



County of Los Angeles
DEPARTMENT OF PUBLIC SOCIAL SERVICES
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Board of Supervisors
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July 26, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

RECOMMENDATION TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF
PUBLIC SOCIAL SERVICES TO SIGN AND EXECUTE AMENDMENT NUMBER 7 TO
THE AGREEMENT WITH THE PERSONAL ASSISTANCE SERVICES COUNCIL
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

Authorize the Director of the Department of Public Social Services (DPSS) to execute
the enclosed Amendment Number 7 to County Agreement Number 72426 with the Los
Angeles Personal Assistance Services Council (PASC). The term of the original
Agreement is September 14, 1999 through June 30, 2000, automatically renewing July
1st of every year without further action, except with respect to the County's appropriation
for In-Home Supportive Service (IHSS) providers' wages. Specifically, the amendment
is needed to:

- Increase the contract's Maximum Contract Amount for administrative costs to
\$2,920,000. This amount represents an increase of \$420,000 to the original
\$2,500,000 appropriated to fund the PASC's administrative costs. The additional
funding is included in the Fiscal Year 2005-06 Adopted Budget for DPSS and
represents no additional net County cost (NCC), as a result of the IHSS Plus
Waiver savings.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

This Amendment is a result of your Board's motion to continue this item for further discussion onto the July 26, 2005 agenda. The purpose of this Board letter is to provide an increase to fund PASC's administrative costs. PASC has experienced increases in its administrative costs over the last two fiscal years. The recommended actions will increase the PASC's administration allocation as appropriated in the FY 2005-2006's Adopted Budget for DPSS by \$420,000. The additional funding for the PASC's administrative costs is a result of savings from the IHSS Plus Waiver. With the additional federal revenue generated from implementation of the Waiver, the appropriation increase results in no increase to net County cost from the previous fiscal year.

#### **Implementation of Strategic Plan Goals**

The recommended actions are consistent with the principles of the Countywide Strategic Plan, Goal 3, Organizational Effectiveness, and Goal 4, Fiscal Responsibility.

### **FISCAL IMPACT/FINANCING**

Amendment Number 7 increases the maximum contract amount for administrative costs to \$2,920,000, an increase of \$420,000. The funding is included in the FY 2005-06 Adopted Budget for DPSS.

### **FACTS AND PROVISIONS/ LEGAL REQUIREMENTS**

The County entered into Agreement 72426 establishing the PASC as the employer of record for IHSS providers on September 14, 1999. Amendment Number 1, entered into on October 24, 2000, recognized additional appropriation for an IHSS provider wage increase. On January 8, 2002, Amendment Number 2 was approved, initiating the Health Care Plan and Amendment Number 3 recognizing a second IHSS provider wage increase was entered into on November 20, 2002. On June 22, 2004, Amendment Number 4 was approved to add general contract provisions and change the PASC's reimbursement methods as well as increase funding for their administrative costs associated with the Health Plan. On October 28, 2004, Amendment Number 5 was approved to increase the IHSS providers' hourly wages from \$7.50 to the current \$8.10. Amendment Number 6, approved on June 28, 2005, maintains IHSS providers' hourly wage at \$8.10 while preserving the County's options to prospectively consider the effects of the State budget with regard to IHSS provider wages and benefits. Approval of Amendment 7 will allow for an increase to the PASC's general administrative costs.

Amendment Number 7 has been approved as to form by the Chief Administrative Office and County Counsel.

The Honorable Board of Supervisors  
July 26, 2005  
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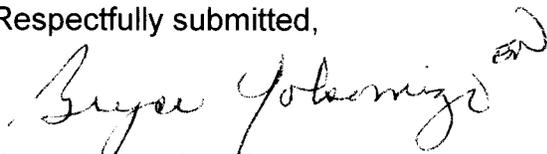
**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no impact on services as a result of this action.

**CONCLUSION**

The Executive Officer, Board of Supervisors, is requested to return one adopted stamped Board letter to DPSS.

Respectfully submitted,

A handwritten signature in cursive script that reads "Bryce Yokomizo" with a small "B" and "Y" above the "o" in "Yokomizo".

Bryce Yokomizo, Director

Enclosure (1)

c: Chief Administrative Officer  
County Counsel  
Auditor-Controller  
Executive Officer, Board of Supervisors  
Personal Assistance Services Council



**AMENDMENT NUMBER 7  
TO  
AGREEMENT NO. 72426 BETWEEN  
COUNTY OF LOS ANGELES  
AND  
LOS ANGELES PERSONAL ASSISTANCE SERVICES COUNCIL  
(PASC)**

Prepared By  
Department of Public Social Services  
Adult Services Division

July 2005

AMENDMENT NUMBER 7  
TO  
AGREEMENT BETWEEN  
COUNTY OF LOS ANGELES  
AND  
LOS ANGELES PERSONAL ASSISTANCE SERVICES COUNCIL (PASC)

THIS AMENDMENT is made and entered into this \_\_\_\_\_ day of July 2005, by and between the County of Los Angeles, hereinafter referred to as COUNTY, and the Los Angeles County Personal Assistance Services Council ("PASC").

