



AB 1797: IHSS Beneficiary Empowerment Act of 2016

ISSUE

Should IHSS applicants get a confirmation number when they make a telephone IHSS application?

BACKGROUND & CURRENT LAW

Current law is silent on the right of an IHSS applicant to file an IHSS and only Section §12301.15 mentions in passing about an IHSS beneficiary application.

In order to receive IHSS services, an elderly, disabled, or blind person must file an application for IHSS. Just about every county requires that the application be done by telephone. In some instances, because of the instability of the system, these beneficiaries who are elderly and disabled file an application that gets lost in the system, which can be tremendously frustrating. This has been a major issue for advocates representing IHSS recipients throughout the state for many years, and this bill seeks to solve this problem.

There is an application form known as SOC 295, which the IHSS beneficiary is asked to sign when the social worker goes to the applicant's house for an assessment. Advocates have recommended that the county provide applicants with a confirmation number when applying telephonically.

PROPOSED LAW

AB 1797 would provide that any person, who needs in-home services to avoid being placed in a nursing home, shall have the right to apply for services in-person or by telephone and receive a confirmation number for the application when applying by phone. This bill allows the counties to use the currently issued case number as a confirmation number. Furthermore, this bill would also require that an IHSS application be acted upon within 30 days.

PURPOSE

The purpose of this bill is to make the IHSS system more effective and efficient not only for the county, but also for the beneficiary.

WHAT CODE SECTION WILL BE AFFECTED?

Welfare and Institutions Code Section 12301.16 is added to read:

12301.16. Any person may apply for services under this article in person or through electronic means, including telephonically. If an application is not filed in-person, then the department shall provide the applicant with a confirmation number in order for the applicant to have evidence that he or she filed an application for services under this chapter. The application shall be acted upon within 30 days.

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