

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

October 2, 2014

Present: Fredlyn Berger, Annie Cox, Deborah Cutter, Mariela Feldman, Cynthia Fernandez, Michelle Heid, Kristin Hoefflin, Jonathan Istrin, Eleshia Johnson, Ken Lane, Jenni Moran, Marina Pink, Scott Shepard, Wayne Tashjian, Gay Wane, and Dolly Wauls - Committee Members

Erica Beall, Anna Polin, Jennifer Kaiser, Jason Trevino, Sarah Rolfes, Nikisia Simmons, and George Stevens – Staff

Riva Kestenbaum, Victoria Berrey, Rhonda Bunnin, Ella, Don Lucas, Donna Thomas, Emily Owens, Karen Lara, Veronica Barrera, Rachel Hofman, Neil Jarquin, Arcelia Brown, Jeffrey Popkin, Salisa Wagner, Michael Wright, Chris Bratzel, Kathleen Sturkey, and Saud Bisogno - Guests

Absent: Pamela Jacobson and Rebecca Lienhard

I. Call to Order & Introductions

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

II. Public Input

- A. Jeff Popkin, from ETTA, gave an update on the grant they received from the Department of Water & Power for teaching and demonstrating water and energy conservation. They have now made a video presentation which can be shared.

Action: Jeff will e-mail his energy conservation video to Jenni for distribution.

- B. Victoria Berry, from the Family Focus Resource Center (FFRC), announced that they will be having a special needs resource fair on Saturday, November 8th, at CSUN. They are still looking for exhibitors; please contact Victoria if interested. Victoria provided flyers for the event and asked the vendors present to please share information about the resource fair with consumers and families.
- C. Kathy Sturkey, director of LARC Ranch, announced that they will be holding a Halloween-themed fundraising festival at the ranch on Sunday, October 26th, at 1:00 p.m.

III. Consent Items

A. Approval of Agenda

M/S/C (G. Wane/A. Cox) To approve the agenda as presented.

B. Approval of Minutes from September 4th VAC Meeting

M/S/C (W. Tashjian/D. Wauls) To approve the minutes as presented.

IV. Community Services Director's Report (Erica Beall for Yolanda Bosch)

A. Legislative Updates

1. Eligibility for Early Intervention Services (based on 2009 definition) effective January 2015.
2. Rate adjustments due to minimum wage increase (deadline was 9/2/14). The accounting department is still assessing rate adjustments submitted.
3. Changes in federal regulations implementing the Fair Labor Standards Act of 1938 (effective January 1, 2015).
4. Self-Determination: The Department of Developmental Services (DDS) has not submitted the federal waiver as yet. The center will be holding informational outreach meetings at the center's main office and Antelope Valley office; they will be held in English and in Spanish. The center is currently serving over 20,000 consumers, but will initially only have 172 spots to fill.
5. Advocate for a viable and sustainable service provider rate system at a hearing being held by Senator Jim Beall, Jr., on Thursday, October 9th, at 1:30 p.m. at L.A. City Hall, Room 350.
6. New statute stipulates that consumers ages 18 to 24 years be referred to community employment opportunities first. Only if it is found that community employment is not the best option for the person, can they be referred to a 14c (work activity program) providing sub-minimum wage.
7. Lanterman Developmental Center (LDC) closure: The center has only 5 consumers remaining at LDC.
8. Medi-Cal funding behavioral services, effective September 15, 2014, through managed health care plans: LA Care or Health Net.
 - a. In July, CMS issued guidance regarding the treatment of Autism Spectrum Disorder (ASD). State Medicaid programs must cover

services to treat ASD for individuals under the age of 21 years and may cover services to treat ASD for individuals age 21 years or older.

- b. In California, the Department of Health Services (DHCS) is the single state agency leading this effort.
- c. Medi-Cal currently provides a variety of therapy services for individuals with a diagnosis of ASD; however behavioral services are currently not covered. Medi-Cal is focusing on adding behavioral therapy and is in the process of completing a State Plan Amendment (SPA) for CMS approval that will allow Medi-Cal to fund unlicensed behavioral staff (e.g. BCBA's and tutors).
- d. Under federal law, services funded by Medicaid cannot be provided instead through a state's Medicaid waiver. Until now, regional centers have funded behavioral services for individuals with ASD and the state has gotten federal funds for this through a Medicaid waiver. So, payment for these services for individuals under age 21 diagnosed with ASD who have Medi-Cal must shift from regional centers to Medi-Cal.
- e. Most individuals who have Medi-Cal are enrolled in a managed care plan. Medi-Cal managed care plans operate under many of the same rules as the private health plans that started funding behavioral services two years ago when Senate Bill 946 took effect.
- f. On September 15, 2014, DHCS sent the Medi-Cal managed care plans a letter explaining how they are to implement behavioral services for individuals with ASD under age 21.
- g. There are still a lot of unknown variables at this time that we will need to update you on as additional information becomes available.

