

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

January 8, 2015

Present: Fredlyn Berger, Annie Cox, Deborah Cutter, Mariela Feldman, Michelle Heid, Kristin Hoefflin, Pam Jacobson, Eleshia Johnson, Ken Lane, Jenni Moran, Marina Pink, Scott Shepard, Wayne Tashjian, Gay Wane, and Dolly Wauls - Committee Members
George Stevens, Jennifer Kaiser, Kim Rolfes, John Youngbauer, Yolanda Bosch, Erica Beall, Sarah Rolfes, Nikisia Simmons, and Jason Trevino – Staff
Jack Darakjian, Tanner Scharch, Bahman Ghahremani, Brenda Buonora, Laura Schmieder, Ruthie Rosenberg, Aleta Andrews, Don Lucas, Rita Zelaya, Jeffrey Popkin, Kristopher Prakash, Abe Serrano, Ana Hernandez, Marielle DeFazio, Victoria Greenwood, Taeja Kluge, Mary Cady, Mandy Flower, Marie McManus, Olga Reyes, Valerie Kissell, Riva Kestenbaum, Nancy Parelskin, Lori Sivazlian, Carolyn Caldwell, Don Turner, Michael Wright, and Amy Bryman - Guests

Absent: Cynthia Fernandez, Jonathan Istrin, and Rebecca Lienhard

I. Call to Order & Introductions

Jenni called the meeting to order at 9:35 a.m. Introductions were made.

II. Public Input - There was no public input.

III. Consent Items

A. Approval of Agenda

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

B. Approval of Minutes from November 6th VAC Meeting

M/S/C (G. Wane/W. Tashjian) To approve the minutes as presented.

IV. Executive Director's Report

George Stevens gave the following reports:

A. Expenditure Data: As required by statute, we have posted our purchase of service (POS) expenditure data for FY 2014-15 on our website. We will be scheduling public meetings in which to present this data to our community.

- B. Self-Determination: The Department of Developmental Services (DDS) submitted the waiver application in December as required by statute. A copy of the waiver should be posted on DDS's website shortly. According to DDS, the approval process may extend beyond 90 days in the event the Centers for Medicare and Medicaid Services (CMS) raise questions or concerns for DDS to address. DDS will also be developing training materials. The center is in contact with the local State Council on Developmental Disabilities' (SCDD's) local office regarding forming our joint volunteer advisory committee. This will be an 11 member committee, including the client rights' advocate, with 5 members being selected by the SCDD's local office and 5 members selected by NLACRC. We are communicating with the SCDD's local office to ensure the committee is representative of the center's catchment areas. Also, we have been meeting with the Family Focus Resource Center to begin developing outreach and communication strategies to ensure the entire community is aware of the project. In the meantime, we will post the center's self-determination process steps on our website later this month.
- C. State Budget: The Governor will be releasing his proposed budget for FY 2015-16 tomorrow and it will be broadcasted on Cal Channel. We are hoping that his budget will include language to address service provider rates.
- D. NLACRC Budget
1. POS: We are currently projecting a deficit in our POS budget between \$26 and \$30 million. The deficit is mainly attributed to the center's caseload growth; we have added nearly 1,000 cases in the last 12 months. The deficit can also be attributed to the restoration of the Early Start program and the expanded eligibility made possible through the 5th edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5).
 2. Operations: We have hired over 40 new staff, over the last several month, most of which have been service coordinators to try and bring down our caseload ratios. This is our highest priority for this fiscal year, but it's difficult to accomplish because we are chasing our growth.
- E. Behavioral Services: The center continues to provide behavioral services to consumers who need them until the insurance companies are ready to take them over.
- F. Legislative Outreach: When speaking with legislators and others it is extremely important that we speak in one voice and stay focused on

addressing the under-funding of our system. The Association of Regional Center Agencies (ARCA) is currently working with the Lanterman Coalition to address this issue.

V. Community Services Director's Report

Yolanda Bosch and Kim Rolfes gave the following reports:

- A. DDS Safety Net Website: DDS has offered to come to the regional center and give a presentation on their "Safety Net" website.

Action: On behalf of the VAC, Jenni would like DDS to give the providers a presentation on their Safety Net website, but held separately from a VAC meeting. Kim will make the arrangements.

- B. The ABLE Act: President Barack Obama recently signed the Achieving a Better Life Experience (ABLE) Act, which will allow people with disabilities to open special accounts where they can save up to \$100,000 without risking eligibility for Social Security and other government programs. In addition, individuals can keep their Medicaid coverage no matter how much money is accrued in an ABLE account.
- C. AB 1522: This bill recently passed which enacts the Healthy Workplaces, Healthy Families Act of 2014. The Act provides that an employee who on or after July 1, 2015, works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days, to be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th day of employment. The bill has some exemptions, so you may want to take a look at it to see if it applies to your business.
- D. 1099 Forms: Will be going out next week.
- E. Social Security Increase: Effective January 1st, the Social Security Administration provided a 1.7% cost-of-living adjustment for Social Security Disability Title II (SSA) recipients and the California Department of Social Services (CDSS) announced that the Supplemental Security Income (SSI) rate for out-of-home placement increased by \$12.00. CDSS informed DDS that the new monthly rate for Board and Care (B&C) increased from \$1,003.00 to \$1,014.00. The increase in B&C will not pass through to service providers, rather the increase will offset the cost of residential services. The new

monthly Personal and Incidental rate increased from \$130.00 to \$131.00 for SSI recipients and increased from \$150.00 to \$151.00 for SSA recipients.