WHEREAS, reference is made to that certain document entitled "AGREEMENT BY AND BETWEEN COUNTY OF LOS ANGELES AND LOS ANGELES COUNTY PERSONAL ASSISTANCE SERVICES COUNCIL," dated September 14, 1999 and further identified as County Agreement No. 72426 and any Amendments thereto (all hereafter "Agreement");

WHEREAS, it is the intent of the parties hereto to amend Agreement to appropriate certain funds to the PASC and to make the changes described hereinafter; and

WHEREAS, said Agreement provides that changes may be made in the form of a written amendment which is formally approved and executed by both parties; and

NOW THEREFORE, the parties hereby agree as follows:

1. This Amendment shall become effective upon execution of both parties.
2. Paragraph 5.0 FISCAL PROVISIONS, is deleted in its entirety and replaced with the following:
  - 5.0 Beginning with Fiscal Year 2003-2004, the COUNTY agrees to make payments to the PASC for administrative costs not to exceed the amount authorized in the COUNTY'S approved budget which are set forth below. The PASC administrative costs subject to this section are to cover all PASC operational costs except for health care plan administrative costs as set forth in paragraph 4.3.1 above. County funds allocated for IHSS provider wages and benefits are not part of these administrative costs.
  - 5.1 For each fiscal year that this contract is in operation, the COUNTY shall pass on to the PASC any State and federal monies received by the COUNTY to cover PASC

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administrative costs as those costs are defined in Paragraph 5.0. COUNTY will also provide PASC with any monies authorized by the Board of Supervisors to cover these PASC administrative costs, to the extent the PASC submits proof of valid expenses.

5.2 Effective June 1, 2004 through July 31, 2005, the COUNTY shall reimburse the PASC for valid expenses associated with administrative costs, as defined in this Paragraph 5.0, in an amount not to exceed \$2,500,000 per fiscal year. On a monthly basis, the PASC shall submit to DPSS an invoice detailing the amounts expended by the PASC for these administrative costs for the prior month. The COUNTY shall reimburse the PASC on a monthly basis, for all such valid expenses up to \$2,500,000. Effective August 1, 2005 thru June 30, 2006, the COUNTY shall reimburse the PASC for valid expenses associated with administrative costs, as defined in Paragraph 5.0, in an amount not to exceed \$2,920,000 per fiscal year. This amount represents an increase of \$420,000 to the current appropriation. The PASC shall submit monthly invoices to DPSS detailing the amounts expended by the PASC for administrative costs for the prior month. The COUNTY shall reimburse the PASC on a monthly basis, for all such valid expenses up to the amount set forth in this subparagraph 5.2.

5.2.1 For future fiscal years, contingent upon appropriation by the County's Board of Supervisors, the COUNTY'S payment to the PASC for the PASC's administrative costs as defined in this paragraph 5.0, shall not exceed \$2,920,000, except as an additional amount may be appropriated by the County's Board of Supervisors. If the Board makes such an Appropriation, the PASC shall submit to DPSS a monthly invoice detailing the amounts expended by the PASC for these administrative costs. On a

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monthly basis, the COUNTY shall reimburse the PASC for all such valid expenses up to the annual limit set forth in this subparagraph 5.2.1.

- 5.2.2 For PASC's administrative costs, as defined in this paragraph 5.0, that exceed the amount appropriated by the COUNTY, the COUNTY shall continue to submit claims for reimbursement and pass through to the PASC any State and federal funds authorized by the State. The COUNTY shall have no obligation to contribute any COUNTY share toward such expenses.
- 5.2.3 All invoices submitted by PASC for payment must be approved by the County prior to payment.
- 5.2.4 COUNTY will not authorize payment on incomplete or inaccurate invoices.
- 5.2.5 COUNTY shall make a reasonable effort to effect payment to PASC within thirty (30) calendar days of receipt of an invoice, which is accurate as to form and content.
- 5.2.6 Prior to receiving final payment upon termination of this Agreement, PASC shall submit a signed written release discharging COUNTY, its officers and employees, from all liabilities, obligations and claims arising out of or under this Agreement.
- 5.2.7 PASC shall have no claim against COUNTY for payment of any money or reimbursement for any service provided by PASC after the termination of this Agreement. Should PASC receive any such payment it shall immediately notify COUNTY and shall immediately repay all such funds to COUNTY.

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5.2.7.1 Payment by COUNTY for services rendered after termination of this Agreement shall not constitute a waiver of COUNTY'S right to recover such payment from PASC. This provision shall survive the termination of this Agreement.

5.2.7.2 COUNTY shall have no obligation for payment other than as set forth in this Agreement.

5.4 In no event, shall COUNTY'S net County cost exceed the amount included in the Board approved budget for this program in each fiscal year.

3. Except for the changes set forth herein, this Agreement shall not be changed in any respect by this Amendment.

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LOS ANGELES PERSONAL ASSISTANCE SERVICES COUNCIL (PASC)

IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment to be signed by the Director of the Department of Public Social Services and the PASC has caused this Contract to be signed by its duly authorized officer(s), on the \_\_\_\_\_ day of July 2005.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Bryce Yokomizo, Director  
Department of Public Social Services

PERSONAL ASSISTANCE SERVICES COUNCIL

By \_\_\_\_\_  
Margaret Belton, Chair Governing Board

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Raymond G. Fortner, Jr.  
County Counsel