

FEBRUARY 2011 IHSS 3.6% CUT IN HOURS

Most people getting IHSS services will have a cut in their hours. The cuts start February 1, 2011. The cut is 3.6%.

- *You choose which services you won't pay an aide to provide.*
- *You need to tell your provider what they will no longer get paid to do for you.*

How will the hours be cut if IHSS pays for all your needs?

For most people, the cut comes from your total paid hours. Example: You are approved for 100 hours. Your new paid hours will be 96.4 (100 minus 3.6 hours = 96.4).

What if I need more than the maximum hours?

If the county assessed you as needing more than 195 hours per month (283 if you are severely disabled), then you have an "unmet need." (This means you need more hours than the county can pay you for. Unmet hours of protective supervision don't count.) In this case, the cut will first come from total needed hours, not from what you are paid for. Example: You are assessed for 200 hours; the maximum for you is 195. Your total hours would be lowered to 192.8. (200 hours minus 3.6%, not 195 hours minus 3.6%.)

What Can I do?

Make sure you have a **current assessment** for the correct number of hours. Ask for a **new assessment** if your condition has gotten worse or you need more hours. If you have it the medical evidence showing your need for more hours, give it to the worker. (Otherwise, the worker should contact your medical providers.)

Ask for a hearing

If you think the county made a math error in the amount cut, or you cannot get a new assessment and think you have a greater need for hours, ask for a state fair hearing. (A math error would be, for example, if the hours cut was done from the hours paid, instead of from your unmet need). To ask for a hearing, fill out the back of the Notice telling you of the cut, or call (toll free) 800-952-5253. Apply as soon as you can. You have **90 days** from the date of the notice to ask for a hearing. If you are late, you must have a "good cause" reason for being late; this is *very* limited.

Call your local Legal Aid program for help!