

Resolution #3

Stop Electronic Visit Verification

WHEREAS:

The 21st Century CURES Act, federal legislation signed into law in December 2016, includes a provision that states that Medicaid-funded personal care services programs like IHSS and WPCS must adopt an Electronic Visit Verification system (EVV) in their programs starting January 1, 2019, or face a reduction in federal funding; and

WHEREAS:

The California Department of Social Services is currently working on how it will implement EVV in our state; and

WHEREAS:

According to federal law EVV systems are intended to electronically verify the following: the location of home care service delivery, date of home care service, start and end times of the service, type of service performed, the individual providing the service, and the individual receiving the service; and

WHEREAS:

Some states are considering models such as the one implemented in Ohio, going far beyond the federal requirements by designing and/or purchasing EVV technologies that include GPS tracking, video cameras and audio recording that are out of the control of the consumer. These devices are required to be used in the home and may be used to track movements, activities and conversations. These components are unnecessary, invasive, and violate the Fourth Amendment rights of consumers, their families, friends and associates, and home care providers. Moreover, there are serious concerns regarding who has access to the collected data and storage security. Some consumers are reporting HIPAA violations, where their EVV device displays on-screen personal information for both themselves and their providers; and

WHEREAS:

EVV will make the already difficult job of providing home care even harder. IHSS is already a very complicated program. Additional requirements on homecare providers will only distract and may even detract from the quality of care; and

WHEREAS:

UDW/AFSCME Local 3930 is a steadfast supporter of consumer self-direction in IHSS; and

WHEREAS:

UDW/AFSCME Local 3930 supports the rights to privacy of IHSS clients and providers; and

WHEREAS:

UDW/AFSCME Local 3930 and other stakeholders have submitted our formal opposition to the California Department of Social Services to the implementation of EVV in California.

THEREFORE BE IT RESOLVED:

That UDW/AFSCME Local 3930 will closely monitor the implementation of EVV in California so that we can protect privacy and help shape an EVV system that is the least burdensome for providers and clients.

BE IT FURTHER RESOLVED:

That UDW supports the decision by the California Department of Social Services to delay the implementation of EVV in IHSS beyond January 1, 2019.

SUBMITTED BY:

UDW/AFSCME Local 3930 Executive Board