B. NLACRC Budget

1. DDS implemented a new purchase of service (POS) allocation methodology for this fiscal year. The methodology recognizes prior year POS expenditures and basically funds these expenditures in total.
2. FY 2014-15: POS is \$281,747,942 and operations is \$37,793,256 for a total contract of \$319,541,198. The current amount owed to us by intermediate care facilities (ICFs) through the state plan amendment is \$1.4 million.
3. FY 2013-14: We are still projecting a POS deficit of about \$11.7 million. The current amount owed to us by ICFs is \$1.2 million.

C. NLACRC Business

1. All outgoing e-mails were encrypted as of Monday, August 28, 2014. This practice was discontinued on Monday, September 22, 2014 due to the difficulty recipients had opening the encrypted e-mail messages.
2. FY 2013-14 annual family statements will be going out in November.
3. The center's zero tolerance policy on consumer abuse or neglect will be mailed to our service providers this month; this mailing is done annually.

D. Community Services

1. Outstanding contracts due from SLS and ILS providers.
2. NLACRC has taken action to terminate vendorization and discontinuing referrals to providers who have not submitted their independent audits/reviews for 2011 and 2012.
3. DDS is currently conducting an audit of our 2 family home agencies.
4. Requests for Proposals (RFPs) for our community placement plan (CPP) developments for FY 2014-15 have been posted on our website. An applicants' conference will be held at the center's main office. The 6 CPP developments are for:
 - a. Three 4-bed specialized residential facilities at \$200,000 each; 1 for adolescents and 2 for adults.
 - b. One day or vocational service to serve 20 consumers at \$200,000 each (Antelope Valley)
 - c. One day or vocational service to serve 20 consumers at \$150,000 (San Fernando Valley)
 - d. One supported living service (SLS) provider at \$150,000.
5. We encourage service providers to take advantage the resources in our library, which includes staff training materials.

E. Service Provider Trainings

1. An overview of current Department of Mental Health (DMH) services and programs will be given by the DMH on November 3, 2014 (see flyer).
2. A training by the Department of Labor in the process of being scheduled.

F. AV Vendor Forum Update

1. About 25 providers attended the AV vendor forum held on Monday. The service providers who attended would like to be able to participate

and provide input into the Employment First policy currently being developed by the VAC.

V. Executive Director's Report (George Stevens)

A. Important Hearing

A hearing will be held at 1:30 p.m. on Thursday, October 9th, at City Hall (board of public works, session room 350) at 200 North Spring Street in L.A. The purpose of the hearing is to get input on the impact that California's recession and trailer bill language have had on the state's developmental disabilities system. It is very important that they are informed about the critical service provider rate problem and how it can be addressed; our community system for people with developmental disabilities depends upon it.

VI. Committee Business

A. Draft Employment First Policy

The VAC has decided to investigate other agencies' employment policies to help develop a policy for the center. Jenni and Rebecca will be meeting with Yolanda Bosch once she returns from an employment summit at Golden Gate Regional Center.

B. Vendor Rate Issues

The vendor rate issues have been discussed in detail at the VAC's break out group meetings. The rate issue is becoming even more critical due to the minimum wage increases. Los Angeles is considering increasing the minimum wage to \$13.25 in 2017. And providers must double the minimum wage for their non-exempt staff. NLACRC is partnering with Tierra del Sol to pursue rate increase options through DDS.

VII. Reports from the VAC Priority Issue Work Groups

A. Early Start/Prevention Services (Annie Cox, Chair)

Providers are getting ready to begin providing Early Start services starting January 1st. The Family Focus Resource Center is going to have its prevention program funded through June. After that, they will assist in transition and outreach efforts.

B. Children's Services (Wayne Tashjian, Chair)

An ongoing activity for the Children's Services Group is to have a presence at the behavioral services orientation for families. Other projects include the creation of guidelines and a flow chart for behavioral services, from a service provider's view and creating an in-service for service coordinators on the behavioral services process – also from a service provider's perspective. Also, the Children's group is in need of additional members – anyone interested is invited to participate!

It was announced that representatives from LA Care will be meeting at the regional center next week to meet with interested providers to discuss the transition to Medi-Cal's provision of behavioral services. The meeting will be held Thursday, October 9th, from 10:00 a.m. to noon.

C. Adult Services (Jenni for Rebecca Lienhard, Chair)

As reported earlier, the group has been focusing on an Employment 1st policy and vendor rates.

