



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Health System



**Date:** June 9, 2015  
**Board Meeting Date:** July 21, 2015  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Jean S. Fraser, Chief, Health System  
Lisa Mancini, Director, Aging and Adult Services

**Subject:** Amendment to Ordinance Regarding the Public Authority Advisory Committee

**RECOMMENDATION:**

Adoption of an ordinance adding Section 2.20.100 of Chapter 2.20 (Health System) of Article 2.2 (Health Services) of the Ordinance Code regarding the Public Authority Advisory Committee, previously introduced on July 7, 2015, and waive the reading of the ordinance in its entirety.

**BACKGROUND:**

On September 21, 1993, the San Mateo County Board of Supervisors adopted Ordinance No. 03508, which, pursuant to Welfare & Institutions (“W & I”) Code section 12301.6, established the Public Authority for In-Home Supportive Services (“Public Authority”), designated the Board of Supervisors as the Public Authority governing board (“Governing Board”), and created a Public Authority advisory committee (“Advisory Committee”).

In light of recent statewide changes regarding In-Home Supportive Services (IHSS), the Advisory Committee will focus primarily on issues relating to IHSS provider training and the maintenance of the IHSS provider registry. Various other issues relating to the specific concerns of IHSS providers, which had been considered by the Advisory Committee in the past, will instead be the focus of a separate body that is anticipated to be part of the Health Plan of San Mateo’s Cal MediConnect Advisory Committee.

**DISCUSSION:**

Since its establishment of the Public Authority over 22 years ago, this Board has clarified and modified the membership requirements of the Advisory Committee from time to time, most recently in Ordinance No. 04703 dated June 3, 2014.

The Advisory Committee was originally established with eleven members pursuant to W & I Code section 12301.6. Per the latter, the Advisory Committee's purpose included advising your Board (as the Governing Board) on the delivery of IHSS services to ensure the dignity and independence of elderly and disabled consumers of home care.

This amendment clarifies that the Advisory Committee will continue to operate as the mandatory "Public Authority Advisory Committee" pursuant to W & I Code section 12301.6(b)(3)(C), and shall henceforth be referred to as the "Public Authority Advisory Committee".

This amendment also amends the enabling ordinance to modify the number and qualifications of its members, reducing the number from eleven to five, at least half of whom (i.e., three members) shall be: (1) current or past users of personal assistance services paid for through public or private funds, or (2) IHSS recipients. Because of the historical difficulty in maintaining a committee membership with six members who satisfy this requirement, the Advisory Committee has had difficulty in convening a quorum. This modification to the Advisory Committee's total membership will better serve the needs of the Public Authority.

This amendment to the ordinance has been reviewed and approved by County Counsel as to form.

This amendment to the ordinance contributes to the Shared Vision 2025 outcome of a Healthy Community by improving the operation and efficacy of public input concerning the Public Authority program.

This Ordinance will supersede all prior ordinances and resolutions concerning the Public Authority and the formation and membership of the Public Authority Advisory Committee.

**FISCAL IMPACT:**

There is no net county cost associated with the proposed amendment.

**ORDINANCE NO. 04742**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**AN ORDINANCE ADDING SECTION 2.20.100 OF CHAPTER 2.20 (HEALTH SYSTEM) OF ARTICLE 2.2 (HEALTH SERVICES) OF THE ORDINANCE CODE REGARDING THE PUBLIC AUTHORITY ADVISORY COMMITTEE**

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**WHEREAS**, the Board of Supervisors for the County of San Mateo, by Ordinance No. 03508 dated September 21, 1993, established the San Mateo County Public Authority (“Public Authority”) pursuant to Welfare & Institutions Code §12301.6, designating itself as the governing board of the Public Authority, which operates the In-Home Supportive Services (“IHSS”) program for San Mateo County. By the same Ordinance No. 03508, the Board created an advisory committee “to meet with and confer with the Public Authority in the administration of the IHSS program, in accordance with the mandatory requirements of Welfare & Institutions Code §12301.6(b)(3)(C);

**WHEREAS**, this advisory committee was occasionally referenced as the “IHSS Advisory Committee,” suggesting it was advisory to the IHSS program pursuant to Welfare & Institutions Code Section 12301.3, which authorizes—but does not mandate—the establishment of an “in-home supportive services advisory committee,” as opposed to being advisory to the Public Authority;

**WHEREAS**, it is advisable and appropriate to clarify and restate the enabling ordinance regarding the County’s Public Authority Advisory Committee, and to modify the number and qualifications of its members to better serve the needs of the Public

Authority and the citizens of San Mateo County.

