



# CICA California In-Home Supportive Services Consumer Alliance

State Wide Meeting Minutes for Wednesday, December 16, 2009  
Via Conference Call

## 1. CALL TO ORDER

Meeting called to order by Janie Whiteford at 10:05AM.

## 2. ROLL CALL AND INTRODUCTIONS

### Members Present

Shirley Adams, Orange County  
Heidi Aharonian, Orange County  
Cindy Calderon, Humboldt County  
Phillip Childres, Monterey County  
Tracy Harrel, Tulare County  
Jenilynn Jimenez, San Diego County  
Chris Otero, PASC Los Angeles County  
Carolyn Rose, Sacramento County  
Fran Smith, Yolo County  
Erin Stevens, Sonoma County  
John Stevenson, San Diego County  
Ethel Webb, Shasta County  
Janie Whiteford, Santa Clara County  
Virginia Wilson, San Diego County  
Lawrence Zynda, San Diego County

### CICA Support Staff

Amy Terhorst

### CICA Guests

Karen Keesler, UDW Consultant  
Deborah Doctor, DRC  
John Stansbury, CICA Consultant

## 3. BUDGET AND LEGISLATIVE UPDATE

Karen Keeslar reported that the legislature is currently not in session and will be returning January 4. It is expected that the governor will introduce his budget proposal to deal with the deficit on January 8. The primary activity of many of the IHSS stakeholders has been responding to the many All County Letters from the state.

As of November 1, all new providers must fill out a new provider enrollment form, attend an orientation at a county facility, and clear a department of justice criminal background check at their own expense in order to be paid as a provider. Most counties do not have the resources in place to meet these requirements. For the month of November, about 34,000 people applied to

become providers who already have consumer clients. We are still on the same course and still have many problems.

#### **4. UPDATE ON LAWSUITS**

Karen Keeslar reported on the following:

Martinez vs. Schwarzenegger – Filed in the spring after cuts to workers wages. The court filed a preliminary injunction in June to stop the cuts. The court has set a hearing date for June 19 to hear the oral arguments. It will likely be another year before final outcome.

V.L. vs. Wagner – The unions have joined with the DRC to identify plaintiffs that would have been harmed by implementation of cuts based on functional index scores. The case prevailed with a preliminary injunction. Arguments go to court tomorrow where both sides submit their papers. The state has filed an appeal.

Ellis vs. Wagner – Filed in Alameda court dealing with the state trying to say that anybody who has ever been convicted of a felony in their life or any crime from a list of misdemeanors would not be paid as providers. Ruling was that the state could only use three crimes: convictions of elder abuse; convictions of child abuse; convictions of fraud against publicly refunded health programs. The next hearing date is January 26.

St. John's vs. Schwarzenegger – Independent Living Centers, California Federation of Independent Living Centers, and California Association of Public Authorities in Sierra-Nevada counties claim that the State Constitution only allows a governor to veto "items of appropriation" and that the line item veto power does not apply to a revised budget where funding was previously approved and enacted – in this case in February when the 2009-2010 State Budget was passed by the Legislature and approved by the Governor four months early.

More information and updates on lawsuits can be found at the IHSS Coalition website at [www.ihsscoalition.org](http://www.ihsscoalition.org) or CDCAN at [www.cdcan.us](http://www.cdcan.us).

#### **5. IHSS COALITION STATUS**

Janie Whiteford reported that the IHSS Coalition has been very active and is working very hard on behalf of all consumers and providers. For a full update on IHSS Coalition status, go to [www.ihsscoalition.org](http://www.ihsscoalition.org).

#### **6. APPEAL FROM DISABILITY RIGHTS CALIFORNIA**

Deborah Doctor reported that DRC is reaching out to organizations like CICA to give reports on what is actually happening with consumers and providers. DRC is not receiving a lot of calls from consumers complaining about not getting providers or about providers not getting paid. In order to fight back, they need to really know what the problem is and the breadth of the issue. Deborah will send a request to Janie for input and it will be distributed through CICA.

#### **7. CAPA REPORT**

Janie Whiteford reported that Trula LaCalle is no longer with CAPA and Lauren Rolfe, previous Executive Director of the Solano County Public Authority has stepped in as interim ED of CAPA.

**8. CICA CONFERENCE REPORT**

Amy Terhorst updated attendees on the January 22-24 CICA conference. Registrations are going well. An agenda for the conference can be found at the CICA website at [www.cicaihss.org](http://www.cicaihss.org).

**9. CICA MEMBERSHIP UPDATE**

Janie Whiteford reported that in order to be a member of CICA, Advisory Committees must be dues paying. At that time, they will have a right to vote. The CICA annual meeting will be held on January 23, 2010 during the CICA conference. Elections for officers will also be held during the conference. One designated person from each member advisory committee will be allowed to vote on behalf of the advisory committee.

**10. CICA SLATE OF OFFICERS FOR 2010/2011**

Janie Whiteford reported that there is a potential slate of officers with the exception of Secretary. The positions up for election this year include President, Executive Vice President, Treasurer, and Secretary. Obligations of the Secretary include being a signer on legal documents of the organization. If you are interested in submitting a nomination for the position, please contact Janie Whiteford at [janie@cicaihss.org](mailto:janie@cicaihss.org).

**11. COUNTY HAPPENINGS**

Ethel Webb with Shasta County reported that the county is not allowing their Advisory Committee members to meet and is not allowing payment for conference attendance. John Stansbury volunteered to talk with Ethel offline and try to resolve the issue. Ethel also reported that Shasta County held their first annual provider appreciation meeting and it was a great success with between 150-200 people in attendance.

Chris Otero reported that PASC LA just met and approved a contract with DPSS that has the PASC running the new provider orientations for Los Angeles county.

Janie Whiteford reported that Santa Clara county Public Authority has a contract to do the new provider orientations as well. The Public Authority is part of the Council on Aging and providers will be able to get their fingerprinting done for \$12 each because of the non-profit status of COA.

**12. OTHER**

No other business was placed on the agenda.

**13. ADJOURNEMENT**

The meeting adjourned at 11:15AM. The next regularly scheduled CICA statewide meeting will take place Wednesday, January 20, 2010 at 10:00AM.

**\*\*Please make sure to join the call from a quiet location or be prepared to mute your phone while on the call. Your call may be subject to mute by the Administrator if the noise level cannot be controlled.**

**Thank you for your cooperation.\*\***

*Submitted by Amy Terhorst*