

DEPARTMENT: Human Services/IHSS

BY: Cheryle Rutherford-Kelly  
PHONE: 966-2442

**RECOMMENDED ACTION AND JUSTIFICATION:**

It is respectfully recommended that your Board consider enacting the attached Resolution in Opposition of AB 1470 / SB 936.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

Please See Attached.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Please See Attached.

Financial Impact? ( ) Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes (X) No ( ) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Board Memo, 1-2
Source:		Resolution, 3-4
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
( ) General ( ) Other _____		_____

**CLERK'S USE ONLY:**

Res. No.: 03-189 Ord. No. \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_

Approved  
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CAO: *RKH*

1 **MARIPOSA COUNTY BOARD OF DIRECTORS**

2 **IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**

3  
4 **RESOLUTION NUMBER** 03-189

5  
6 **A RESOLUTION OPPOSING THE PASSAGE OF**

7 **ASSEMBLY BILL 1470 (AB 1470) AND SENATE BILL 936 (SB 936)**

8  
9 **WHEREAS, AB 1470 would allow the wages and/or benefits of In-Home**  
10 **Supportive Services (IHSS) providers to be increased by a local voter initiative and would**  
11 **circumvent the ability of the Mariposa County IHSS Public Authority to set and negotiate wages**  
12 **with IHSS providers as currently empowered by statute; and**

13 **WHEREAS, additional cost increases in IHSS imperil the County budget and**  
14 **threaten other vital local services; and**

15 **WHEREAS, existing law provides for a process of collective bargaining with IHSS**  
16 **providers; and**

17 **WHEREAS, SB 936 would expand personal care services available to IHSS**  
18 **recipients by allowing such services to be provided under IHSS for up to thirty days when a**  
19 **recipient is admitted to a hospital or skilled nursing facility; and**

20 **WHEREAS, SB 936 would serve to alter the intent of the IHSS program which**  
21 **serves recipients in their homes; and**

22 **WHEREAS, it is unclear as to why services under IHSS would be needed by**  
23 **hospitalized or institutionalized recipients since employees at such facilities are not only able but**  
24 **intended to meet the needs of their patients; and**

25 **WHEREAS, the liability concerns arising from IHSS employees providing services**  
**within hospitals and skilled nursing facilities are potentially significant and have yet to be fully**  
**explored; and**

1 WHEREAS, the cost of the IHSS program has nearly doubled statewide in the  
2 past five years; and

3 WHEREAS, AB 1470 and SB 936 violates existing law established by SB 90  
4 imposing additional, unfunded mandates upon the County and serves to further increase  
5 program costs; and

6 WHEREAS, the state and counties are now facing unprecedented budget deficits  
7 for 2003/2004 and future fiscal years; and

8 WHEREAS, Mariposa County can ill afford new program mandates and related  
9 cost increases during this time of fiscal crisis.

10 NOW, THEREFORE, BE IT RESOLVED, that the Mariposa County Board of  
11 Supervisors of the Mariposa County IHSS Public Authority calls upon the Governor and the  
12 California State Legislature to oppose the passage of AB 1470 and SB 936.

13 This Resolution was passed and adopted by the Mariposa County Board of  
14 Supervisors of the Mariposa County IHSS Public Authority at a regular meeting thereof on the  
15 27th day of May, 2003.

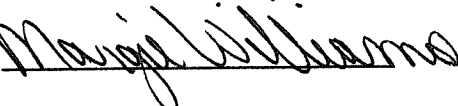
16 AYES: STETSON, BALMAIN, BIBBY, PARKER, PICKARD

17 NOES: NONE

18 ABSENT OR NOT VOTING: NONE

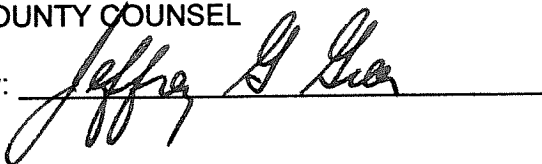
19   
20 Bob Pickard, Board of Supervisors Chair

21 ATTEST: Margie Williams  
22 Clerk of the Board of Supervisors

22 By: 

23 APPROVED AS TO FORM:

24 JEFFREY GREEN  
25 COUNTY COUNSEL

25 By: 

# Mariposa County Board of Supervisors

District 1 ..... LEE STETSON  
District 2 ..... DOUG BALMAIN  
District 3 ..... JANET BIBBY  
District 4 ..... GARRY R. PARKER  
District 5 ..... BOB PICKARD



RICHARD H. INMAN  
County Administrative Officer

MARGIE WILLIAMS  
Clerk of the Board

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June 10, 2003

Governor Gray Davis  
State Capitol  
Sacramento, California 95814

Re: In Home Supportive Services/Resolution in Opposition of AB 1470 and SB 936

Dear Governor Davis:

On May 27, 2003, the Mariposa County Board of Supervisors voted unanimously to adopt Resolution 03-189, opposing the passage of Assembly Bill 1470 (AB 1470) and Senate Bill (SB 936) and urges your support in these matters.

AB 1470 and SB 936 would expand the current In-Home Supportive Services (IHSS) program, which would drive up costs within the program. This program provides assistance to eligible aged (over 65), blind and disabled adults who are unable to remain safely in their own homes. Assistance is currently given by "providers" of personal care who are hired directly by the elderly or disabled client.

The California State Association of Counties (CSAC) indicates that AB 1470, "would authorize, in any county, the increase in in-home supportive services wages, benefits, or both, by voter initiative to the same extent that these wages and benefits may be increased by the board of supervisors under the In-Home Supportive Services (IHSS) program" There are no provisions to pay for an increase in local costs.

SB 936 would expand personal care services available to recipients by allowing these services for up to 30 days when a recipient is in a hospital or skilled nursing facility. Therefore, SB 936 would alter the entire intent of the IHSS program which is to keep people safely in their own homes to avoid costly hospitalization. Local costs would be provided if the Commissioner on State Mandates finds that there is a fiscal impact.

The IHSS program already costs this County more of its realignment dollars than the other social service programs. This is because the IHSS share of cost is greater (approximately 19%) in IHSS than in other programs.

Attached, please find a copy of the Mariposa County Board of Supervisor's Resolution 03-189 and thank you for your help and thoughtful consideration of this request. If I can provide you with any further information on this matter, please contact me.

Sincerely,

BOB PICKARD  
Chairman

Attachment

cc: Senator Chuck Poochigian  
Assembly Member Dave Cogdill  
Cheryle Rutherford-Kelly, Human Services Director  
File

