

AMENDED IN SENATE JUNE 16, 2016

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

AMENDED IN ASSEMBLY MARCH 9, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1930**

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**Introduced by Assembly Member Lackey  
(Coauthor: Assembly Member Gonzalez)**

February 12, 2016

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An act to add and repeal Section 12335 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1930, as amended, Lackey. In-home supportive services: family caregivers: advisory committee.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with supportive services in order to permit them to remain in their own homes and avoid institutionalization. Existing law provides that a person who is the parent or a spouse of a recipient of those services shall be paid for providing specified services to the recipient through the program.

This bill would, until January 1, 2019, establish the In-Home Supportive Services Family Caregiver Benefits Advisory ~~Committee~~, *Committee within the State Department of Social Services*, as specified, for the purpose of describing the availability of, and barriers to accessing, employment-based supports and protections, as specified,

and studying the impact of the lack of access to these supports and protections on individuals who provide the supportive services described in the above provisions to a spouse or as the parent of a recipient child. The bill would require the advisory committee to submit a peer-reviewed report to the Legislature, as specified, on or before January 1, 2018.

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

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

1 SECTION 1. Section 12335 is added to the Welfare and  
2 Institutions Code, to read:

3 12335. (a) There is ~~established~~ *hereby established, within the*  
4 *State Department of Social Services, the In-Home Supportive*  
5 *Services Family Caregiver Benefits Advisory Committee, for the*  
6 *purpose of describing the availability of, and barriers to accessing,*  
7 *employment-based supports and protections, including, but not*  
8 *limited to, federal Social Security social security benefits and state*  
9 *unemployment insurance benefits, and studying the impact of the*  
10 *lack of access to these supports and protections on the lives and*  
11 *communities of individuals who provide the supportive services*  
12 *described in this article to a spouse or as the parent of a recipient*  
13 *child.*

14 (b) The advisory committee shall be comprised of ~~not more than~~  
15 ~~15 individuals, and shall include~~ *fewer than eight individuals and*  
16 *not more than 11 individuals pursuant to subdivision (c). The*  
17 *advisory committee shall include, but not be limited to,*  
18 *representatives from all of the following groups:*

19 (1) ~~Academic entities and nonprofit organizations~~ *with expertise*  
20 *in the subject matter of the report described in subdivision (d).*

21 (2) ~~Nonprofit organizations related to IHSS.~~

22 ~~(2)~~

23 (3) ~~The State Department of Social Services.~~

24 ~~(3) The Department of Finance.~~

25 ~~(4) The Legislative Analyst's Office.~~

26 ~~(5)~~

27 (4) ~~County governments.~~

28 ~~(6)~~

29 (5) ~~IHSS public authorities.~~

30 ~~(7)~~

1 (6) Individuals who are current providers of personal assistance  
2 services funded as ~~in-home supportive services~~ *IHSS* pursuant to  
3 this article and who are a parent or spouse of the person receiving  
4 those services.

5 ~~(8)~~

6 (7) Individuals who are current or past consumers of personal  
7 assistance services provided through the *IHSS* program.

8 ~~(9)~~

9 (8) Labor organizations that ~~represent IHSS providers~~ *are*  
10 *designated representatives of providers of personal assistance*  
11 *services funded as IHSS pursuant to this article.*

12 ~~(e) The Governor, the Speaker of the Assembly, and the Senate~~  
13 ~~Committee on Rules shall each appoint not more than five members~~  
14 ~~to the advisory committee. Prior to appointing members to the~~  
15 ~~advisory committee, the Governor, the Speaker of the Assembly,~~  
16 ~~and the Senate Committee on Rules shall consult with labor~~  
17 ~~organizations that represent IHSS providers regarding the~~  
18 ~~appointments.~~

19 *(c) (1) The Governor may appoint not more than nine*  
20 *individuals to the advisory committee. Individuals appointed by*  
21 *the Governor may include only representatives from the groups*  
22 *described in subdivision (b).*

23 *(2) The Speaker of the Assembly and the Senate Committee on*  
24 *Rules shall each appoint one individual to the advisory committee.*  
25 *Individuals appointed by the Speaker of the Assembly and the*  
26 *Senate Committee on Rules may include representatives who are*  
27 *not from the groups described in subdivision (b).*

28 *(3) The appointments made pursuant to paragraphs (1) and (2)*  
29 *shall ensure that the advisory committee includes representatives*  
30 *from all groups described in subdivision (b).*

31 (d) On or before January 1, 2018, the advisory committee shall  
32 provide a report to the Senate Committee on Human Services, the  
33 Senate Select Committee on Aging and Long-Term Care, the  
34 Assembly Committee on Human Services, and the Assembly  
35 Committee on Aging and Long-Term Care. The report shall include  
36 a summary of the findings of the advisory committee, as described  
37 in subdivision (a), and recommendations on steps the state can  
38 take to ensure that all *IHSS* providers who provide supportive  
39 services to a spouse or child have access to employment-based  
40 supports and protections, including, but not limited to, federal

1 ~~Social Security~~ *social security benefits and state unemployment*  
2 *insurance* benefits, as described in subdivision (a). Prior to  
3 submission of the report, the advisory committee shall arrange for  
4 peer review of the study by the academic entities described in  
5 paragraph (1) of subdivision (b).

6 (e) This section shall remain in effect only until January 1, 2019,  
7 and as of that date is repealed, unless a later enacted statute, that  
8 is enacted before January 1, 2019, deletes or extends that date.