

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

March 12, 2015

Present: Fredlyn Berger, Annie Cox, Deborah Cutter, Cynthia Fernandez, Kristin Hoefflin, Jonathan Istrin, Ken Lane, Jenni Moran, Marina Pink, Scott Shepard, Gay Wane, and Dolly Wauls - Committee Members

Aleta Andrews, Dana Andrews, Martha Rodriguez, Marci Galvez, Courtney Ulrich, Jack Darakjian, Verjine Egian, Darrell Bunch, Pat Knight, Victoria Greenwood, Ana Hernandez, Maria Ortiz, Rhonda Bunnin, Rosa Hernandez, Rosanne Tomaneng, Betty Walkes, Sherri Hufford, Cyndi McAuley, Adam Rhodes, Debra Donovan, Tanner Scharch, Leticia Hernandez, Marielle DeFazio, Neil Jarquin, and Olga Reyes - Guests

George Stevens, Jennifer Kaiser, Yolanda Bosch, Kim Rolfes, Nikisia Simmons, Sarah Rolfes, Kimberly Johnson-McNeill, Jason Craig Trevino, and Anna Polin – Staff

Absent: Mariela Feldman, Michelle Heid, Pam Jacobson, Eleshia Johnson, Rebecca Lienhard, and Wayne Tashjian

I. Call to Order & Introductions

Jenni called the meeting to order at 9:30 a.m. Introductions were made.

II. Public Input - There was no public input.

III. Consent Items

A. Approval of Agenda

M/S/C (F. Berger/S. Shepard) To approve the agenda as presented.

B. Approval of Minutes from February 5, 2015 VAC Meeting

M/S/C (A. Cox/C. Fernandez) To approve the minutes as presented.

IV. Executive Director's Report

George Stevens gave the following reports:

A. Memorandum of Understanding (DDS/DOR/CDE): An MOU has been established between the California Departments of Developmental Services (DDS), Rehabilitation (DOR), and Education (CDE). There is a national movement to prepare people with disabilities to work in integrated settings earning a livable wage, sometimes referred to as “competitive integrated employment” (CIE). These 3 departments have agreed to develop a plan to make CIE a reality in California. We want to be very cautious with this as they move forward as we don’t want anyone left behind. George had no new information about this but will continue to keep the VAC updated as he gets information.

B. Uniform Holiday Schedule and Half-Day Billing: On February 13, 2015, a U.S. District Court ruled that the uniform holiday schedule and half-day billing is invalid and must be enjoined. The Court found that the uniform holiday schedule and half-day billing did not comply with Medicaid requirements, which requires DDS to seek approval from the Centers for Medicare and Medicaid Services (CMS) prior to implementing payment reductions. We anticipate receiving a program advisory from DDS shortly regarding implementation of this Order. Once the current imposed holiday schedule is terminated, we will probably “dust off” the old holiday schedule, which included closures on all major holidays and the time between Christmas Day and New Year’s Day.

Action: Kim Rolfes will obtain more information about this from DDS and will also find out if consumers can continue to work during the uniform holiday schedule.

C. Self-Determination: An e-mail blast went out yesterday with an update and the center’s implementation plan is posted on the website.

1. Volunteer Advisory Committee: We are seeking applicants for our volunteer advisory committee and individuals interested in joining can fill out an application form. It will be an 11-member committee, with the local State Council office (formerly Area Board 10) selecting 5 members, NLACRC selecting 5 members, and the client rights advocate. The local State Council office has already selected their 5 members. We are striving for representation and diversity on our advisory committee and are specifically looking for individuals from the Santa Clarita and Antelope Valleys. The board’s Consumer Services Committee will be selecting our members at their April 15th meeting.