**NOW THEREFORE**, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

**SECTION 1.** Section 2.20.100 of Chapter 2.20 (Health System) of Article 2.2 (Health Services) is hereby adopted to read as follows:

2.20.100 – Public Authority Advisory Committee

(a) The Public Authority Advisory Committee shall consist of five (5) members, three (3) of whom shall be individuals who are current or past users of personal assistance services paid for through public or private funds or current or past recipients of In-Home Supportive Services pursuant to Article 7 of Chapter 3 of Part 3 of Division 9 of the Welfare & Institutions Code. “Users of services” shall be defined to mean either the recipient of services or a member of the recipient’s household who provides services to the recipient.

(b) The remaining two (2) members of the Public Authority Advisory Committee shall be appointed based on their interest in public service and experience and/or educational background relevant to the functions of the Public Authority.

(c) Members of the Public Authority Advisory Committee should have familiarity and knowledge of personal assistance services, the capacity to understand areas of advisement and provide constructive input to the Public Authority concerning in the administration of its duties; and the ability (with or without reasonable accommodation) to attend regularly scheduled meetings.

(d) Members of the Public Authority Advisory Committee shall be appointed by majority vote of the Board of Supervisors and shall serve at the pleasure thereof.

(e) Members of the Public Authority Advisory Committee shall serve terms of four (4) years, which terms begin on January 1 of the year of appointment and end on December 31 of the fourth year. Upon conclusion of a term, a member may be reappointed subject to a maximum of three full terms. The aforementioned three term limit does not include partial terms to which members may be appointed at the beginning of their service, or holdover service caused by delay in appointing a replacement at the end of a member's service.

(f) The Public Authority Advisory Committee shall comply with all standing rules for county boards, commissions and advisory committees that are established by the Board of Supervisors.

(g) The Public Authority Advisory Committee shall be staffed by the Public Authority.

**SECTION 2.** This Ordinance shall supercede sections 2 and 3 of Ordinance 03508 dated September 21, 1993, Resolution 65337 dated June 18, 2002, and Ordinance 04703 dated June 3, 2014. Nothing in this Ordinance shall be construed to affect the validity of Section 1 of Ordinance 03508 dated September 21, 1993, which, among other things, established the County's In-Home Supportive Services Public Authority, designated this Board as the Governing Board of the Public Authority, and ordained the creation of the Public Authority Advisory Committee.

**SECTION 3.** This Ordinance shall be effective 30 days from the date of passage thereof.

Regularly passed and adopted this 21st day of July 2015

*AYES and in favor of said ordinance:*

*Supervisors:* \_\_\_\_\_ CAROLE GROOM \_\_\_\_\_

\_\_\_\_\_ DAVE PINE \_\_\_\_\_

\_\_\_\_\_ DON HORSLEY \_\_\_\_\_

\_\_\_\_\_ WARREN SLOCUM \_\_\_\_\_

\_\_\_\_\_ ADRIENNE J. TISSIER \_\_\_\_\_

*NOES and against said ordinance:*

*Supervisors:* \_\_\_\_\_ NONE \_\_\_\_\_

*Absent Supervisors:* \_\_\_\_\_ NONE \_\_\_\_\_

*Carole Groom*

\_\_\_\_\_  
*President, Board of Supervisors  
 County of San Mateo  
 State of California*

*Certificate of Delivery*

*I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*

*S. Purewal*

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*Sukhmani Purewal, Deputy  
 Clerk of the Board of Supervisors*