Personal Care Attendant Quality

Home Care Workforce Council

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# Personal Care Attendant Quality Home Care Workforce Council

Council Meeting

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| June 10, 2025 |  | [Time]: 1:30pm – 3:30pm | Zoom Meeting |

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| coUNCIL  members in attendance | Justin Graceffa, Chris Hoeh, Kristin McCosh, Cindy Purcell, Tom Hooper, Tamara Huntley, Dianna Hu |
| Council members not in attendance |  |
| Council staff attending | Jocelyn Gordon |
| chair | Kiame Mahaniah |
| Note taker | Dominique Jeudy |

1. **Council Organizational Matters**
2. **Review and approval of minutes**: Council voted unanimously to approve April Minutes.
3. **Workgroup Status Reports and Discussion** 
   1. **IAE Implementation Council: (Justin Graceffa)**

* The RFR should be posted shortly. MassHealth (MH) is probably going to procure stakeholder readers.
* MassHealth appreciates the efficacy of the community's engagement. Multiple pathways are being procured.
* The advocacy community is concerned that a new entity will degrade local disability-led organizations.
* Frustration expressed over the $15 million cost of the initiative, especially alongside new PCM standards.
  1. **Complex Care**: Justin provided update.

1. **PCA Program Updates**
2. **MassHealth Update**:
3. **Complex Care Differential**

* Complex care work group will revisit complex care in a year (with data) to examine fiscal impacts. Two MH letters are in review and should be completed by Wednesday MH will be requesting that SEIU and Workforce Council post them on their websites.
* **Regulations:** Council received the regulations and members will review them. ED will be organizing a meeting to review and prepare testimony.
* MH clarified that Council questions about regulations should be submitted through the public comment period and public hearing.

1. **EVV Remaining Issues from April Meeting**

* **Council raised issue of conflicting info shared by Tempus.** MH shared that new internal training materials are in the process of being developed in addition Knowledge Base (AI software) will be implemented with EVV-content as a first priority for loading into the system**. Follow up question: What the time frame is for the implementation of Knowledge Base and will CEs be part of the UAT testing?** Knowledge base was implemented in quarter three, with ongoing content additions, initially focused on EVV.
* **MassHealth shared that the EVV team is working with Tempus to create a guide/documentation that addresses the issue of the phone upgrade required by CE to use the app**.  MassHealth shared that EVV team is working with Tempus to create a guide/documentation that addresses this issue and will help CE navigate this challenge. **What is the status of this effort and would MH appreciate the help of a CE from the Council to review and provide feedback on documentation?** MH shared that the EVV team is working with Tempus to create a guide addressing up reissues for consumer employees using the app. The guide and documentation are available on the Tempest website and EBB dashboard.
* **Council raised the issue that When consumers have multiple PCAs the app doesn't total the hours for all PCAs for the week/pay period making it difficult for consumers to be sure that they are staying within their hours**.MH responded that the EVV team states that there is no easy place to calculate and display totals and hours in the app. These are usually displayed in the portal. MassHealth shared that they will research and see if there is some additional information, they can include in the app and let us know later what they find. Council is interested in hearing about **What MH found out about displaying totals and hours or relevant additional information in the app.** The EVV team has shared there's no logical place to put total hours on the app, but a request was made to HHA to develop a proposal to display totals. Due to current priorities for HHA, the project will likely be completed later in the year.
* **A member of the public asked about the** **compliance of the EVV app with digital accessibility standards—**including being compatible with screen readers.  MH was unable to confirm but was going to take the question back. **Council would like to know what MassHealth learned.** MH stated that the request to be in compliance with digital accessibility standards and four issues were worked on and corrected. MH also mentioned that the EVV team also analyzed the accessibility of the mobile device and they were no issues identified.
* **Justin** raised an issue regarding- PCAs who unable to log out at times. This was confirmed by others. MH requested specific information when issues happen in real-time, recommending PCAs call the Tempest help desk with details like device, PCA, time, and date. Justin agreed to send a screenshot. Union stated that PCAs have reported not being able to sign up and suggested more education is needed for PCAs on what to do. Chris suggested surveying users to identify problems, similar to satisfaction surveys used by Lyft or Uber.MH responded that she will check with the EVV team to see if a survey is feasible and provide an update.

