

Chapter 2 Services Under the IHSS Programs

Descriptions of IHSS Services

A. Domestic Services

Sweeping, vacuuming, and washing/waxing floors; washing kitchen counters and sinks; cleaning the bathroom; storing food and supplies; taking out garbage; dusting and picking up; cleaning oven and stove; cleaning and defrosting refrigerator; bringing in fuel for heating or cooking purposes from a fuel bin in the yard; changing bed linen; changing light bulbs, and wheelchair cleaning and changing/recharging wheelchair batteries. (MPP 30-757.11; ACL 06-34E, Appendix B)

B. Related Services

Laundry

Gaining access to machines; sorting laundry; manipulating soap containers; reaching into machines; handling wet laundry; operating machine controls; hanging laundry to dry; folding and sorting laundry; mending and ironing. (renumbered as MPP 30-757.134; ACL 06-34E, Appendix B)

Shopping and Errands

Compiling a list; bending, reaching, lifting, and managing cart or basket; identifying items needed; transferring items to home and putting items away; telephoning in and picking up prescriptions; and buying clothing. (renumbered as MPP 30-757.135; ACL 06-34E, Appendix B)

Meal Preparation

Meal preparation includes such tasks as planning menus; removing food from refrigerator or pantry; washing/drying hands before and after meal preparation; washing, peeling, and slicing vegetables; opening packages, cans and bags; measuring and mixing ingredients; lifting pots and pots; trimming meat; reheating food; cooking and safely operating stove; setting the table; serving the meals; puréeing food; and cutting the food into bite-size pieces. (MPP 30-757.131; ACL 06-34E, Appendix B)

Meal Cleanup

Meal cleanup includes loading and unloading dishwasher; washing, rinsing, and drying dishes, pots, pans, utensils, and culinary appliances and putting them away; storing/ putting away leftover foods/liquids; wiping up tables, counters,

stoves/ovens, and sinks; and washing/drying hands. (MPP 30-757, 132; ACL 06-34E, Appendix B)

Note: Meal cleanup does not include general cleaning of the refrigerator, stove/oven, or counters and sinks. These services are assessed under “domestic services.”

(MPP 30-757.132; ACL 06-34E, Attachment B)

C. Personal Care Services

Ambulation

Assisting the recipient with walking or moving from place to place inside the home, including to and from the bathroom; climbing or descending stairs; moving and retrieving assistive devices, such as a cane, walker, or wheelchair, etc. and washing/drying hands before and after performing these tasks. “Ambulation” also includes assistance to/from the front door to the car (**including getting in and out of the car**) for medical accompaniment and/or alternative resource travel. (MPP 30-757.14(k); ACL 06-34E, Appendix B)

Bathing, Oral Hygiene, and Grooming/Routine Bed Bath

Bathing

Bathing (Bath/Shower) includes cleaning the body in a tub or shower; obtaining water/supplies and putting them away; turning on/off faucets and adjusting water temperature; assisting with getting in/out of tub or shower; assistance with reaching all parts of the body for washing, rinsing, drying, and applying lotion, powder, deodorant; and washing/drying hands. (MPP 30-757.14(e); ACL 06-34E, Appendix B)

Oral Hygiene

Oral Hygiene includes applying toothpaste, brushing teeth, rinsing mouth, caring for dentures, flossing, and washing drying hands. (MPP 30-757.14(e); ACL 06-34E, Appendix B)

Grooming

Grooming includes combing/brushing hair; hair trimming when the recipient cannot get to the barber/salon; shampooing, applying conditioner, and drying hair; shaving; fingernail/toenail care when these services are not assessed as “paramedical” services for the recipient; and washing/drying hands. (MPP 30-757.14(e); ACL 06-34E, Appendix B)

Note: Bathing, oral hygiene, and grooming does not include getting to/from the bathroom. These tasks are assessed as mobility under “ambulation services.” (MPP 30-757.14(e); ACL 06-34E, Appendix B)

Routine Bed Bath

Routine Bed Bath includes cleaning basin or other materials used for bed sponge baths and putting them away; obtaining water and supplies; washing, rinsing, and drying body; applying lotion, powder, and deodorant; and washing/drying hands before and after bathing. (MPP 30-757.14(d); ACL 06-34E, Appendix B)

