



Unmet Need & Changed Circumstances

“Unmet Need” is the number of hours an IHSS Consumer needs over and above the hours assessed by the IHSS social worker.

If a consumer has been assessed for “unmet need”, then the hours reduction on July 1st will come *first* from the unmet need. Some counties refuse to assess unmet need or say they do it, but then don’t really do it. IHSS regulations (Manual of Policies and Procedures or MPP) require that unmet need be assessed and it is included in the assessment form social workers use.

Here is the link:

<http://www.dss.cahwnet.gov/ord/entres/getinfo/pdf/ssman2.pdf%20Scroll%20to%20page%2081>. Note the beginning of the paragraph (.27) states: “The needs assessment form shall itemize the need for services and shall include the following.”

Unmet need is a required part of the needs assessment, per MPP 30-761.274. The state/county IHSS assessment forms include a box for unmet need, and it is part of the IHSS social worker training materials.

There is a good summary of the state’s position on how it is supposed to work in the IHSS provider handbook

(http://www.cdss.ca.gov/agedblinddisabled/res/pdf/IHSS_Provider_Handbook.pdf), page 15:

Program limitations: Unmet need and alternative resources

There is a maximum number of hours the consumer may receive each month. Sometimes a consumer needs more hours of service than the maximum allowed under IHSS. This is called “unmet need.” Unmet needs may be met by Adult Day Health Centers, family members, other agencies, and/or volunteers. If the consumer has an unmet need, you can ask the social worker for a referral to an agency that might help. Friends, relatives, or agencies can volunteer for unmet need hours without affecting IHSS eligibility.

If the social worker determines that the unmet need cannot be filled and the consumer “cannot remain safely at home,” the social worker may deny the application for IHSS support. For example, IHSS cannot provide 24-hour coverage for someone who needs round-the-clock nursing care.

Changed Circumstances You cannot request a reassessment based on “changed circumstances” just because your hours have been reduced. However, you *can* request reassessment if the reduction in hours *causes* a change in circumstances. For example: If your worker has been volunteering extra time and cannot continue doing so because of the reduction in income, that qualifies as a changed circumstance. Disability Rights California will be doing post-settlement educational materials that should cover this issue.