



California's protection & advocacy system

IHSS Provider Wait and Travel Times

December 2017, Pub. #5607.01

1. Can an IHSS provider get paid for travel time between recipients?

Yes. IHSS providers can be paid for travel time. Travel time is the time it takes a provider to travel directly from the location where they care for a recipient to another location to provide services for a different recipient on the same day. However, a provider cannot get paid for the travel time to and from his or her home to any IHSS recipient's location. In addition, providers can only be reimbursed for 7 hours of travel time per week. Information on travel time is here:

[http://www.cdss.ca.gov/agedblinddisabled/res/fedOT/TRAVEL_TIME_FINAL\(2.8.16\).pdf](http://www.cdss.ca.gov/agedblinddisabled/res/fedOT/TRAVEL_TIME_FINAL(2.8.16).pdf). Providers who have multiple recipients should complete the form SOC 2255 and submit it to the IHSS office. This form must be completed in order for the provider to be compensated for their travel time. You can find the form here: [http://pubauth.saccounty.net/Documents/Provider-Enrollment/Forms/SOC_2255_\(9-2014\).pdf](http://pubauth.saccounty.net/Documents/Provider-Enrollment/Forms/SOC_2255_(9-2014).pdf).

2. Can I receive IHSS hours for my provider to take me to doctors' appointments?

Yes, this is called "accompaniment to medical appointments." If a recipient has been authorized for accompaniment to medical appointments, the provider can also be paid to help the IHSS recipient travel to and from medical appointments. Examples of help with travel includes things like helping a recipient get in and out of a vehicle, getting properly seated, and using seat belts. To get authorized for medical accompaniment, you should tell your IHSS social worker that you must go to a medical appointment and that you need the provider's assistance to get to the medical appointment. The requirements for accompaniment to medical appointments are outlined in the Manual of Policies and

Procedures at section 301-757.15. The IHSS social worker will then assess your need for assistance in getting to and from medical appointments. Accompaniment to medical appointments is not for transportation. It is authorized when you need assistance with specific IHSS tasks during the transportation to, from, or at your destination.

IHSS care providers are not required to use their own vehicle to transport recipients to and from a medical appointment. However, an IHSS recipient can pay their care provider for the use of their vehicle to transport the recipient to and from the recipient's medical appointments. In addition, there are special requirements to get medical accompaniment authorized for minor recipients. Medical accompaniment for minors can only be authorized if the minor recipient has an assessed extraordinary need, the appointment is for a specialist, and the minor recipient has a need for an authorized IHSS task to be performed during travel to or from the appointment. More information on getting medical accompaniment authorized for minors can be found in All County Letter 17-42, dated June 23, 2017, available at <http://www.cdss.ca.gov/Portals/9/ACL/2017/17-42.pdf?ver=2017-06-26-111014-097>.

3. Can an IHSS provider get paid for time spent waiting at an IHSS recipient's doctor's appointment?

Yes. As of February 1, 2016, providers can also receive payment for time spent waiting at medical appointments. In order to be paid for waiting at a medical appointment, the provider has to show that while they are at a recipient's medical appointment, they cannot leave because they cannot predict how long the recipient's appointment will take. An example would be when a provider takes a recipient to a medical appointment and the provider has to wait at the medical office because, at any moment, they may have to take the recipient home. This time is called "engaged to wait" or "Wait Time —On Duty" and federal law requires employers to pay an employee for time they spend waiting while on duty.

However, providers cannot be paid for time spent "waiting to be engaged," or "Wait Time —Off Duty." This means that the provider does

not have to do work duties because there is enough time for them to use the time for their own purposes. Providers must be told in advance that they may leave the job and that they will not have to resume work until a specific time. An example of this is when a provider accompanies the recipient to a treatment that is scheduled to last for three hours. The provider must be told that they don't have to wait, but need to return in three hours to pick up the recipient. The provider could then use that time for their own personal business and the provider would not be paid for that time.

When a recipient is authorized for medical accompaniment, if all the following conditions are met, then the provider will be considered "Wait Time —Off Duty" (which means they will not be paid for any time spent waiting for the recipient):

1. The amount of time the appointment will take is known in advance which would allow the provider plenty of notice that they will not be needed to provide services during that time and which can then be used for their own purposes;
2. The appointment is scheduled to last enough time for the provider to conduct personal business; and
3. The provider is not required to perform any other authorized service, e.g., food shopping, other shopping/errands, during the appointment time.

If all the above conditions are met, then the provider must be informed by the recipient that they do not have to work until a specified time when they must return to accompany the recipient home. The provider will not be paid for this time. If all the above conditions are NOT met, the provider is considered to have "Wait Time —On Duty," and they must be paid for the time they spend waiting for the recipient.

4. Where can I find more information?

Information in this fact sheet is from All County Letter No. 16-01, dated January 7, 2016, and is available online at

<http://www.cdss.ca.gov/lettersnotices/entres/getinfo/acl/2016/16-01.pdf> .

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