D. Mental Health Issues (Gay Wane, Chair)

Gay stated that this group generally meets at 3:00 p.m. on the last Thursday of the month in room 210 at the regional center. The group met last week and discussed a number of issues. Gay invited anyone interested to participate in the meetings. The next one will be held November 20th (the 3rd Thursday) because the 4th Thursday falls on Thanksgiving.

Gay also provided information about the L.A. Department of Mental Health's (DMH) Service Area Advisory Committees (SAACs). For the purposes of planning and operation, L.A. County is divided into eight service areas and each one has a SAAC. Each SAAC functions as a local forum of consumers, families, service providers and community representatives to provide the L.A. County DMH with information, advice and recommendations regarding:

1. The functioning of local service systems
2. The mental health service needs of their geographic area
3. The most effective/efficient use of available resources
4. The maintenance of two-way communication between the DMH and various groups and geographic communities

Their meetings are held on the 2nd Thursday of the month, from 9:30 to 11:30 a.m. at the DMH's West Valley Mental Health Center, 7621 Canoga Avenue, in Canoga Park. The meetings are great for networking.

VIII. Report on Board Committee Meetings

A. Administrative Affairs (Ken Lane)

The committee reviewed the center's insurance coverages for the new fiscal year; worker's compensation insurance is going up in cost. The center continues to experience delayed payments through the Intermediate Care Facility (ICF) state plan amendment; the ICFs currently owe the center \$1.4 million for this fiscal year and \$1.2 million for last fiscal year. The committee reviews all contracts over \$250,000 for the board's approval. The center hired 10 new staff in the last 2 months, primarily service coordinators.

B. Board of Trustees (Jenni Moran)

The board approved the continuation of the VAC's priority issue groups for this fiscal year. Jenni shared with them the status of the VAC's development of an Employment 1st policy for the center and also shared providers' concerns regarding the rate issues, especially in light of the minimum wage increases. The next board meeting will be held at 7:00 p.m. on Wednesday, October 8th, at Desert Haven in Lancaster. The board will be voting on the center's 2015 performance contract and several changes to the center's service standards at that meeting. Board meetings are open to the public.

C. Consumer Services (Michelle Heid)

The committee reviewed proposed changes to the center's Early Start service standard to reflect the new eligibility criteria, an update was given on the self-determination program, and they reviewed the monthly CPP report. The committee also discussed Medi-Cal's funding of behavioral services.

D. Government & Community Relations (Michelle Heid)

The committee discussed how to keep legislators informed of pending issues in addition to the usual annual events (legislative breakfast, local grass roots week visits, ARCA Grass Roots Day in Sacramento, and holding candidates forums). Ideas included the many uses of social media, such as following legislators on Facebook. The committee is mainly comprised of new board members who are very eager to learn. The committee also discussed the

October 9th hearing (Section V.A. above.) and several of the committee members expressed interest in attending.

E. Housing (Jonathan Istrin)

At the last quarterly meeting, Tavia Wooley was elected as chair and the committee identified their goals for this fiscal year. The next meeting will be held Monday, November 17th, at noon and a special speaker will be coming: Bill Pavao, executive director of the California Tax Credit Allocation Committee, will be coming to talk about affordable housing for consumers. A lot of housing developments include tax credits and set-asides for seniors and disabled, but not many include them for people with developmental disabilities.

F. Nominating (Jonathan Istrin)

This committee had their initial meeting in August and elected Dawn Hamilton as their chair and identified their goals for this fiscal year. The Nominating Committee is responsible for recruiting and interviewing candidates for the Board of Trustees, VAC, and Consumer Advisory Committee, keeping composition needs in mind. They are also responsible for recommending officers for the Board of Trustees. The committee won't begin meeting again until January, at which time they will begin reviewing applications and holding orientations and interviews.

G. Strategic Planning (Annie Cox)

This committee meets quarterly. Their first meeting of the fiscal year was held August 4th. They elected William Rayber as their chair and set their priorities for the new fiscal year. The next meeting will be held Monday, November 3rd, at 6:00 p.m.

IX. Open Issues for Discussion

A. Gay announced that Mike Danneker, executive director of Westside Regional Center, is retiring at the end of the year.

B. Ken shared information about the Nonprofits Insurance Alliance of California (NIAC) which provides liability insurance to nonprofits. Their prices can't be beat and after 3 years, NIAC shares any overages the companies they insure. Ken's organization, The Adult Skills Center (TASC) has received thousands of dollars from them with this benefit.

X. Agenda Item(s) for the Next Board Meeting

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

A. Minutes of October 2nd Meeting

XI. Announcements/Information/Public Input

A. Next VAC Meeting: Thursday, November 6th, at 9:30 a.m.

XII. Adjournment

Jenni adjourned the meeting at 10:34 a.m.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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