Dressing

Washing/drying of hands; putting on/taking off, fastening/unfastening, buttoning/unbuttoning, zipping/unzipping, and tying/untying of garments, undergarments, corsets, elastic stockings, and braces; changing soiled clothing; and bringing tools to the recipient to assist with independent dressing. (MPP 30-757.14(f); ACL 06-34E, Appendix B)

Care and Assistance with Prosthetic Devices

Assisting with the self-administration of medication; taking off/putting on, maintaining, and cleaning prosthetic devices, vision/hearing aids; and washing/drying hands before and after performing these tasks. (A MPP 30-757.14(i); CL 06-34E, Appendix B)

Bowel and Bladder Care

Assisting with using, emptying, and cleaning bedpans/bedside commodes, urinals, ostomy, enema, and/or catheter receptacles; application of diapers; positioning for diaper changes; managing clothing; changing disposable barrier pads; putting on/taking off disposable gloves; wiping and cleaning recipient; assisting with getting on/off commode or toilet; and washing/drying hands.

Note: This does not include insertion of enemas, catheters, suppositories, digital stimulation as part of a bowel program, or colostomy irrigation. These tasks are assessed as “paramedical” services. (MPP 30-757.14(a); ACL 06-34E, Appendix B)

Menstrual Care

Menstrual care is limited to the external application of sanitary napkins and external cleaning and positioning for sanitary napkin changes, using and/or

disposing of barrier pads, managing clothing, wiping and cleaning, and washing/drying hands.

Note: In assessing “menstrual care,” it may be necessary to assess additional time in other service categories such as “laundry,” “dressing,” “domestic,” “bathing, oral hygiene, and grooming.” Also, if a recipient wears diapers, time for menstrual care should not be necessary. This would be assessed as part of “bowel and bladder care.”

(MPP 30-757.14(j); ACL 06-34E, Attachment B)

Transfer

Assisting from standing, sitting, or prone position to another position and/or from one piece of equipment or furniture to another. This includes transfer from a bed, chair, coach, wheelchair, walker, or other assistive device generally occurring within the same room.

Note: Transfer does not include assistance on/off toilet. This task is assessed as part of “bowel and bladder” care. Changing position to prevent breakdown and promote circulation is assessed as “repositioning/rubbing skin.”

(MPP 30-757.14(h); ACL 06-34E, Appendix B)

Repositioning/Rubbing Skin

Rubbing skin to promote circulation and/or prevent skin breakdown; turning in bed and other types of repositioning; and range of motion exercises which meet the criteria of MPP 30-757.14(g)(1)(2)(A); ACL 06-34E, Appendix B)

Note: Repositioning and rubbing skin does not include care of pressure sores (skin and wound care). This task is assessed as part of “paramedical” services.

Ultraviolet treatment (set up and monitor equipment) for pressure sores and/or application of medicated creams to the skin is assessed as part of “care and assistance with prosthetic devices.”

(MPP 30-757.14(g); ACL 06-34E, Appendix B)

Feeding

Assisting with consumption of food and assurance of adequate fluid intake consisting of eating or related assistance to recipients who cannot feed themselves or require other assistance with special devices in order to feed themselves or to drink adequate liquids. Eating task includes assistance with reaching for, picking up, and grasping utensils and cup; cleaning face and hands; and washing/drying hands.

Note: This does not include cutting food into bite-size pieces or puréeing foods, as these tasks are assessed in “meal preparation services.”
(MPP 30-757.14(c); ACL 06-34E, Appendix B)

Respiration

Respiration is limited to non-medical services such as assistance with self-administration of oxygen and cleaning oxygen equipment and IPBB machines.
(MPP 30-757.14(b); ACL 06-34E, Appendix B)

D. Protective Supervision

Protective supervision is watching people with severe mental impairments so they don't hurt themselves living at home. An IHSS provider may be paid to watch a disabled child or adult to prevent injuries or accidents, when the person needs 24-hour supervision and can remain safely at home if it is provided. It is available for monitoring the behavior of nonself-directing, confused, mentally impaired, or mentally ill persons. MPP 30-757.17.

Protective supervision does not include friendly visiting or other social activities. This service is not available when the need is caused by a medical condition and the form of supervision required is medical. It is not available in the anticipation of a medical emergency. Protective supervision is also not available to prevent anti-social or aggressive recipient behavior. MPP 30-757.172.

