

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**

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

13 (b) The advisory committee shall be comprised of not more than  
14 ~~nine~~ 15 individuals, and shall include representatives from the  
15 following groups:

16 ~~(1) Policy experts on relevant issues, including, but not limited~~  
17 ~~to, Social Security, Medicare, California state unemployment~~  
18 ~~insurance, retirement insecurity, economic inequality, and poverty~~  
19 ~~among seniors in California.~~

20 ~~(2) Representatives involved with the IHSS program on behalf~~  
21 ~~of county governments.~~

22 ~~(3) Representatives involved with the IHSS program on behalf~~  
23 ~~of IHSS public authorities.~~

24 *(1) Academic entities, and nonprofit organizations, with*  
25 *expertise in the subject matter of the report described in subdivision*  
26 *(d).*

27 *(2) The State Department of Social Services.*

28 *(3) The Department of Finance.*

29 *(4) The Legislative Analyst's Office.*

30 *(5) County governments.*

31 *(6) IHSS public authorities.*

32 ~~(4)~~

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

5 ~~(5)~~

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

8 ~~(6) Individuals from labor organizations~~

9 (9) *Labor organizations* that represent IHSS providers.

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

17 (d) On or before January 1, 2018, the advisory committee shall  
18 provide a report to the Senate Committee on Human Services, the  
19 Senate Select Committee on Aging and Long-Term Care, the  
20 Assembly Committee on Human Services, and the Assembly  
21 Committee on Aging and Long-Term Care. The report shall include  
22 *a summary of the findings of the advisory committee, as described*  
23 *in subdivision (a), and recommendations on steps the state can*  
24 *take to ensure that all IHSS providers who provide supportive*  
25 *services to a spouse or child have access to* ~~federal Medicare and~~  
26 ~~Social Security benefits as well as state unemployment insurance~~  
27 ~~benefits.~~ *employment-based supports and protections, including,*  
28 *but not limited to, federal Social Security benefits, as described in*  
29 *subdivision (a).* Prior to submission of the report, the advisory  
30 committee shall arrange for peer review of the study by ~~an~~ *the*  
31 ~~academic entity with expertise in the subject matter of the report.~~  
32 *entities described in paragraph (1) of subdivision (b).*

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

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