



**District Attorney  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

PETE VANDER POEL  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** January 25, 2011

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Don H. Gallian      PHONE: (559) 636-5494						

**SUBJECT:** Accept funding from the State of California, Health and Human Services Agency, Department of Social Services, for In-Home Supportive Services Fraud Investigation and Program Integrity Efforts.

**REQUEST(S):**  
That the Board of Supervisors:

1. Ratify and approve acceptance of funding for In-Home Supportive Services Fraud Investigation and Program Integrity Efforts in the amount of \$194,027 through the State of California, Health and Human Services Agency, Department of Social Services from July 1, 2010 through June 30, 2011. This grant is retroactive due to having received the Award Letters from the State in November and December 2010.
2. Find that the Board had authority to accept the funding as of July 1, 2010 and that it was in the County's best interest to accept the funding on that date.

**SUBJECT:** Accept funding from the State of California, Health and Human Services Agency, Department of Social Services, for In-Home Supportive Services Fraud Investigation and Program Integrity Efforts.

**DATE:** January 25, 2011

**SUMMARY:**

The State of California's Budget Act of 2010 appropriated \$10 million in state funds for the purpose of fraud prevention, detection, referral, investigation, and additional program integrity efforts related to the In-Home Supportive Services (IHSS) Program. Solicitation letters were sent to all counties to establish anti-fraud programs through June 30, 2011. The District Attorney's Office prepared, with input from the Health and Human Services Agency (HHSA), a comprehensive plan to combat fraud in the IHSS Program.

The IHSS program was developed as a cost saving measure for the State to lessen the high cost of hospital or assisted living facilities for the elderly or disabled. The State theoretically saves money by paying individuals to care for recipients in their homes, eliminating expensive hospital stays. Each county in California pays 19% of in-home provider costs, with the federal government paying 50% and the State the remainder. No fraud controls were imposed until the Grand Jury in several counties investigated and brought the results to the attention of their Board of Supervisors and the public. The Governor, after holding a roundtable with DSS officials and District Attorneys from several counties, urged that fraud prevention and investigation take place and, to emphasize his concern, allocated the funding for this program.

The goals of this plan are to: 1) Identify fraud in IHSS Program cases, 2) investigate IHSS fraud, 3) prosecute IHSS fraud, 4) increase training for both DA Investigators and IHSS staff, and 4) increase community recognition of and knowledge about IHSS fraud.

The Board approved the submission of an application for the funding of this program, including increased general funds appropriations, on May 25, 2010, (Resolution Number 2010-0416). The Notice of Funding Award was received from the State on November 24 and an additional Funding Award letter was received December 28, 2010.

**FISCAL IMPACT/FINANCING:**

The total cost for the Program for Fiscal Year 2010/2011 is \$228,970. This includes State and federal funding (allocation) in the amount of \$194,027, with a required county match of \$34,943 and is included the District Attorney's fiscal year 2010/2011 budget. No additional general funds are required.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year Strategic Business Plan and Management System include Safety and Security initiatives to provide for the safety and security of the public.

**SUBJECT:** Accept funding from the State of California, Health and Human Services Agency, Department of Social Services, for In-Home Supportive Services Fraud Investigation and Program Integrity Efforts.

**DATE:** January 25, 2011

The authorization to accept this allocation funding from the State of California, Health and Human Services Agency, Department of Social Services, helps to fulfill this initiative by combating IHSS fraud, which will help protect individuals throughout Tulare County from being victims of this kind of crime.

**ALTERNATIVES:**

The Board could choose not to adopt the Resolution. This alternative is not recommended because the Board has consistently supported developing countywide responses to all types of crime and consumer protection. In addition, without grant funding, the Department will not be able to implement the proposed project.

**INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

A Memorandum of Understanding between HHS and the District Attorney is being developed.

**ADMINISTRATIVE SIGN-OFF:**

  
Don H. Gallian  
Assistant District Attorney

Cc: Auditor/Controller  
County Counsel  
County Administrative Office (2)  
Health & Human Services Agency

Attachment(s):

Attachment 1: Notification of Funding Award November 24, 2010  
Attachment 2: Notification of Funding Award December 28, 2010

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

ACCEPT FUNDING FROM THE STATE)  
OF CALIFORNIA, HEALTH AND )  
HUMAN SERVICES AGENCY, )  
DEPARTMENT OF SOCIAL SERVICES)  
FOR IN-HOME SUPPORTIVE )  
SERVICES FRAUD INVESTIGATION )  
AND PROGRAM INTEGRITY EFFORTS)

RESOLUTION NO. \_\_\_\_\_

AGREEMENT NO. \_\_\_\_\_

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST: JEAN M. ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Ratified and approved acceptance of funding for In-Home Supportive Services Fraud Investigation and Program Integrity Efforts in the amount of \$194,027 through the State of California, Health and Human Services Agency, Department of Social Services from July 1, 2010 through June 30, 2011. This grant is retroactive due to having received the Award Letter from the State in November 2010.
2. Found that the Board had authority to accept the funding as of July 1, 2010 and that it was in the County's best interest to accept the funding on that date.



JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street, MS 9-09-04, Sacramento, CA 95814



ARNOLD SCHWARZENEGGER  
GOVERNOR

December 24, 2010

Mr. Jason T. Britt, Director  
County of Tulare  
Health & Human Services  
5957 S Mooney Blvd.  
Visalia, CA 93277

Dear Mr. Britt:

**SUBJECT: FUNDING AWARD FOR FRAUD INVESTIGATIONS AND PROGRAM INTEGRITY  
IN THE IN-HOME SUPPORTIVE SERVICES PROGRAM PURSUANT TO THE  
CALIFORNIA STATE BUDGET ACT OF 2010**

This letter is to inform you that your county has been approved to receive additional funds over your base allocation for fraud detection and prevention activities as provided in the California State Budget Act of 2010. The county's revised total allocation is listed in Enclosure A (attached hereto), which includes the federal, state and county share. Please submit an amended Plan and Budget Justification reflecting the revised total allocation within 15 days from the date of this letter.