- 2. Consumers' Participation:** The process for selecting and enrolling the 2,500 participants in the first three years has not been finalized. However, anyone interested can email sdp@dds.ca.gov to express their interest in the program and they'll receive notices of website updates on the progress of the program, including the enrollment process.
 - 3. Federal Waiver Application:** CMS has returned DDS's waiver application for the self-determination program because it was incomplete.
- D. Budget Hearings: Senate Budget Subcommittee 3 is holding its hearing today. They will hear testimony on several key issues currently impacting the community services system, including those brought to their attention by The Lanterman Coalition.
 - E. Legislative Activities: NLACRC's Board of Trustees decided to cancel this year's Legislative Breakfast and instead is going to take the lead in a major letter-writing campaign to our legislators and governor. The "Million Letters" campaign will be kicked off at 3 town hall meetings, one in each valley. There are nearly 300,000 consumers being served statewide; we have the numbers to make this happen. The family members, friends, and service providers of these consumers need to get active! We need to really put our hearts into this campaign if we want to have a strong, sustainable system in the future.
 - F. NLACRC's Budget: The center received its A-3 allocation from DDS last week. The net purchase of service (POS) allocation was \$8.6 million and the net operations allocation was \$461 thousand. The center is now reporting a POS deficit in the range of \$16 to \$18.6 million. We believe there is now sufficient contract authority to pay May claims in June using some amount of borrowed dollars. We will continue to work with DDS in an effort to avoid any borrowing this fiscal year. In terms of operations, the allocation reflects the center's caseload growth. As such, we should be able to add more staff positions.
 - G. POS Expenditure Meetings: The Lanterman Act was amended in 2012 to require regional centers to compile data on POS authorization, utilization, and expenditure with respect to consumer age, race, ethnicity, primary language, and disability. Then the regional centers are required to post this data on their websites and hold meetings to present the information to their communities. NLACRC's data is posted on our website and the center will be holding community meetings on Tuesday, March 24th, at 3:00 p.m. and again at 6:30 p.m. at the center's main office. We are asking for RSVPs so we will know how many handouts we will need to make. Everyone is welcome!

V. Chief Financial Officer's Report (Kim Rolfes)

- A. Safety Net: Members of DDS are here today to give a presentation on their Safety Net program. Everyone is encouraged to stay after the VAC meeting to hear their presentation!
- B. Whistleblower Complaints: As required, the center will be sending out copies of our Whistleblower Complaint Policy, along with DDS's policy, to our community. The purpose of the mailing is to make sure everyone is aware of the policies and how to file a whistleblower complaint.
- C. E-Billing: Some service providers have had difficulty using the e-billing system because their computers are incompatible with our software. In order to use e-billing successfully, you need to Use Firefox, Chrome, or Internet Explorer versions 9, 10 or 11.
- D. Parking: The landlord of this office building is going to begin charging for after-hours parking. A kiosk is now located in the lobby area that will need to be used to purchase a ticket to exit the parking lot. If you get your parking validated by the center's receptionist, you will need to run that validation through the kiosk to obtain your exit ticket.

VI. Community Services Director's Report (Yolanda Bosch)

- A. Minimum Wage Increase: Service providers with negotiated rates can request rate increase waiver from DDS to cover the cost of minimum wage increases. We are planning to reach out to our providers in July to notify them of the process prior to the next minimum wage increase which goes into effect January 1, 2016.
- B. DS 1891 Forms (Applicant/Vendor Disclosure Statement): Certain individuals and entities are ineligible to be a regional center vendor if convicted of fraud or the neglect or the abuse of an elder or dependent adult or child. As such, DDS requires service providers to complete and submit DS 1891 forms to us. There are 3 easy ways to do this:
 - 1. Go to the portal and submit the information online.
 - 2. Call the center's community services department and staff there can walk you through the online submission process.
 - 3. Call the center's community services department to set up an appointment to meet with a staff member who can walk you through the process in person.

The center will be sending out letters to those providers who have not submitted their forms to us.

