

Countywide Services Agency

Department of  
Health and Human Services

Senior and Adult Services Division  
Bernadette Lynch, Chief



Terry Schutten, County Executive

James Hunt, Acting Administrator

Ann Edwards-Buckley, Director

## County of Sacramento

October 26, 2009

Eva Lopez, Deputy Director  
Adult Program Division  
State of California – Health and Human Services Agency  
Department of Social Services  
744 P Street, MS 8-17-12  
Sacramento, CA 95814

Dear Eva:

This letter is submitted by the Sacramento County In-Home Supportive Services to provide information about the efforts of our county to implement the provider orientation mandates scheduled to begin on November 1, 2009.

Our county is struggling to meet the November 1, 2009 start date as outlined by the state. In large part, this is due to delays in receiving necessary materials. We have only seen the SOC 846 in draft form. We have no translated materials with which to train the very diverse group of providers in Sacramento County. Indeed, should a recipient need to enroll any non-English speaking provider on November 2, we would be hard pressed to assure that materials would be available to do so. We do not have a list other than a draft of the criminal convictions that would bar an individual from seeking employment as a care provider.

Other difficulties in implementation are caused by a lack of clarity in the requirements themselves. For example, the example of the provider orientation CD that we have seen states that a provider might be disqualified, if convicted of certain crimes in the last 10 years, yet SOC 426B Attachment M state that any person who has ever been convicted of or in prison for a felony crime or certain misdemeanors are not eligible to be a provider. Another example involves the use of post office boxes as a mailing address, the authorization for which is understood to be determined by counties. Such county-by-county decisions as to enrollment standards may lead to disparate impacts in provider enrollment statewide. The CD that we have viewed indicates that recipients will be fingerprinted but we cannot provide any information at all about that requirement.

In addition to the aforementioned barriers to effective implementation of the new requirements, the shortened timeframe has created an inability to provide meaningful feedback about any of the materials and forms or receive clarification regarding program rules and standards. For instance, counties have not been advised on how to respond to current caregivers demanding payment for

Ms. Eva Lopez  
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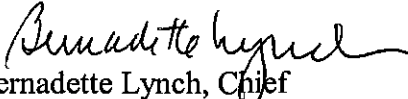
training time to complete the mandatory orientation. We would have suggested that information about Share of Cost, a completed Notice of Action, union membership and the importance of aggregated income on tax filing should be included.

Our agency is working diligently to meet the deadline for the new training and enrollment requirements yet the timeframe seems unrealistic. This could result in recipients being left in unsafe situations or that a lack of providers may cause increased levels of institutional care. Moreover, lack of specificity about enrollment requirements will likely prove confusing to providers, staff, and recipients alike.

Finally, the imposed deadline for completion of the provider enrollment activities (July 1, 2010) is unrealistic. To accomplish this in Sacramento County will require that over 225 providers EACH DAY must be identified in-person, attend an orientation (or attest to reviewing the materials), complete the necessary paperwork, and begin the DOJ process. While some providers are anxious to begin the process, there are many who are expressing the difficulty this process places on them in terms of costs, lack of replacement providers to provide care in their absence and, with consistency, an expectation to be paid for the time associated with the new enrollment activities. Managing to get the required number to attend (not more or less) is in all likelihood unachievable.

Sacramento County will be as prepared as is reasonably possible to comply with the new requirements; however, we join with the CWDA and CAPA in requesting delayed implementation and an extension of the deadline for completion of the enrollment process.

Sincerely,

  
Bernadette Lynch, Chief  
DHHS-Senior and Adult Services  
County of Sacramento

cc: Ann Edwards-Buckley, Director, Department of Health & Human Services