

AMENDED IN SENATE AUGUST 1, 2016

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

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

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

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.

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 hereby established, within the State
4 Department of Social Services, the In-Home Supportive Services
5 Family Caregiver Benefits Advisory Committee, for the purpose
6 of describing the availability of, and barriers to accessing,
7 employment-based supports and protections, including, but not
8 limited to, federal social security benefits and state unemployment
9 insurance benefits, and studying the impact of the lack of access
10 to these 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 fewer
14 than eight individuals and not more than 11 individuals pursuant
15 to subdivision (c). The advisory committee shall include, but not
16 be limited to, representatives from all of the following groups:
17 (1) Academic entities with expertise in the subject matter of the
18 report described in subdivision (d).
19 (2) Nonprofit organizations related to IHSS.
20 (3) The State Department of Social Services.
21 (4) County governments.
22 (5) IHSS public authorities.
23 (6) Individuals who are current providers of personal assistance
24 services funded as IHSS pursuant to this article and who are a
25 parent or spouse of the person receiving those services.
26 (7) Individuals who are current or past consumers of personal
27 assistance services provided through the IHSS program.

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

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

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

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

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

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