

AMENDED IN ASSEMBLY FEBRUARY 25, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1797

Introduced by Assembly Members Lackey and Weber
(Coauthors: Assembly Members Brown, Gallagher, and Wilk)
(Coauthor: Senator Runner)

February 4, 2016

An act to add Section 12301.16 to the Welfare and Institutions Code, relating to in-home supportive services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1797, as amended, Lackey. In-home supportive services: application.

Existing law provides for the county-administered In-Home Supportive Services ~~Program~~, *program*, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law requires the application for in-home supportive services to contain a notice to the recipient that his or her provider or providers will be given written notice of the recipient's authorized services and full number of services hours allotted to the recipient. Existing law also requires the application to inform recipients of the Medi-Cal toll-free telephone fraud hotline and Internet Web site for reporting suspected fraud or abuse in the provision or receipt of supportive services.

This bill would authorize a person to apply for in-home supportive services in person or through electronic means and would require the county, if an application is filed through electronic means, to provide the applicant a confirmation ~~number~~: *number, as specified*. The bill would require the county to process an application within 30 days. By

creating additional duties for counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12301.16 is added to the Welfare and
2 Institutions Code, to read:

3 12301.16. (a) A person may apply for in-home supportive
4 services in person or through electronic means, including, but not
5 limited to, by telephone. If an application is filed through electronic
6 means, the county shall provide the applicant a confirmation
7 number to serve as documentation that the applicant filed an
8 application for in-home supportive services. *The county may use*
9 *the case number as the confirmation number.*

10 (b) The county shall process an application for in-home
11 supportive services within 30 days of receipt of the completed
12 application.

13 SEC. 2. If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.

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