conjunction with this action, rejected the continuation of the \$28.4 million (\$10 million GF) for county/district attorney activities.

OTHER CHILDREN'S PROGRAM ISSUES

DSS Issue 8 (#836): Proposed Rate Increase for Foster Families and Other Specified Caregivers

Voted 3-0 to approve the requested resources and adopt the Administration's trailer bill language as placeholder language to effectuate the new rate-setting system. To the extent that a court decision necessitates a different starting date for the foster family home rate changes described above, additional changes related to those and the other rates described in the agenda become necessary. Also, directed the Administration to provide, prior to finalization of related trailer bill provisions that would identify a specific methodology, additional information with respect to the options available for measuring proposed cost of living increases that would begin in 2012-13. This information shall include, but not be limited to how the options presented compare with other statutorily-based adjustments that may be comparable (e.g., for other foster care placements and other social services programs) and in terms of their potential fiscal impacts over time.