

ORDINANCE NO 10021 (NEW SERIES)

AN ORDINANCE AMENDING
COUNTY OF SAN DIEGO ADMINISTRATIVE CODE
ARTICLE IIIb RELATING TO THE DUTIES AND FUNCTIONS
OF THE COUNTY OF SAN DIEGO
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1: Section 82.208 of ARTICLE IIIb of the County of San Diego Administrative Code is hereby amended to read as follows:

SEC. 82.208. PUBLIC AUTHORITY FUNCTIONS.

A. The County of San Diego In-Home Supportive Services Public Authority shall carry out the following functions:

1. The provision of assistance to recipients in finding in-home supportive services personnel through the establishment of a registry.
2. Investigation of the qualifications and background of potential personnel.
3. Take such steps as may be necessary through the use of Department of Justice background clearances to implement Welfare and Institutions Code Section 12301.6, including obtaining criminal history information on employees providing in-home supportive services and not consider a person for employment who will be providing in-home supportive services, if that person has been convicted of a felony or misdemeanor, except that such conviction may be disregarded if it is determined that mitigating circumstances exist or if the conviction is not related to providing such services.
4. Establishment of a referral system under which in-home supportive services personnel shall be referred to recipients.
5. Providing for training for providers and recipients.
6. Performing other functions related to the delivery of in-home supportive services.

7. Ensuring that the requirements of the personal care option pursuant to Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code are met.

B. The Public Authority may provide the following functions:

1. Provide for additional compensation within budget limitations to individual providers who serve the severely disabled.
2. Provide payroll services for IHSS individual providers.
3. Provide program oversight to review the work of individual providers.
4. Provide emergency services when an IHSS recipient's regular service provider is unavailable.
5. Perform other functions related to the In-Home Supportive Services program as set forth in an Interagency Agreement between the Public Authority and the County of San Diego, including but not limited to, provider enrollment functions for any individual provider (registry and non-registry), conducting criminal background checks on any provider or prospective provider as provided for by law, conducting provider orientations, or any other functions as necessary or required by state law and regulations, subject to available funding.

Section 2: Effective Date. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 8th day of December, 2009.