1. **Website Updates and Accessibility:** Edits focused on the Workforce Council's webpage. A broader discussion was requested by Council member including the MassHealth website. Chris reminded all that the current website lacks essential information for potential consumer employers and PCAs, suggested a more user-friendly design. MH addressed the concern and stated that the consumer handbook will be updated and published in January, with new materials to be posted on the website. All of these new materials collectively provide help.These materials include regulatory changes that need to be finalized.
2. **ID Cards Procurement Update:** MH reported that only one bid was received for the ID cards procurement, and the bid was not responsive. The procurement will be reposted. Union expressed disappointment, noting this issue has been ongoing for over a year and is part of their collective bargaining agreement. MH noted that the CBA requirements were met. Legal team explained the internal process and the difficulty of selecting a bid that does not inspire confidence in the use of state tax dollars and requested the union communicate this to encourage more bids. Council inquired about MassHealth's strategy to ensure more respondents the second time around. Legal team stated they can repost and direct entities to the reposting on Commbuys. Legal team encouraged MH to provide an update and next steps around moving forward in the spirit of efficiency to get this reposted. Council Chair noted that this was not a super rare outcome for a state agency and noted the importance of improving communication to try to make it smoother and more effective for Council members.
3. **ForHealth Update: Recruitment and Directory Updates (See Powerpoint)**
4. ForHealth (FH) presented a recruitment map showing progress collaborating with Mass Higher Career Centers and community colleges. FH noted that sites in yellow have a job seeker recruitment event scheduled, and sites in green have already been visited for recruitment events. FH shared that 52 recruitment events were attended from January through May, grouped by month and expansion type. FH mentioned collaborations with MassHire, community colleges, personal care management agencies, Centers for Independent Living, and other organizations.
5. What’s new?
   * Work towards collaborating with additional organizations, including community action agencies, the Department of Transitional Assistance, family resource centers, and other community connections.
   * List provided of upcoming events in June, including job fairs and PCA union meetings.
   * Leverage existing resources and partner with the union to help PCAs sign up on the directory at union meetings.
6. Noted other stats:

* 1,984 job seekers created directory accounts this calendar year.
* 311 consumer employers have created directory accounts this calendar year.

1. **Executive Director Reports**
2. **Recruiting and Retention Task Force:** The Recruiting and Retention Task Force has been working on two projects.
3. Phase 2 of the Council’s Recruiting expansion strategy which ForHealth described earlier an
4. The New Consumer Guide and/or Presentation. The task force plans to focus the Guide on:

* The program knowledge that comes with experience as a participant.
* Directing new consumers to the appropriate sources of information
* Some of the Broad Topics include:
  + Program Overview
  + Consumer-employer Rights and Responsibilities
  + PCA Rights and Benefits
  + Recruiting PCA and
  + Managing PCAs

1. **Retirement Update:** HX and Context: Council wanted to get some extra expert advice on how to go about implementing a retirement vehicle for PCAs and entered into a contract with Morgan Lewis because they had experience with retirement plans in Massachusetts, and in particular with some plans that are operated by the state, the state’s CORE plan, being one of them. We are moving forward with their processing the information they provided to them around the recommendation to look into their retirement plan vehicle and what statutory changes they may need to make or want to make. We will need legislative language for the PCA workforce council, a**nd it's a little bit different than the previous version that they had.**
2. **IRS Update**. The Council asked our legal team back in 2023 to work with us to request a ruling that payments to PCAs who live in the same home as the person to whom they provide care under the state’s PCA Program be considered “difficulty of care payments” and thus excludable from the gross income of the PCA under section 131 of the IRS Code.

The IRS issued the ruling yesterday and determined that such payments **will be treated as difficulty of care payments** excludable from the gross income of the PCA under section 131; and the taxpayer **is not required** under section 6041 or section 6051 to report these wages subject to income tax.

1. The Council will be working to set up a meeting over the next couple of weeks to discuss the ruling and how the Council can best support MassHealth with any implementation issues.
2. We are in the process of reaching out to determine whether this federal income tax exemption would apply to a PCA’s state income tax obligations.
3. Kudos to the legal team for their expertise, perseverance in and commitment to making this happen!!Legal and MH noted that implementation is not instantaneous and will take time to operationalize.
4. **NHO:** Council Members interested in sitting through NHO: Kristin, Cindy, Chris
5. Other items: Immigration status
6. People from Haiti and a few other countries are going to be losing their legal status and their ability to work. Legal reiterated that without work authorizations, MH cannot employ immigrants to work as PCAs.
7. Council has expanded its recruitment strategy as described above to address PCA shortage.
8. Union stated that letter for PCAs was difficult to understand. Additionally: Letter did not describe:
   * what happens to PCA PTO upon termination due to incomplete documentation.
   * that If PCAs can update their documentation (e.g. I-9) then they can be rehired.

The meeting concluded with a formal vote to adjourn, and the council members expressed their thanks and appreciation for the updates and discussions. Executive Director asked for a motion to conclude the meeting, Cindy motioned, and Chris seconded the motion. All members in favor. Meeting adjourned.

Respectfully Submitted,

Dominique Jeudy