

Assembly Bill No. 1930

Passed the Assembly August 23, 2016

Chief Clerk of the Assembly

Passed the Senate August 16, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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, 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 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 supportive services 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.

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

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

12335. (a) There is hereby established, within the State Department of Social Services, the In-Home Supportive Services Family Caregiver Benefits Advisory Committee, for the purpose of describing the availability of, and barriers to accessing, employment-based supports and protections, including, but not limited to, federal social security benefits and state unemployment insurance benefits, and studying the impact of the lack of access to these supports and protections on the lives and communities of

individuals who provide the supportive services described in this article to a spouse or as the parent of a recipient child.

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

(1) Academic entities with expertise in the subject matter of the report described in subdivision (d).

(2) Nonprofit organizations related to IHSS.

(3) The State Department of Social Services.

(4) County governments.

(5) IHSS public authorities.

(6) Individuals who are current providers of personal assistance services funded as IHSS pursuant to this article and who are a parent or spouse of the person receiving those services.

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

(8) Labor organizations that are designated representatives of providers of personal assistance services funded as IHSS pursuant to this article.

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

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

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

(d) On or before January 1, 2018, the advisory committee shall provide a report to the Senate Committee on Human Services, the Senate Select Committee on Aging and Long-Term Care, the Assembly Committee on Human Services, and the Assembly Committee on Aging and Long-Term Care. The report shall include a summary of the findings of the advisory committee, as described in subdivision (a), and recommendations on steps the state can take to ensure that all IHSS providers who provide supportive

services to a spouse or child have access to employment-based supports and protections, including, but not limited to, federal social security benefits and state unemployment insurance benefits, as described in subdivision (a). Prior to submission of the report, the advisory committee shall arrange for peer review of the study by the academic entities described in paragraph (1) of subdivision (b).

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

Approved _____, 2016

Governor