



*California's protection & advocacy system*

## IHSS Provider Wait and Travel Times

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*Updated July 2018, Pub. #5607.01*

### **1. Can I receive IHSS hours for my provider to take me to doctors' appointments?**

Yes, this is called “accompaniment to medical appointments.” Medical accompaniment to “health care appointments” (e.g. medical appointment at a doctor’s office, dentist and to other health practitioners) is an IHSS service certain IHSS recipients can receive. Medical accompaniment can be authorized when a recipient needs another IHSS service in order to get to and from a medical appointment or alternative resource, and/or at their destination.<sup>i</sup> For example, if a recipient has been authorized for accompaniment to medical appointments, the provider can also be paid to help the IHSS recipient travel to and from medical appointments.

Examples of help with travel includes things like helping a recipient get in and out of a vehicle, getting properly seated, and using seat belts. To get authorized for medical accompaniment, you should tell your IHSS social worker that you have a medical appointment and that you need your IHSS provider’s assistance to get to the medical appointment. The IHSS social worker will then assess your need for assistance in getting to and from medical appointments.<sup>ii</sup> IHSS care providers are not required to use their own vehicle to transport recipients to and from a medical appointment. However, an IHSS recipient can pay their care provider for the use of their vehicle to transport the recipient to and from the recipient’s medical appointments.

### **2. Can an IHSS provider get paid for time spent waiting at an IHSS recipient’s doctor’s appointment?**

Yes. As of February 1, 2016, providers can receive payment for time spent waiting at medical appointments. In order to be paid for waiting at a medical appointment, the provider has to show that while they are at a recipient’s medical appointment, they cannot leave because they cannot

predict how long the recipient's appointment will take. An example would be when a provider takes a recipient to a medical appointment and the provider has to wait at the medical office because, at any moment, they may have to take the recipient home. This means the provider is "engaged to wait" or "Wait Time —On Duty."

When a recipient is authorized for medical accompaniment, if all the following conditions are met, then the provider will be considered "Wait Time —Off Duty" (which means they will not be paid for any time spent waiting for the recipient):

1. The amount of time the appointment will take is known in advance which would allow the provider plenty of notice that they will not be needed to provide services during that time and which can then be used for their own purposes;
2. The appointment is scheduled to last enough time for the provider to conduct personal business; and
3. The provider is not required to perform any other authorized service, e.g., food shopping, other shopping/errands, during the appointment time.

If all the above conditions are met, then the recipient must tell the provider that they do not have to work until a specified time when they must return to accompany the recipient home. The provider will not be paid for this time. If all the above conditions are NOT met, the provider is considered to have "Wait Time —On Duty," and they must be paid for the time they spend waiting for the recipient.

You can find more information on wait times in All County Letter No. 16-01.<sup>iii</sup>

### **3. What if I need my provider to take me to an alternative resource? Can they still get paid to wait for me?**

Individuals can receive transportation to a site where alternative resources provide in-home supportive services to the recipient in lieu of IHSS.<sup>iv</sup> In general, for individuals who receive time for medical accompaniment to an alternative resource, the time an IHSS provider is waiting would not to be

compensable because recipients are usually dropped off and picked up at a certain time. Normally, a provider cannot be paid for the wait time associated with accompaniment to alternative resource sites because the provider can effectively use that time for their own purposes and it is considered Wait Time Off-Duty.<sup>v</sup> However, in order to determine whether wait time is paid, the social worker must determine whether or not a provider is using “Wait Time-On Duty” or if the provider is using “Wait Time-Off Duty.”<sup>vi</sup>

#### **4. Can a minor receive IHSS hours for accompaniment to doctors’ appointments?**

There are special requirements to get medical accompaniment authorized for minor recipients. Medical accompaniment for minors can only be authorized if the minor recipient has an “assessed extraordinary need,” the appointment is for a specialist, and the minor recipient has a need for an authorized IHSS task to be performed during travel to or from the appointment.

To get medical accompaniment and associated wait times authorized for a minor recipient, each of the three following conditions must be met:

1. The minor recipient must have an assessed extraordinary need. An extraordinary need is a need that is based on the functional impairment due to the minor’s disability and the need is beyond what would normally be expected for a minor of the same age without the functional impairment.
2. The appointment(s) must be with a physician or other licensed health care professional in a specialty care discipline and the appointment must be related to the minor’s disability or functional impairment. Medical Accompaniment may not be authorized for routine appointments with the minor recipient’s pediatrician or primary care physician, such as well-baby/child visits, annual check-ups, immunizations, visits related to common childhood illnesses/injuries, etc.

3. The minor recipient must have a need for an authorized IHSS task(s) during travel to and/or from the appointment, or at the appointment.

The guidelines for authorizing wait time for adult recipients are not applied in minor recipient cases. This is because a parent is typically expected to be present during a child's medical appointment so that they can participate in a discussion with the medical professional about the child's health and make decisions about treatment and care. The social worker should include the wait time in the authorization of hours. You can find more information and examples in All County Letter No. 17-42.

## **5. Can an IHSS provider get paid for travel time between recipients?**

Yes. IHSS providers can be paid for travel time. Travel time is the time it takes a provider to travel directly from the location where they care for a recipient to another location to provide services for a different recipient on the same day. However, a provider cannot get paid for the travel time to and from his or her home to any IHSS recipient's location. In addition, providers can only be reimbursed for 7 hours of travel time per week.<sup>vii</sup>

Providers who have multiple recipients should contact the county in order to complete form SOC 2255 and submit it to the IHSS office. This form must be completed in order for the provider to be compensated for their travel time.

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<sup>i</sup> See Welfare and Institutions Code § 12300(b), and Manual of Policies and Procedures (MPP) Section 30-780.1(b)(5)(A)-(B).- [\(Return to Main Document\)](#)

<sup>ii</sup> See MPP Section 30-757.15.- [\(Return to Main Document\)](#)

<sup>iii</sup> All County Letter No. 16-01, dated January 7, 2016, is available online at [this link for the PDF](#).- [\(Return to Main Document\)](#)

<sup>iv</sup> MPP Section 30-757.154.- [\(Return to Main Document\)](#)

<sup>v</sup> See All County Letter No. 17-42, dated June 23, 2017, available online at [this link](#); see also All County Letter No. 14-82, dated November 25, 2017, available online at [this link for the PDF](#).- [\(Return to Main Document\)](#)

<sup>vi</sup> For more information, see ACL No. 17-42, available online at [this link](#), and ACL No. 14-82, available online at [this link for the PDF](#).- [\(Return to Main Document\)](#)

<sup>vii</sup> Information on travel time is here: [link to the PDF on Travel Time for In-Home Supportive Services providers from the CA Department of Social Services website](#).- [\(Return to Main Document\)](#)