- F. Residential and Supported Living Out-of-Community or Out-of-State Travel Guidelines: These guidelines are being 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. The draft guidelines will be presented to the board's Consumer Services Committee later this month.
- G. 5.82% Rate Increase to comply with the Fair Labor Standards Act: A rate increase of 5.82% was scheduled to go into effect on January 1st, but the United States District Court in Washington, D.C. issued a temporary restraining order staying the revised definition of "companionship services." As such, on January 6, 2015, DDS informed regional centers that the 5.82% rate increase is not to go into effect at this time. A hearing will be held by the United States District Court on Friday, January 14th. The center will be sending notices to service providers affected by this action. As the center has more information, it will be shared with service providers.
- H. Mileage Reimbursement: The mileage reimbursement rates have increased from \$0.56 per mile to \$0.575 per mile effective January 1, 2015. NLACRC has sent notifications to service providers who will be receiving this increase in their reimbursement rates.
- I. Outstanding Contracts: Staff are working on bringing current the Independent Living Services contracts that had not been fully executed.
- J. Annual Independent Audits/Reviews: We still have a few service providers who have not submitted their independent audits/review to us for Year 2011 and Year 2012 and currently, Year 2013 audits are coming due. Service providers who receive certain amounts of regional center revenue are mandated by statute to provide either an independent audit report or review report to the regional center. Additionally, statute mandates that regional centers take an action, to include the termination of a service provider's vendorization, when the service provider does not comply with the requirement to provide either an independent audit report or review report to the regional center. If independent audits/review reports are not submitted

by the service provider as mandated, we are required to take an action to begin the process to terminate the service provider's vendorization, which means we begin the process to move consumers to other service providers at the time of the IPP, review, or modification of an IPP and we stop referrals. Please take this statutory requirement seriously and complete your independent audits/reviews as mandated.

- K. Transportation: We will be releasing a Request for Proposals (RFP) for a transportation provider in the Antelope Valley. Information about the RFP will be posted on our website early next month and an applicants' conference will follow shortly thereafter. NLACRC anticipates selecting the new transportation provider in March.
- L. Residential Homes: We are in the process of reviewing over 20 RFPs that were submitted to us for residential homes in the San Fernando and Antelope Valleys.
- M. Resource Library: The center has resource libraries at each of its 3 offices. We recently purchased a lot of new material for them. This is a good resource for our providers.
- N. DS 1891 Forms: Service providers must submit their completed DS 1891 forms to us every 2 years. There is a process you can use on our website that makes it really easy. Please contact Stephanie Margaret with any questions (smargaret@nlacrc.org).
- O. Minimum Wage: We received a total of 14 requests from providers to seek additional funding from DDS to offset the minimum wage increase. Jenni stated that minimum wage increase going into effect in 2016 will have a dramatic effect on providers.
- P. Department of Labor Training: A training on "Compliance under Fair Labor Laws" will be held twice on January 29th. Please plan to attend!
- Q. Antelope Valley Vendor Forum: The center holds open forums for our providers in the AV. These meetings are generally held at 10:00 a.m. on the last Monday, every other month. The next one will be held Monday, January 26th. The meetings are held at the center's AV office. We are hoping for a good turnout so we can address any concerns and find out what our providers

need in that area. We have a commitment to working with our providers. Jenni congratulated the center for hiring Ruth Janka to oversee the AV office; her leadership is very much appreciated and was definitely needed.

VI. Committee Business

- A. Draft Employment First Policy: Jenni provided copies of the draft policy to the VAC members. The development of this policy has been a collaborative effort among the VAC members and other providers for many months. A few typos were noted.

M/S/C (S. Shepard/D. Wauls) To present the Employment First policy to the Board of Trustees, as corrected, for their review and approval.