C. Residential **and** Supported Living Out-of-Community or Out-of-State Travel Guidelines

These guidelines were drafted to reflect the center's process to assess and make decisions regarding requests to provide services and supports to consumers who are traveling outside their community or outside of the state. We want to make sure that any safety issues can be addressed and proper supports are in place. We also want to make sure it is the consumer's choice to travel. The draft guidelines will be presented at next week's board meeting for the board's review and then at the April board meeting for their approval. Once approved, the guidelines will be incorporated into the center's service standards.

Action: Jennifer will e-mail the draft guidelines for both policies to the VAC for their review and input.

D. CMS HCBS Final Rule: In January 2014, CMS issued rules about what services will qualify for federal funding under Medicaid waivers and 1915(i) state plan amendments. The major components require:

1. All services must be provided in home and community-based settings (before they were just for residential settings).
2. Individuals must have a lease agreement.
3. Rooms must have lockable doors.
4. States must give individuals the choice between single and shared rooms.
5. Individuals can control their own schedules and can access food and have visitors at any time.

The initial advisory committee meeting was held last month in Sacramento. Yolanda attended that meeting although she is not a member. A PowerPoint presentation was shown. The committee is primarily made up of parents, service providers, advocates, and 3 regional center staff. Their next meeting will be held on Wednesday, March 18th, and Yolanda is planning to go and will share what information she gathers at the April 2nd VAC meeting. These federal regulation changes will have a dramatic effect on day programs and residential facilities. However, the final implementation date isn't until March 2019, so we do have time to prepare.

Action: Yolanda will play the PowerPoint presentation that was shown at the advisory committee meeting at the next VAC meeting on April 2nd.

- E. Out-of-Office Calls: The rates for out-of-office calls was decreased from \$9.00 to \$7.50, effective on February 2, 2015. NLACRC will be sending notices shortly.

VII. Committee Business

- A. Employment First Policy: The Board of Trustees approved the Employment First policy that was developed by the VAC at last night's board meeting. Copies of the finalized policy were provided. The next step will be for the center to incorporate the policy into its processes and procedures.
- B. Identify Nominees for FY 2015-16 VAC Chair: Only one member expressed interest in serving as VAC chair next fiscal year.

M/S/C (G. Wane/S. Shepard) To nominate Michelle Heid to serve as VAC chair next fiscal year.

Michelle is interested in visiting various programs to become more acquainted with the various types of services that are provided and she recently paid a visit to Desert Haven. Michele's election will take place at next month's VAC meeting.

VIII. Reports from the VAC Priority Issue Work Groups

- A. Early Start/Prevention Services (Annie): Unfortunately, there were no regional center staff members present at the last break out meeting. The Early Start Unit group held an interagency partnership meeting on February 10th with Early Start staff, Family Focus Resource Center, School District representatives and vendored programs. They are still collaborating on getting the word out about the restoration of the Early Start program. Also, the group began looking at the State System Improvement Plan Family Outcomes Data Analysis Report generated in August 2014. It provides a broad data analysis of family outcomes data and compares California data with national data. California ranks below the national levels in several areas and the group is planning to discuss how programs can support efforts in improving outcomes.

- B. Children's Services (Wayne): The group discussed how to integrate the new Employment First policy into the IPP process for children as young as 3 years old and what service coordinators will need to know in order to implement it.
- C. Adult Services (Rebecca): The group focused on the push to re-invest into the community services system with a 10% across the board rate increase.
- D. Mental Health Issues (Gay): The group holds a collaborative meeting with members of the Department of Mental Health on the last Thursday of each month. At the last meeting they evaluated 2 different cases. An issue was raised by DMH that service providers have brought in large number of consumers all at one time for medication refills. Their offices aren't set up for these visits. The providers should contact the regional center for directions on how to obtain assessments and medication refills.

