County of Orange Social Services Agency
Family Self-Sufficiency & Adult Services Division

Program/Area:	Adult Services/In-Home Supportive Services		
Title:	Own Home		
Number:	1044	**Status:**	Final
Effective Date:	4/27/2020	**Revision Date:**	6/21/2022
Approved:	Signature on File		

POLICY

IHSS Program rules and purpose of IHSS remain unchanged. Once eligible, IHSS recipients are expected to comply with program requirements, and provide the required documentation to determine continued eligibility and need for services.

Social Workers are required to conduct home visits in an individual's "own home" to assess the applicant's/recipient's needs in order to authorize IHSS hours.

Recipients or Authorized Representatives remain responsible for notifying the County whenever there is a substantive change in living arrangements which would necessitate a reassessment of authorized IHSS hours and/or services.

Welfare and Institutions Code Section 12300(a) defines "own home" as "homes or abodes of their own choosing." In general, homeless persons do not have a permanent dwelling that is their "own home" and therefore cannot receive IHSS.

An individual's "own home" does not include an acute care hospital, skilled nursing facility, intermediate care facility, community care facility or a board and care facility. A person receiving an SSI/SSP payment for a nonmedical out-of-home living arrangement is not considered to be living in his/her own home.

An individual's living arrangement can clearly be defined as "own home" when one of the following situations exist:

1. Ownership - The recipient has an ownership interest or a life estate interest in the home.
2. Rent - The recipient is liable to the landlord for any part of the rental charges or in-kind payment indicated on the rental agreement.
3. Shared Expenses - The recipient pays at least a pro rata monthly share of the household and operating expenses determined by dividing the number of people in the household regardless of age.
4. All Residents Receive Assistance Payments - The recipient resides in a household in which every member receives some kind of public income-maintenance payments based on need.
5. Relative's Home - The recipient resides in the household of a relative (including in-laws) or legally appointed guardian/conservator and is not receiving the SSI/SSP Board and Care Benefit rate.

Through Welfare and Institutions Code Section 18999.8, the definition of "own home" has been reevaluated to include certain alternative living arrangements.

County staff will evaluate each alternative living arrangement to ensure that authorized services can be delivered in a safe manner considering necessary universal precautions. While deciding if a location will be eligible, the county should provide all necessary support to the applicant or recipient so that they may remain in the alternative living arrangement or transitional housing and be able to receive IHSS.

Alternative Living Situations

Social Workers will evaluate each alternative living arrangement to ensure the applicant/recipient can be assessed and have his/her authorized services delivered in a safe manner.

A recreational vehicle (RV) may meet the definition of the applicant's/recipient's "own home" when utilities needed to provide authorized IHSS in a safe manner are available and the RV can be situated in a single location for a "specified period of time".

Utilities may include running water, electricity, gas (if needed), restrooms, and appliances for the safe storage and preparation of food (for meals). The RV should be situated in a single location for a "specified period of time", or a length of time sufficient for the Social Worker should use their best judgement to assess the individual's needs, authorize IHSS services, and for the provider to deliver IHSS services to the recipient.

RV locations can include a campground, RV park, or other private property where the RV has been authorized to remain for a "specified period of time". A single location is necessary as it would be impossible for the County to conduct assessments, reassessments, and unannounced home visits required by IHSS rules if the RV was mobile and parked in different locations each day.

IHSS recipients living in **remote or rural areas, including Native American tribal lands**, would be eligible for IHSS even if they do not have access to local utilities since they may have access to alternate resources such as well water, wood burning stove, and diesel-powered generators. Such resources would allow them to receive their services in a safe manner. Social Workers should evaluate the specific circumstances of the recipients dwelling when performing an assessment.

A homeless shelter could be considered an alternative living arrangement and meet the definition of the applicant or recipient's "own home" if the management of the homeless shelter allows the IHSS recipient to remain there for a "specified period of time" and allows the Social Worker to enter the facility to perform an IHSS assessment and the IHSS provider to be present in the shelter to provide services.

Social Workers will need to complete an assessment of the living arrangement as there may be services offered by the shelter which would qualify as an alternate

resource (such as meal prep or other domestic and related services) and could require an adjustment to already authorized services, if any.

An IHSS recipient who moves into the **residence of a family member or friend** could be considered to be living in their "own home" if the family member or friend allows the recipient to remain in the home for a "specified period of time." Recipients who alternate between homes of various family members or friends can continue to receive IHSS, although the Social Worker will need to assess and adjust the hours after each change of residency as authorized IHSS may be assessed differently based on their living arrangement.

Emergency Extraordinary Circumstances

Counties must be aware that certain extraordinary circumstances may arise in which an IHSS recipient may not have access to his/her home, but the IHSS recipient can continue to receive services while living in a temporary living arrangement (example fires or disasters causing the recipient to be displaced). If they are moved from a shelter to temporary housing, the Social Worker must conduct an assessment on the new living arrangement as well.

Social Workers should perform a reassessment at the emergency shelter to determine if a temporary adjustment in the authorized hours of a recipient is necessary based on the needs and living arrangement. Social Workers should document in the case notes any adjustments needed to accommodate any need that arises due to the unexpected, extraordinary circumstance.

Whereabouts Unknown

If a recipient, for whatever reason, cannot be located, Social Workers should make a good faith effort to communicate with the recipient. This includes making telephone calls to all known recipient numbers (including both landlines and cell phone), direct mail, email, in-home visits, and contact with known family or friends of the recipient. All such attempts to contact the recipient should be documented. Copies of returned mail should be maintained in the recipient's case file.

After the Social Worker has attempted to contact the recipient using the various methods outlined above, the Social Worker may terminate the case and send a Notice of Action to that effect to the recipient's last known address ten days prior to the termination date of the case.

PROCEDURE

Home Assessments

Social Workers should conduct home visits as long as the applicant/recipient are eligible to receive IHSS based on the program rules and regulations. The Social Worker is responsible for determining whether the applicant/recipient's living situation meets the IHSS criteria for "own home". If the applicant/recipient meets the criteria, approve/continue IHSS services following established procedure.

Social Workers will follow Policy 1002 Intakes and Policy 1008 In-Home Assessments when assessing applicants and recipients.

Homeless Adult and Family Multidisciplinary Teams

Counties are authorized to create homeless adult and family multidisciplinary teams to assess each homeless individuals' current living situation including accommodations and services that they may need, including SSI and Medi-Cal. One of the goals of the multidisciplinary teams is to ensure that homeless individuals in need of IHSS can be moved into a safe and stable living situation in which they can receive authorized services.

Social Workers should provide all adequate referrals to assist in arranging for safe living environments before any denial of a homeless IHSS applicant or termination of a recipient not meeting the definition of "own home".

REFERRAL SOURCES

Orange County Homeless Resources

211-OC

State Homeless Resources

Homeless Emergency Aid Program (HEAP)
California Emergency Solutions and Housing (CESH)
Homelessness Continuum of Care (CoC)
United States Department of Housing and Urban Development (USHUD)

REFERENCES

ACIN I-19-20

WIC 1200(a), 12301.1 (b)(1)(B) and 18999.8

ACL 18-55

MPP 30-701(o)(2) and 30-757.1(a)(1)(A)(1)

Policy 1002 Intakes

Policy 1008 In-Home Assessments