Protective supervision may be authorized when the social worker determines that a twenty-four hour need exists and whether you can remain safely in your own home. Social workers also determine that the entire twenty-four hour need for protective supervision can be met through a combination of IHSS, alternative resources. MPP 30-757.172.

The regulations require IHSS workers to discuss with you, or your guardian, conservator, or parent if you are a minor, the appropriateness of out-of-home care as an alternative to protective supervision. MPP 30-757.173.

E. Paramedical Services

Paramedical services are activities that recipients would normally provide for themselves but for their limitations. These services are activities which, due to the

recipient's physical or mental condition, are necessary to maintain the recipient's health. These services are provided when ordered by a licensed health care professional and provided under the direction of the licensed health care professional. The time allowed is based on time indicated by the health care professional. Cal. Welf. & Inst. Code § 12300.1; MPP 30-757.19.

Paramedical services include administration of medications, puncturing the skin, inserting a medical device into a body orifice, activities requiring sterile procedures, or other activities requiring judgment based on training given by a licensed health care professional. Tube feeding, tracheostomy care and suctioning, catheter insertion, ostomy irrigation and bowel program are considered to be paramedical. MPP 30-757.19(c); 30-756.4; 30-780.1(a)(9); 30-780.2(g). These services are provided by persons who ordinarily provide IHSS and at the same rate of pay as regular IHSS services. MPP 30-757.195.

In order to provide paramedical services, the county must have a signed and dated order from a licensed health care professional. The order must include a signed statement of informed consent saying that the individual has been informed of the potential risks arising from the recipient of the services. MPP 30-757.196; 30-780.2(e); Appendix F – Paramedical Form

F. Transportation Services

Payment is available for the accompaniment by a provider when the recipient's presence is required at a destination and assistance is needed to accomplish the travel. Travel is limited to transportation to and from appointments with doctors, dentists and other health practitioners and for fittings for health related appliances/devices and special clothing where Medi-Cal will not provide transportation. It also includes transportation to sites where the individual receives in-home supportive services from alternative resources in lieu of IHSS. Cal. Welf. & Inst. Code 12300(b); MPP 30-757.15; 30-780.1(b)(5).

G. Restaurant and Meal Allowances¹

A person who has adequate cooking facilities at home but whose disabilities prevent their use has an option to receive a restaurant meal allowance in lieu of meal planning, meal preparation, and meal clean up. A recipient who receives a restaurant meal allowance as part of his/her SSP grant cannot receive a restaurant meal allowance from IHSS. (renumbered as MPP 30-757.133.)

H. Heavy Cleaning

Heavy cleaning involves thorough cleaning of the home to remove hazardous debris or dirt. Generally, this service may only be authorized at the time IHSS is initially granted or where there has been a lapse in IHSS eligibility for over 12 months and services are re-established. Heavy cleaning may also be authorized when living conditions result in a threat to the recipient's health or safety or result in the risk of eviction for failure to prepare one's home for fumigation as required by statute or ordinance. MPP 30-757.121; MPP 30-780.1(b)(6).

I. Yard Hazard Abatement

Yard hazard abatement is light work in the yard which may be authorized for removal of high grass or weeds, and rubbish when this constitutes a fire hazard. This service is also available for the removal of ice, snow or other hazardous substances from entrances and essential walkways when access to the home is hazardous. MPP 30-757.161-2; MPP 30-780.1(b)(7).

J. Teaching and Demonstration

Teaching and demonstration services are provided by IHSS providers to enable recipients to perform for themselves services which they currently receive from IHSS. Teaching and demonstration services are limited to instruction in those tasks covered under the domestic, related, personal care, and yard hazard abatement services categories. Teaching and demonstration services shall be authorized for no more than three months and only when there is a reasonable expectation that there will be a reduction in the need for a specified IHSS service as a result of these services. MPP 30-757.181-4.

¹ This benefit is only available through the IHSS-R and IPW programs. The restaurant and meal allowances benefit is not available under PCSP. Under limited circumstances, you may be able to increase your monthly hours by electing to waive this benefit, which would effectively transfer you from the IPW to the PCSP for more hours. This option is not available if you receive restaurant meal allowances through the IHSS-R program because you are ineligible to receive services under the PCSP due to your limited scope Medi-Cal status.

