



COUNTY OF HUMBOLDT

Legislation Text

File #: 18-1409, Version: 1

To: Board of Supervisors

From: DHHS: Social Services

SUBJECT:

Memorandum of Understanding Between the California Department of Health Care Services, Humboldt County Special Investigations Unit, and Humboldt County In-Home Supportive Services Program

RECOMMENDATION(S):

That the Board of Supervisors approve the attached Memorandum of Understanding (MOU) between the California Department of Health Care Services (DHCS), Humboldt County Special Investigations Unit (SIU) and Humboldt County In-Home Supportive Services program (IHSS) for the term upon execution until a request to cancel the MOU is made, in writing, by any party; authorize the Department of Health and Human Services (DHHS) Director to sign the MOU; and direct the Clerk of the Board to send the DHHS-Contract Unit two (2) certified copies of this Board Order for further processing.

SOURCE OF FUNDING:

Social Services Fund

DISCUSSION:

In September 2013, the IHSS *Uniform Statewide Protocols for Program Integrity Activities* (USPs) were released as part of All County Letter (ACL) 13-83. These were developed in response to Assembly Bill 19 fourth extraordinary session (ABX4 19), which required the California Department of Social Services (CDSS) to collaborate with county and state offices in order to develop a standardized process for referring and investigating IHSS fraud, for the purpose of avoiding duplication of efforts and ensuring program integrity.

On June 8, 2018, ACL 18-67 (attachment 2) was released which included a standardized IHSS MOU for counties that wish to conduct all fraud referral investigations. Counties are instructed that this agreement between DHCS, SIU and IHSS replace any previous agreement made within 90 days.

County agencies will continue quarterly reporting to DHCS and attempt to recover all overpayments regardless of whether it was discovered by SIU or the state. This is Pursuant to Welfare and Institutions Code (WIC), Section 12305.83 (c)(1) and the requirements outlined in the IHSS Quality Assurance and Quality Improvement (QA/QI) Policy Manual (released via ACL 13-110), and in accordance with Manual of Policies and Procedures (MPP), Section 30-768.321.

On August 15, 2018, representatives from SIU, IHSS and DHHS Adult Services met to review the terms of the MOU. Both IHSS and SIU agreed they have the means to continue taking on the majority of fraud referral, investigation, and reporting responsibilities, as has historically been the case. No changes to the standardized MOU provided by DHCS were made, other than to replace all bolded instances of: **COUNTY IHSS AGENCY**, **COUNTY INVESTIGATIONS AGENCY**, and **COUNTY** (including the ones in the title) with the appropriate name and/or abbreviation for the entity that fills that role for our county.

This MOU comes to your Board with a retroactive term until that time which any party wishes to cancel the agreement. This MOU is appearing before your Board after the effective start date thereof due to inadvertent delays in the approval process. The MOU will be canceled thirty (30) days after a written request is received from the requesting party. Notification to the DHCS must be sent to fraud@dhcs.ca.gov

Therefore, DHHS recommends that the Board approves the MOU, authorizes the Director of DHHS to sign the MOU and any subsequent amendments or documents related to this MOU, and directs the Clerk of the Board to send DHHS-Contract Unit two

certified copies of this Agenda Item for further processing.

FINANCIAL IMPACT:

There is no anticipated financial impact as there will be no significant change to current policy and procedure regarding IHSS fraud referral, investigation and reporting.

OTHER AGENCY INVOLVEMENT:

DHCS will be available to assist Humboldt County Department of Health & Human Services in joint investigations as needed, and intends to meet quarterly with DHHS to discuss cases and policy issues.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to not approve this MOU. This is not recommended because of the geographic distance between the two agencies (DHHS & DHCS) and the fact that an in-person investigation by state representatives is unlikely in most circumstances. Local caseworkers and investigators familiar with the community will be able to work more efficiently, leading to a higher conviction rate and/or stopping fraudulent activity before it occurs.

ATTACHMENTS:

1. Memorandum of Understanding between the California Department of Health Care Services, Humboldt County Special Investigations Unit, and Humboldt County In-Home Supportive Services program
2. ALL- COUNTY LETTER NO.: 18-67 Availability of Department of Health Care Services Standardized In-Home Supportive Services Memorandum of Understanding and County In-Home Supportive Services Overpayment Recovery Requirements dated June 18, 2018

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A