



IHSS Coalition

QUALITY CARE BEGINS AT HOME

April 22, 2009

The Honorable Carol Liu
Chair, California Senate Human Services Committee
State Capitol, Room 5061
Sacramento, CA 95814

**RE: SB 142 (Maldonado) – IHSS Provider Timesheets
OPPOSE**

Dear Senator Liu,

The undersigned organizations are members of the IHSS Coalition and are opposed to SB 142 by Senator Maldonado which would require the California Department of Social Services to revise the standardized timesheet used to track the work performed by IHSS providers to require that the specific times worked by the provider be recorded, rather than the total hours worked. The bill would also require provider timesheets to be submitted to the county within 30 days of providing the services recorded on the timesheet.

The IHSS program provides personal care and domestic services to aged, blind or disabled individuals in their own homes. The purpose of the program is to allow these individuals to live safely at home rather than in costly and less desirable out-of-home placement facilities. As of December 2008, there are approximately IHSS 440,000 consumers and 376,000 providers.

Timesheets are used to summarize the hours the IHSS provider worked each day during a pay period. At the end of a pay period, the consumer signs the timesheet, indicating that the hours reported accurately summarize the hours worked. It is unlawful for a provider to enter more hours on the timesheet than they actually worked, and it is unlawful for a consumer to sign for more hours than the provider worked during that pay period.

The IHSS timesheet is already more complicated than many timesheets for other occupations. IHSS providers are required to fill in the number of hours worked each day of the pay period using decimals to designate partial hours: each tenth 1/10 of an hour equals 6 minutes. This process of converting time worked into decimals often leads to innocent errors by IHSS workers and results in late payment. County and/or Public Authority payroll clerks are unable to process timesheets that are filled out with a pencil or when whiteout is used to make a correction. It is already difficult enough to



IHSS Coalition re: SB 142 (Maldonado) – IHSS Timesheets

breakdown the time worked by the required decimal system. We believe that more innocent errors may be made if the IHSS timesheet requires a further itemization of the specific times worked if the current decimal system is used on the revised timesheet that would be required by SB 142.

We are also opposed to the language in SB 142 that would require timesheets to be submitted to the county within 30 days of providing the services recorded on the timesheet. This provision of the bill implies that payment would not be received for timesheets submitted after 30 days. California and federal labor laws are clear about requiring that payment be made for hours worked.

Although the majority of timesheets are currently submitted within a short time after the work has been completed, there are legitimate circumstances when a worker must submit their timesheet after a 30-day time period has lapsed. It is fairly common for IHSS providers to receive their first paycheck three to six weeks after mailing in the initial payroll enrollment form. The envelope with the paycheck also includes the timesheet. So when one paycheck is late, the timesheet for the next pay period is also late. If the paycheck is lost, stolen or otherwise delayed, the IHSS provider cannot report it for 10 working days (after the date that the paycheck was expected to arrive). This sets up a spiral where IHSS providers may not be able to submit their timesheets within a 30-day period after completing work.

We respectfully urge your “no” vote on SB 142.

Sincerely,

John Wilkins, IHSS Coalition Chair (Fresno IHSS Consumer)
AARP-California
California Alliance for Retired Americans (CARA)
California Association of Public Authorities for IHSS (CAPA)
Californians for Disability Rights, Inc. (CDR)
California Disability Community Action Network (CDCAN)
California Foundation for Independent Living Centers (CFILC)
California In-Home Supportive Services Consumer Alliance (CICA)
California Senior Legislature
California United Homecare Workers (CUHW)
Congress of California Seniors
Disability Rights California (formerly Protection & Advocacy, Inc.)
Gray Panthers California
Herbert M. Meyer, Consumer of IHSS Services, Marin County.
IHSS Public Authority of Marin County
Independent Living Services of Northern California
Marin Center for Independent Living
Nevada Sierra Regional IHSS Public Authority
Northern California ADAPT
Older Women’s League California (OWL)



IHSS Coalition re: SB 142 (Maldonado) – IHSS Timesheets

Personal Assistance Services Council of Los Angeles County
Resources for Independent Living
San Francisco IHSS Public Authority
Service Employees International Union – State Council:
 SEIU United Long Term Care Workers
 SEIU United Healthcare Workers West
 SEIU Local 521
Silicon Valley Independent Living Center (SVILC)
United Domestic Workers of America/AFSCME
Western Center on Law & Poverty

cc: Members, Senate Human Services Committee
 Senator Maldonado

DRAFT