

COALITION FOR

R.E.A.L.

Home and Community-Based
Services in Pennsylvania

RESPECTED • EMPOWERED • ACCESSIBLE • LOYAL

Pennsylvania Proposed Consumer Workforce Council

Who Created the Intergovernmental Agreement to establish the QHCC?

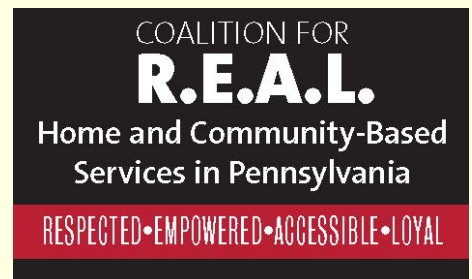
- The PA Department of Labor and Industry
- NOT
 - Department of Public Welfare
 - Department of Aging

Who is missing in the creation of the Commission?

- CONSUMERS!
- PROVIDERS!
- OTHER STAKEHOLDERS!

How did we get here?

- L&I Acting Secretary Vito developed “Quality Home Care Commission” by way of an Intergovernmental Cooperation Agreement between state and county government
- Targeted 3 Counties:
 - Washington
 - Allegheny
 - Luzerne



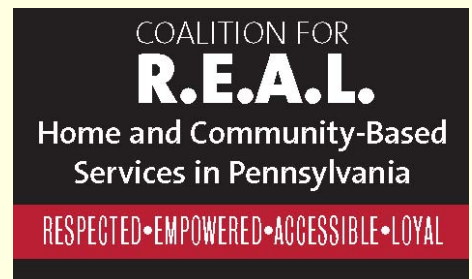
First time we heard...

- December 2007, Dale Laninga presented the “concept” at the SWPPA annual meeting
Intergovernmental Agreement distributed to three counties: Allegheny, Luzerne, Washington - January
- Homecare regulations stalled in Governor’s office - April
- Democratic Policy Committee held hearing in Pittsburgh in May
 - ‘Stacked’ testimony - No opponents invited



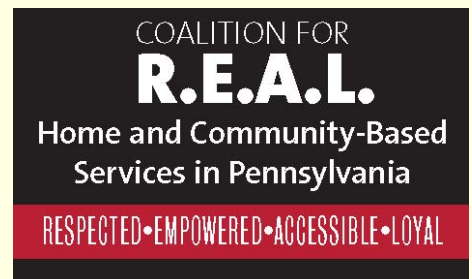
Connecting the dots...

- Early June groups discuss concerns with Sec. Vito
 - Assured that home care agencies would not be affected
- June 11 Vito presented at LTC Committee – never mentioning the IGA existed
- AARP/SEIU *My Life, My Choice* Begins Push for Quality Home Care Commission – July
- Union members are contacting consumers and attendants – July



Connecting the dots...

- FEs notified of workers' comp reclassification: domestic service to home health aide – August
- Consumer/Attendant Care Workforce Steering Committee created – August
- Steering committee issues model agreement to L&I
- New rules for FEs – September
- State Workers' Insurance Fund notifies FEs that classification change effective Jan. 1, 2009
 - Cost FEs additional \$17 million



3 Ways to Establish Public Entity

- Legislative
 - Usual route
- Executive Order by Governor
- Intergovernmental Agreement
 - “Clever way”
 - PA Intergovernmental Cooperation Act

IGA Excerpts

- A “workforce crisis” “*WHEREAS, at present there is no other entity or enterprise in the Commonwealth which efficiently addresses the goals and performs the functions that are planned for the Intergovernmental Cooperation Entity created here*”
- The Council will be the *employer for limited purposes*
- Council will be a “*SEPARATE entity*”
- ALL FMS organizations remain in tact under proposed revised document
- “...*encourage public and PRIVATE financing*” “*Pay to play*”??]
- “*Bargain collectively...*” choose a collective bargaining representative, strive together with the state and the UNION of personal care attendants – SEIU & 1199C

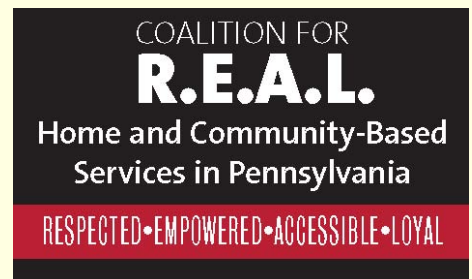
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Workforce ‘*crisis*’: Myth or Fact

- Says WHO?
 - NEPACIL and CRI conducted consumer survey in 43 counties with 1,500 responses !!!!
- Do you have difficulty in finding/hiring attendants.
 - With 1.47 [1 = no difficulty to 5: very difficult]
- Do you believe that your attendant wants to become part of a union?
 - 94% said NO
- If a union is voted in, how many hours of your service are you willing to give up to pay for your attendat[s] benefits?:
 - 20.4 MINUTES !!!

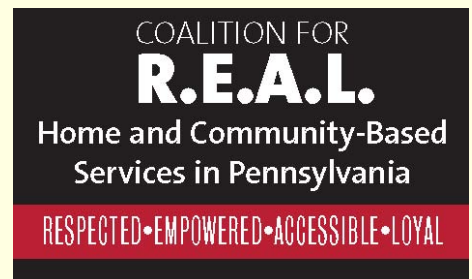


Collective Bargaining: Myth or Fact

- In states where this authority/commission was enacted the attendants were earning below PA's wage
- Entity looks like a home care agency – would need to be licensed
- Creates a registry of workers –unclear who would be required to join Council/registry
- Union dues were 2.05% of salary [still PAY even if not a member !]
- Will there be strikes, pickets, 'blue flue', etc?
 - If not, what is the leverage?

Consequences?

- Agencies would be competing for consumers and workers with a state-run & state funded homecare agency.
- Adds another layer of costs for funding home and community-based services at a time when the state already has nearly 5,000 people on the waiting list for OPTIONS in-home services;
- Takes away consumer choice by promoting the new Council as a way; the only way to obtain homecare aides
- Adversely impacts an industry (homecare) that employs nearly 70,000 workers and each year contributes some \$8.2 billion to Pennsylvania's economy.
- Other states where authority is in place did not have the provider network that PA does-- 650 agencies providing non-medical care & licensure on the horizon.



Conclusion

- NO Consumers were included in the development of this 'authority'
- No need for another entity that would do the same thing as the 650 homecare providers do: Hiring, training, screening, etc.
- No fiscal note to determine state or county budget impact
- Right to organize: should be marketplace driven, not government driven
- Consumer Independence is substantially eroded
- Will dramatically alter private marketplace
- We all AGREE on the GOAL: quality, living wages and benefits
 - We DISAGREE on the methodology!!!
Another bureaucracy/authority is not the answer

