



# IHSS Coalition

*Quality Care Begins at Home*

August 11, 2010

Randy Shiroy, Chief  
Adult Programs Policy Bureau  
California Department of Social Services  
744 P Street  
Sacramento, Ca. 95814

**RE: Comments on the draft provider request form to use post office box as a mailing address.**

Dear Mr. Shiroy:

On behalf of the member organizations of the IHSS coalition listed at the end of this letter, we submit the following comments on the draft provider request form to use post office box as a mailing address.

ABX4 19, and specifically WIC section 12305.85(b), states, “a paycheck for a provider shall not be mailed to a P.O. Box unless the county approves a written or oral request from the provider, which shall include an explanation of the circumstances that make the use of a P.O. Box appropriate or necessary.” There is no statutory requirement that states the request from the provider must include documentation from the USPS and/or local law enforcement official. This is yet another example of where the state is exceeding what is required in statute. We believe that these forms only serve the purpose of creating additional unnecessary paperwork.

Moreover, this notice does not take into account the countless number of IHSS providers who live in rural parts of the state where P.O. Box mail delivery is the only means for receiving mail. If the state limits the use of PO Box for payroll purposes, over 30,000 homecare workers who live in rural counties throughout the state may be impacted.

Less than year ago, close to 700 post offices were slated for closure as part of the U.S. Postal Service’s nationwide cost-cutting program. While the number of actual post office

closures was ultimately reduced, it will come to no surprise if the number of post office closures rises as the US Postal Service struggles to find its way in a world of e-mail, UPS, FedEx, and other competing forces that make the postal services seem less and less relevant. As post offices have closed, the U.S. Postal Service has dropped mail routes and expanded use of centralized mail delivery via use of P.O. boxes. Hence, many people in rural areas (including IHSS providers) have no choice other than a P.O. box for mail delivery.

With this in mind, it is incomprehensible that the state of California is attempting to make it increasingly difficult for IHSS providers to get paid for the work they do. What the state should be focused on is making sure that providers are getting paid on time as required by law.

Also, the draft SOC XXX (4/10) form states that any request submitted without documentation from the USPS or local law enforcement will be denied. However, there are many instances where a provider has a valid reason for using a P.O. Box, but the USPS and/or law enforcement official would not be the appropriate entity to explain why. For example, there are a number of IHSS providers who are homeless. There is no documentation that a homeless provider can obtain from the USPS and/or a law enforcement official to show that he/she is homeless. The USPS and/or a law enforcement official do not have the capability to prove that a provider is in fact homeless. As a result, a homeless IHSS provider in effect cannot and will not get paid based on this requirement.

Another example is that of providers who must utilize P.O. Box mail delivery because their relatives, landlords or roommates do not allow them to get mail sent to their residence. Since this provider's reason for not using the physical mailing address is not because he/she does not have one where he/ she lives, there is not documentation that the USPS and/or a law enforcement official can provide to explain this. In effect, providers in these types of situations would also not get paid based on the requirements of this form.

ABX4 19 requires CDSS to consult with IHSS stakeholders on the implementation of WIC 12305.85 which governs use of P.O boxes by IHSS providers. More than a year elapsed before the first attempt to consult with stakeholders with the CDSS request issued on July 30, 2010 to comment on a draft ACL and forms by August 13, 2010. There is no compelling reason now to rush the adoption of policies and procedures to implement this statutory requirement. The consequences of bad policy are that IHSS providers will not receive their paychecks, timesheets and other program information. Where are providers supposed to receive their paychecks and timesheets if they are forbidden from using a P.O. Box and there are no alternatives for them to receive mail? The use of direct deposit helps with the paycheck problem but is not a solution for sending timesheets. The draft ACL and associated forms do not sufficiently deal with the range of circumstances around use of and consequences for denying P.O. Box mail delivery.

We believe that protocols over use of P.O. boxes will be improved by having a face-to-face meeting between CDSS and IHSS stakeholders. We are aware that CDSS is planning to convene a public meeting of IHSS stakeholders to solicit comments on other provisions of the Anti-Fraud Initiative and urge this item be added to the agenda for that meeting. Thank you for the opportunity to provide input to this draft provider request form to use post office box as a mailing address.

Sincerely,

AARP-California  
Access to Independence  
ACLU of Southern California  
The Arc of California  
California Alliance for Retired Americans (CARA)  
California Association of Public Authorities (CAPA)  
California Church IMPACT  
Congress of California Seniors  
Californians for Disability Rights, Inc. (CDR)  
California Foundation for Independent Living (CFILC)  
California IHSS Consumer Alliance (CICA)  
California Senior Legislature  
California Disability Community Action network (CDCAN)  
California United Homecare Workers (CUHW)  
Dayle McIntosh Center for the Disabled  
Disability Rights California (DRC)  
Friends Committee on Legislation  
Gray Panthers  
Independent Living Resource Center Inc.  
Independent Living Services of Northern California (ILSNC)  
Marin IHSS Public Authority  
National Senior Citizen's Law Center  
Nevada-Sierra-Plumas Public Authority  
Northern California ADAPT  
Older Women's League  
Personal Assistance Services Council of Los Angeles  
Resources for Independent Living  
San Francisco Public Authority  
Service Employees International Union – State Council  
SEIU United Long Term Care Workers  
SEIU United Healthcare Workers West  
SEIU Local 521  
Silicon Valley Independent Living Center (SVILC)  
Southeast Asia Resource Action Center | California Office  
Tri-Counties Center for Independent Living  
UDW Homecare Providers Union/AFSCME