IX. Report on Board Committee Meetings

- A. Administrative Affairs (Ken Lane): Auditors from Lautze & Lautze presented the center's audited financial statement; the center had another nearly perfect audit. The center continues to carry deficits in its POS budget as a result of the ICF SPA process; over \$2 million for this fiscal year alone. The center continues to hire service coordinators to lower caseload ratios; 21 net service coordinators have been hired this fiscal year. The center's transportation provider in the Antelope Valley has not complied with its contract requirements and the center released a Request for Proposals but received just 1 response; it was not a good match for the center so they are now looking for a transportation provider to serve all of the Antelope Valley.
- B. Board of Trustees (Jenni Moran): The board met last night. They board will be organizing a "million letter" writing campaign to the governor about the need for the 10% across the board increase for our system. The campaign will be kicked off at 3 town hall meetings (1 in each valley). The Employment First policy was approved as presented. A presentation was given by a CPA firm on the center's tax returns, which are posted on the center's website.
- C. Consumer Services &
- D. Government & Community Relations (Michelle Heid)

A legislative training session was held, in lieu of these 2 committee meetings, last month to prepare regional center staff, service providers, board members, and consumers for their visits with legislators in the spring.

- E. Housing (Jonathan Istrin): Two representatives from Eastern L.A. Regional Center gave a presentation on a 56-room apartment building they were able to develop in Eaglerock with assistance from Women Organizing Resources, Knowledge, and Services (WORKS) and the Corporation for Supportive Housing. The residents will be consumers and homeless veterans and their families. They also wanted to include low income seniors but the County of L.A. didn't want to mix seniors with non-seniors, so they couldn't. It took them a lot of time (many years) and a lot of effort to bring this development to fruition. Also, DDS and the Association of Regional Center Agencies (ARCA) are coordinating a meeting with regional centers to discuss Section 811 project-based rental assistance that is available. Tax credit buildings are favorable to develop because the landlord will receive 50% of the rental amount for half of the units. A meeting in Los Angeles will likely be scheduled for early April.

- F. Nominating (Jonathan Istrin): The committee has met several times in the last couple of months. They held a group orientation for the 32 board applicants, interviewed 9 of them, and will recommend the nomination of 7 of those 9 applicants. The Lanterman Act states that regional center boards must "reflect" the composition of their community, so the committee must take into consideration many aspects, such as geography, disability, ethnicity, etc. in addition to what talents the applicants can bring to the board. The Lanterman Act also requires that 50% of board members be parents or relatives of a consumer and 25% of the board must actually be consumers. The committee will be interviewing VAC applicants on April 1st, and applicants for the Consumer Advisory Committee on May 6th.

- G. Strategic Planning (Annie Cox): DDS approved the center's 2015 performance contract as submitted. ARCA is surveying regional centers about the types of programs and/or services that have closed and the number of consumers that were impacted. Since FY 2008-09, NLACRC has had 1,654 closures; 57 of them this fiscal year. The survey also probed each center's resource needs. NLACRC's most urgent resource need is homes for consumers with behavioral challenges.

X. Open Issues for Discussion

- A. Gay provided copies of a letter written to Senator Dianne Feinstein by New Horizons, on behalf of many other service providers, on the importance of not allowing the passage of any bill that would allow the elimination of Section 14c of the Fair Labor Standards Act. If eliminated, it would have a

significant effect on lower functioning consumers. In addition, if it were eliminated, there is nothing that would replace it.

- B. Scott emphasized the importance of getting legislators to sign on to the Senator Beall letter that urges the Governor to include a 10% across-the-board increase to service provider rates and regional center operations, followed by a 5% increase annually until the system gets “back on its feet” in his state budget for next fiscal year. Regional centers were given a 4.7% increase in operations this fiscal year for “caseload growth” and NLACRC’s caseload has already grown by 5%. It is our goal to get as many legislators as possible to sign on to Senator Beall’s letter!

XI. Agenda Items for the Next Board Meeting

The following agenda item was identified for the VAC’s section of the April 8th board meeting:

- A. Minutes of March 12th Meeting

XII. Announcements/Information/Public Input

- A. Next VAC Meeting: Thursday, April 2nd, at 9:30 a.m.
- B. DDS Safety Net Presentation (immediately following VAC meeting)

XIII. Adjournment

Jenni adjourned the meeting at 11:02 a.m.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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