K. Respite

Respite care is temporary or periodic service for eligible recipients to relieve persons who are providing care without compensation. California Welfare and Institutions Code section 12300(f). When the recipient is under eighteen years of age and is living with the recipient's parent(s), IHSS may be purchased from a provider other than the parent(s) for up to eight hours per week for periods when the parent(s) must be absent from because of employment, education or vocational training, unable to perform services because of physical and/or mental reasons or when the parent is absent from the home because of ongoing medical, detail or other health related treatment.. MPP 30-763.444.

Things You Should Know

1. Monthly Limits- Severely v. Non-Severely Disabled

If you are severely impaired, you are entitled to (a) secure your own IHSS or Medi-Cal Personal Care Services provider even in contract agency counties and (b) advance payment so that you may pay your workers rather than waiting for the state computer to pay them afterwards.

To determine whether you qualify as a "severely impaired" recipient, add up the "essential" service categories labeled on the worksheet with an asterisk (See Appendix C). If they total 20 hours or more a week (including services not provided through IHSS)² you qualify as severely impaired. If you have been determined to need protective supervision, how many protective supervision hours you receive will depend on whether or not you are "severely impaired."

If you are determined *non-severely* impaired and you receive services under the PCSP, you will receive up to 195 hours of protective supervision a month plus any Medi-Cal personal care services up to a maximum of 283 hours per month for all services. If you are not eligible for services under the PCSP program because your provider is your spouse, your parent if you are a minor, you receive advance pay, restaurant meal allowance, then your total hours cannot exceed 195 hours a month under the IPW or IHSS-R programs.

² A proper assessment identifies services also provided through alternate resources — such as assistance with bowel and bladder care provided at a day program or school. To determine whether or not someone qualifies as severely impaired, you count both the service hours to be paid through IHSS and service hours provided at no cost to the IHSS program.

If you are determined to be severely impaired, then your protective supervision hours will be 283 hours per month regardless of weather you are under PCSP, IPW, or the residual IHSS program.

2. Unmet Need

The needs assessment form filled out by the IHSS worker must indicate, among other things, any unmet need for IHSS. (MPP 30-761.274; Appendix G – Needs Assessment Fact Sheet) Unmet need is the difference between the total number of hours for which services are needed and the maximum number of hours for that person. For example, a person needing 12 hours of IHSS-type services per day and who is assessed at 283 hours per month has a total of 77 hours per month of unmet needs. (12 hours x 30 days = 360 hours needed per month. 360 hours needed – 283 hours assessed = 77 hours of unmet need.)

In 1992, the State passed a law authorizing a 12 percent across-the-board cut in IHSS services to all recipients which remained in effect for several months. For recipients who had documented unmet needs, the reduction was applied first against the unmet need.

If you have considerable unmet IHSS needs and you are enrolled in one of the Home and Community–Based Services waiver programs administered by DHCS' In-Home Operations, you have the option of receiving waiver personal care services (WPCS) to help reduce that unmet need. For more information on WPCS, see the section on these services in Chapter 3.

3. Shared Living Arrangements

When you live with a roommate or attendant, the need for domestic, related, and certain other services may be prorated. MPP 30-763.3. The main exceptions are able and available spouses and children recipients under 18 years living with their parents. These exceptions are addressed more specifically in Chapter 3. The following guidelines are used for prorating services based on shared living arrangements:

Domestic Services and Heavy Cleaning

The living area in the house is divided into areas only you use, areas used in common with others, and areas not used by you. No need will be assessed for areas you do not use. The need for services in common living areas shall be

prorated to all housemates, with your need being your prorated share. For areas used only by you, the assessment shall be based on your individual need. MPP 30-763.31.

Related Services

When your need is being met in common with other housemates, the need will be prorated to all housemates involved, and your need is your prorated share. When the service is not being provided by a housemate, and is being provided separately to you, the assessment shall be based on your individual need. MPP 30-763.32.

Protective Supervision

The need for protective supervision will be assessed based on your individual need except when you live with one or more IHSS recipients and you both require protective supervision. In that case, the need will be treated as a common need and prorated. However, if prorating results in one recipient's assessed need going over the maximum hours, the apportionment of need will be adjusted between the recipients so that all, or as much of the common need for protective supervision may be met within the payment and hourly maximums.

