

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

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

February 12, 2016

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 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 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 lack of access to these supports and protections on the lives
9 and communities of individuals who provide the supportive
10 services described in this article to a spouse or as the parent of a
11 recipient child.

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

15 (1) ~~Academic entities, entities and nonprofit organizations,~~
16 ~~organizations~~ with expertise in the subject matter of the report
17 described in subdivision (d).

18 (2) The State Department of Social Services.

19 (3) The Department of Finance.

20 (4) The Legislative Analyst's Office.

21 (5) County governments.

22 (6) IHSS public authorities.

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

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

29 (9) Labor organizations that represent IHSS providers.

30 (c) The Governor, the Speaker of the Assembly, and the Senate
31 Committee on Rules shall each appoint not more than five members
32 to the advisory committee. Prior to appointing members to the
33 advisory committee, the Governor, the Speaker of the Assembly,

1 and the Senate Committee on Rules shall consult with labor
2 organizations that represent IHSS providers regarding the
3 appointments.

4 (d) On or before January 1, 2018, the advisory committee shall
5 provide a report to the Senate Committee on Human Services, the
6 Senate Select Committee on Aging and Long-Term Care, the
7 Assembly Committee on Human Services, and the Assembly
8 Committee on Aging and Long-Term Care. The report shall include
9 a summary of the findings of the advisory committee, as described
10 in subdivision (a), and recommendations on steps the state can
11 take to ensure that all IHSS providers who provide supportive
12 services to a spouse or child have access to employment-based
13 supports and protections, including, but not limited to, federal
14 Social Security benefits, as described in subdivision (a). Prior to
15 submission of the report, the advisory committee shall arrange for
16 peer review of the study by the academic entities described in
17 paragraph (1) of subdivision (b).

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