Please note that this funding is for the current fiscal year only. Future fiscal year funding is contingent upon the state budget, and county allocations may vary from current year allocations based on the number and quality of plans received.

If you have any questions or concerns, please contact Marc Engstrom, Manager in the Litigation and Appeals Bureau, via email: [marc.engstrom@dss.ca.gov](mailto:marc.engstrom@dss.ca.gov) or telephone: (916) 651-3488.

Sincerely,

CARRIE A. STONE, Chief  
Litigation and Appeals Bureau  
Adult Programs Branch

Enclosure

c: Mr. Frank Mecca, Executive Director, CWDA  
Mr. J. Steven Worthley, County Supervisor  
Mr. Phil Cline, District Attorney  
Ms. Jeanne Warren, IHSS Program Manager

Enclosure A

**FY 2010-11 COUNTY FRAUD PLAN  
REVISED TOTAL ALLOCATION**

<b>County</b>	<b>Revised Total Allocation Amount</b>
Alameda	\$1,338,797
Kings	\$86,231
Marin	\$199,491
Nevada	\$94,339
Orange	\$1,400,594
Placer	\$180,403
Sacramento	\$2,310,810
Solano	\$326,717
Tehama	\$116,979
Tulare	\$228,970



JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



ARNOLD SCHWARZENEGGER  
GOVERNOR

November 24, 2010

Mr. Phil Cox, County Supervisor  
District 3, County of Tulare  
Board of Supervisors  
2800 W. Burrell Avenue  
Visalia, CA 93291

**SUBJECT: FUNDING PLAN FOR FRAUD INVESTIGATIONS AND PROGRAM  
INTEGRITY IN THE IN-HOME SUPPORTIVE SERVICES PROGRAM  
PURSUANT TO THE CALIFORNIA STATE BUDGET ACT OF 2010.**

Dear Mr. Cox:

This letter serves to acknowledge receipt of your county's Board-approved plan for participation in the fraud funding provided in the California State Budget Act of 2010. We have conducted an initial review of the plan and are pleased to inform you that your County has been approved to receive the allocation listed in Enclosure A, (which includes federal, state, and county share.) Once the review process has been completed, CDSS will consider requests for augmentations.

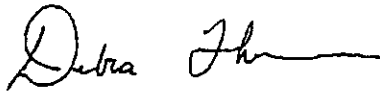
Claiming instructions will be distributed in a County Fiscal Letter to be issued in December 2010. Counties will be allowed to begin claiming funds during the interim between submission and final approval of the county budget. Additionally, we are currently revising the Data Reporting Spreadsheet (Enclosure D). We anticipate releasing the new report format and instructions in February 2011.

Please note that this funding is for the current fiscal year. Future fiscal year funding is contingent upon the state budget, and county allocations may vary from current year allocations based on the number and quality of plans received.

Mr. Phil Cox, Supervisor  
Page Two

Please contact Mr. Marc Engstrom, Manager, Quality Assurance Monitoring Unit, at (916) 229-3494, if you have any questions or need assistance with your budget.

Sincerely,

  
for

EILLEEN CARROLL  
Deputy Director  
Adult Programs Division

Enclosure

c: County Welfare Director  
County District Attorney  
IHSS Program Managers  
Frank Mecca, Executive Director, CWDA



FY 2010-11 COUNTY FRAUD PLAN ALLOCATION

County	Amount Allocated
Alameda *	\$1,283,036
Alpine	\$9,521
Amador	\$21,176
Butte *	\$210,553
Calaveras *	\$29,489
Colusa *	\$32,467
Contra Costa *	\$635,115
Del Norte *	\$18,985
El Dorado	\$57,096
Fresno *	\$783,628
Glenn *	\$46,958
Humboldt *	\$176,234
Imperial *	\$233,330
Inyo	\$21,737
Kern *	\$332,162
Kings *	\$80,689
Lake *	\$38,785
Lassen	\$25,136
Los Angeles *	\$10,018,646
Madera *	\$76,335
Marin *	\$190,809
Mariposa *	\$38,617
Mendocino *	\$209,430
Merced *	\$162,022
Modoc	\$16,738
Mono	\$15,391
Monterey	\$269,500
Napa *	\$82,822
Nevada *	\$71,083
Orange *	\$946,745
Placer *	\$116,441
Plumas *	\$26,314
Riverside *	\$917,621
Sacramento *	\$1,804,883
San Benito	\$32,494
San Bernardino *	\$1,422,197
San Diego *	\$1,445,563
San Francisco *	\$1,020,426
San Joaquin *	\$426,583
San Luis Obispo	\$191,147
San Mateo	\$306,576
Santa Barbara *	\$182,609
Santa Clara *	\$1,112,475
Santa Cruz	\$240,520

Shasta *	\$150,768
Sierra	\$10,897
Siskiyou	\$36,763
Solano *	\$321,152
Sonoma *	\$387,096
Stanislaus *	\$421,051
Sutter *	\$38,701
Tehama *	\$66,141
Trinity *	\$15,613
Tulare *	\$161,741
Tuolumne *	\$58,360
Ventura *	\$271,976
Yolo*	\$125,849
Yuba *	\$76,560

\* Denotes participating county with approved plan.