No need for protective supervision exists during periods when a provider is in the home to provide other services. MPP 30-763.33.

Teaching and Demonstration

The need for teaching and demonstration services will be assessed based on your individual need, except that when you live with one or more IHSS recipients and you both have a common need, the need will be met in common when feasible. MPP 30-763.34.

Yard Hazard Abatement

The need for yard hazard abatement will not be assessed in shared living arrangements, except when all housemates fall into one or more of the following categories: (1) other IHSS recipients are unable to provide such services; (2) other persons are physically or mentally unable to provide such services, or (3) the other housemates are children under 14 years. MPP 30-763.352.

Transportation, Paramedical, and Personal Care Services must be based your individual need. MPP 30-763.351.

4. Payment for Services

If you are receiving personal care or paramedical services, or are severely impaired, you are not required to accept services from any specific person, unless your guardian, conservator, or parents--if you are a minor—has chosen the provider. Preference is to be given to the provider chosen by you. Cal. Welf. & Inst. § 12304.1; MPP 30-767.3; 30-767.5(a); 30-769.735.

5. Payment Methods

An IHSS provider may be paid by one of four ways: (1) from the state by submission of a timesheet to the county IHSS office; (2) directly from you if you receive advance payment; (3) from an agency contracted by the county; or (4) from the county as a county employee.

Timesheets

IHSS pays providers twice a month. Pay periods run from the 1st of the month to the 15th, and from the 16th to the end of the month.

Timesheets for individual providers are submitted twice a month, on the 15th of the month and at the end of each month. Payment to the provider is usually made within 10 days. Timesheets that are not appropriately signed and dated will be returned to the recipient, which could delay payment to the provider.

Providers for persons receiving advance payment must submit a time sheet only at the end of each month. In each case, you are responsible for signing the time sheet and assuring that the hours and services claimed are what were received during that pay period. If you are unable to sign the timesheet, a person authorized by you can sign on your behalf.

Advance Pay

Advance payment is not available to you if you receive services through PCSP because of federal Medicaid law restricting payment in advance of services being provided.

Under the IHSS Residual and IPW programs, if you are assessed as severely disabled, you have the right to receive advance payment for IHSS services. The county is required to inform, in writing, any potentially eligible person about advance payment. Any amounts advanced will be minus all required employee deductions. After one year of IHSS services, you may choose to receive this payment through electronic transfer. Cal. Welf. & Inst. § 12304(a), (c); 12304.3;

MPP 30-701(d)(3); 30-769.73. However, given recent rule changes, you will not be able to receive direct deposit and will also experience a delay in payment if you have a share of cost. ACL 06-13. For further information, see Chapter 6.

The county has a right to stop advance payment to you if you: (1) are using your payment for other than the purchase of authorized services; (2) have not submitted timesheets at the end of each month; or (3) have not paid your providers timely. MPP 30-767.133.

6. Hiring/Firing Providers

If service is provided through a nonprofit consortium contracting with a county or by a public authority established by the county, you retain the right to hire, fire and supervise the work of your IHSS provider. Cal. Welf. & Inst. § 12301.6(c)(1); 12301.6(h).

Attached at the end of this publication as Appendix A is a copy of a DSS publication explaining the process of hiring and firing your IHSS provider. (PUB 104).

7. Rate of Pay

Generally, the rate of pay for an individual provider is the California minimum wage rate, although a county may set a higher rate.

[Cal. Welf. & Inst. Code §12300(h)(2); 12301.6(c)(3); 14132.95(j); MPP 30-765.2]

Payment of a supplement to increase the hourly rate is prohibited.

[Cal. Welf. & Inst. Code §12300(h)(2); 141342.95; 141342.951(g); 42 CFR 447.15] However, if you are receiving the maximum hours, additional help may be paid directly to the provider to address your unmet need. The provider may also be paid directly for time in-between tasks. Others are permitted to pay the provider directly to spenddown your share of cost.

Additionally, persons receiving IHSS hours may often need further assistance in types of services that are not provided by IHSS. These may be in community services, activities outside of the home, learning to ride the bus, facilitating medical appointments, etc. You establish the rate for non-IHSS hours.