VII. Reports from the VAC Priority Issue Work Groups

- A. Early Start/Prevention Services: Annie stated that it has been an exciting year for her group. As of January 1, 2015, changes in the eligibility for Early Start program went into effect resulting into an expansion of the eligibility criteria for infants and toddlers. Under the “developmental delay” category, infants and toddlers with a 33% delay in one or more areas of development are now eligible for services, and the “high risk” category has been restored. These very young children may be eligible to receive very important early intervention services that can make a tremendous difference in their lives. The Family Focus Resource Centers will continue to provide the prevention, resource, and referral services through June 2015 to help with child find and a smooth transition.
- B. Children’s Services: Wayne reported that their group’s members take turns attending the centers’ new parent behavioral service trainings. The purpose is to have a behavioral service provider there to answer any questions parents may have; it is not for the purpose of promoting a provider’s program. They still have dates that need to be covered. If you are a behavioral service provider and would like to attend a training, please contact Wayne.
- C. Adult Services: The group spent their last meeting discussing the Employment First policy.
- D. Mental Health Issues: Gay stated that this group discusses individual cases with representatives from the Department of Mental Health, so details cannot be provided publicly. But they have been working with an increase in the

number of mental health issues by transitional age youth. Finding residential placement for these individuals is very difficult. Gay invited other providers to join their meetings, especially if you know of a person with mental health needs who has children. The group usually meets at 3:00 p.m. on the last Thursday of the month in room 210 at NLACRC's main office.

VIII. Report on Board Committee Meetings

- A. Administrative Affairs (Ken Lane): The committee is regularly given status reports on the Intermediate Care Facility (ICF) State Plan Amendment (SPA). In November, it was reported that the amount of cash disbursed by NLACRC, but not reimbursed by ICF providers, for FY 2014-15 was almost \$2.3 million. The committee also reviews contracts prior to board approval. As stated earlier, the center has been very busy hiring service coordinators. It was also reported that ARCA was putting together a report on the number of programs that have been closed due to poor rates.
- B. Board of Trustees (Jenni Moran): The main topic of discussion at the last board meeting was the development of the SCDD/NLACRC voluntary advisory committee for the self-determination project. Some minor bylaws changes were presented. A social media subcommittee was established by the Government & Community Relations Committee as they want to develop a Facebook page for the center. This month's meeting will be held Wednesday, January 14th, at the center's Santa Clarita Valley office.
- C. Consumer Services (Michelle Heid/Rebecca Lienhard): The committee established a process for identifying members for the voluntary advisory committee for the self-determination project. The Community Placement Plan (CPP) reports showed that all of NLACRC's 72 consumers have been successfully moved from Lanterman Developmental Center (LDC) and into the community and the LDC is now officially closed. George added that moving all of the consumers out of LDC was a collaborative effort on the part of the Southern CA regional centers and the Southern CA integrated health and living project.
- D. Government & Community Relations (Michelle Heid/Rebecca Lienhard): SB 577 (Pavley) was chaptered and will require that DDS, contingent upon receiving federal financial participation, to conduct a 4-year demonstration project to determine whether community-based vocational development services will increase employment outcomes for consumers and reduce purchase of service costs for working age adults. The Board of Trustees voted to support this bill and George would like NLACRC to become one of the

pilot regional centers. Election results were shared and a planning committee was established for the center's next Legislative Breakfast, which will be held Friday, April 10th, at Sam's Café. The focus of this breakfast will be provider rates.

- E. Housing (Jonathan Istrin): Bill Pavao, the executive director of the California Tax Credit Allocation Committee, gave the committee an overview of how his organization works and how tax credits are used to build low-income housing.

Action: Jennifer will forward the PowerPoint presentation from the last Housing Committee meeting to the VAC.

- F. Nominating (Jonathan Istrin): The committee met last night. They were given interview training and reviewed all of the applications that have been submitted for the Board of Trustees, VAC, and Consumer Advisory Committee (CAC). A group orientation will be held for the board applicants on Tuesday, February 3rd. At this point, there will be only 1 VAC position to fill as Jenni is the only member terming off. The CAC also has just 1 opening. The center received a letter from DDS stating that the center needed to have more Hispanic and Asian representation on its board, which is being addressed.
- G. Strategic Planning (Annie Cox): The committee will hold another quarterly meeting on Monday, February 2nd.

IX. Open Issues for Discussion – No further issues were brought up for discussion.

X. Agenda Items for the Next Board Meeting

The following items were identified for the VAC's section of the January 14th board meeting agenda:

- A. Minutes of January 8th Meeting
- B. Presentation of Draft Employment First Policy

XI. Announcements/Information/Public Input

- A. Scott announced that the Santa Clarita Valley transition fair will be held at 6:30 p.m. on Wednesday, April 1st, at the Santa Clarita Valley activities center. If you want to reserve a table, please contact Lisa Kimura at: lkimura@nlacrc.org.

- B. The annual Cal-TASH conference will be held March 6th & 7th and Santi Rogers, director of DDS, will be one of the keynote speakers. The conference will be held at the Hilton Orange County Airport in Irvine.
- C. The Lanterman Coalition is petitioning the California State House and Senate to support a 10% reinvestment in our collapsing developmental services system. To sign the petition, go to: www.change.org/p/california-state-house-support-the-developmental-disabilities-community. Flyers about the petition were provided and service providers were urged to share them with their consumers, families, and staff. The time is NOW to focus on provider rates.
- D. Next VAC Meeting: Thursday, February 5th, at 9:30 a.m.

XII. Adjournment

Jenni adjourned the meeting at 10:45 a.m.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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