



**United Domestic Workers of America
AFSCME Local 3930 /AFL-CIO**

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April 28, 2011

Charissa S. Miguelino, Chief
Adult Programs Policy and Operations Bureau
California Department of Social Services
744 P Street
Sacramento, CA 95814

**RE: Response to the IHSS Program Integrity and Fraud Prevention State and County
Government Stakeholders Workgroup - Public Comment Meeting held on
April 19, 2011**

Dear Ms. Miguelino:

Welfare and Institutions Code Section 12305.72 creates a mandate for the Department of Social Services to “convene periodic meetings in which supportive services recipients, providers, advocates, IHSS provider representatives, organizations representing recipients, counties, public authorities, nonprofit consortia, and other interested stakeholders may receive information and have the opportunity to provide input” regarding the creation and implementation of fraud prevention and program integrity policies and practices. As it currently stands, the Department has not complied with this mandate.

Upon enactment of ABX4 19 in July 2009, the Department created a bifurcated process in which stakeholders were separated into “governmental” and “non-governmental” groups. The reason given for this approach was the need for sensitivity and confidentiality in discussing matters relating to law enforcement.

To date the “non-governmental” stakeholders have been invited to two meetings regarding the implementation of program integrity and fraud prevention policies and practices, the latter being held on April 19th. At this meeting, the “governmental” stakeholders presented to attendees their vision of program integrity and fraud prevention in the IHSS program. Three handouts were distributed prior to the meeting, however they contained limited substance. The “non-governmental” stakeholders have had no opportunity to provide input prior to April 19th, and as a result have been reduced to bystanders in this process.

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The current process deviates significantly from how stakeholder processes have successfully evolved in the past. Though we had strong misgivings when the Department first proposed a bifurcated approach, we respected the decision. Unfortunately, since that time, our fears have been realized. This process has not been conducive to genuine multi-lateral discussions and decision making. As an example, coming out of the April 19th meeting advocates have no clear understanding of the next steps in this process. Though attendees provided extensive feedback on April 19th, it is unclear what, if anything, the Department intends on doing with this information.

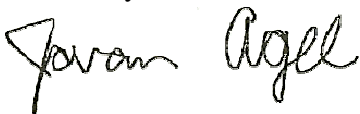
UDW urges the Department to discontinue this divided approach. As we move ahead, we propose the creation of one workgroup that includes both governmental and non-governmental stakeholders - as defined in WIC 12305.72 (see above). Once a unified workgroup convenes, the Department will be in a much better position to establish and implement policies that will result in quality outcomes.

We would like to request from the State and County Government Workgroup a historical summary of anti-fraud/program integrity efforts in the IHSS program, in line with the presentation given by Mr. Mike Estrada at the April 19th meeting. His information was extremely helpful. Supplementing this information would provide a solid foundation as a unified stakeholder workgroup moves forward.

UDW firmly believes that the procedural defects outlined above have created an environment of minimal accountability, in which abusive practices and egregious violations of personal rights have unfortunately taken root. Enclosed with this letter you will find an internal report highlighting these abuses.

Thank you for the opportunity to submit additional comments on this matter. I look forward to hearing back from you and members of the Workgroup.

Sincerely,



Jovan Agee,
Political & Legislative Director

ATTACHMENT

cc: Myesha Jackson, Office of the President Pro Tempore
Gail Gronert, Office of the Speaker
Jennifer Troia, Senate Budget Committee
Nicole Vazquez, Assembly Budget Committee
Members of the IHSS Program Integrity and Fraud Prevention State and County Government Stakeholders Workgroup