

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

June 4, 2015

Present: Fredlyn Berger, Annie Cox, Deborah Cutter, Mariela Feldman, Cynthia Fernandez, Michelle Heid, Kristin Hoefflin, Jonathan Istrin, Ken Lane, Jenni Moran, Wayne Tashjian, and Dolly Wauls - Committee Members

George Stevens, Jennifer Kaiser, Erica Beall, Yolanda Bosch, Sarah Staley, John Youngbauer, Anna Polin, Kimberly Johnson-McNeill, and Jason Trevino – Staff Members

Kristine Dickson, Richard Briseno, Ana Hernandez, Dana Andrews, Randi Levinson-Kuzmin, Don Lucas, Lizeth Corral, Dana Hart, Luis Reinoso, Michael Wright, Dan Merrell, Tanner Scharch, Cyndi McAuley, Phil Motherspan, Rhonda Bunnin, Hamlet Shirvani, Jack Darakjian, Roberta Terry, Carolyn Caldwell, Victoria Greenwood, Debra Dinielli, Sharon Venezio, Amy Bryman, Karen Lara, Lusine Gamboryan, Chris Bratzel, Kathy Sturkey, Cindy Strully, Rosa Hernandez, Earl Von Buck, and Dana Von Buck - Guests

Absent: Eleshia Johnson, Marina Pink, and Scott Shepard

I. Call to Order & Introductions

Jenni called the meeting to order at 9:35 a.m. Jenni shared with everyone the recent death of Gay Wane, a long-time advocate, service provider, and VAC member. Gay was an amazing woman and will be greatly missed by all who knew her.

II. Public Input - There was no public input.

III. Consent Items

A. Approval of Agenda

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

B. Approval of Minutes from May 7th VAC Meeting

M/S/C (K. Lane/K. Hoefflin) To approve the minutes as presented.

IV. Executive Director's Report

George Stevens gave the following reports:

- A. Caseload Ratio Meeting: NLACRC did not meet any of the required caseload ratios except for Early Start. As such, statute requires us to hold a public meeting to explain why we were unable to meet our ratios and to listen to any community input. The meeting will be held Thursday, June 11th, from 1:00 to 2:30 p.m. George explained that in order to meet the caseload ratios, NLACRC would need an additional \$6 million in funding from the Department of Developmental Services (DDS) in order to hire another 75-80 service coordinators.
- B. State Budget: We are still encouraging everyone to send letters to the governor and members of the conference committee to include an increase in the state budget for service providers and regional center operations budgets. In the Assembly's version of the budget, they are including a 5% increase for both.
- C. Trailer Bill Language: Current trailer bill language includes:
 - 1. The requirement for a written copy of the Individual Program Plan (IPP) to be provided to consumers and families within 45 days of the IPP, in their native language. This is problematic as the translation itself takes 30 to 60 days.
 - 2. The closure of additional developmental centers. This is problematic because the community system is in desperate need of additional funding and we will need even more so we can create resources for these consumers. We cannot bring people out into an unstable environment.
- D. Self-Determination: The center has held 2 of its 3 planned community information meetings on self-determination – with overflow crowds at both. At this point, we have not received any additional information from DDS, so we will be sharing information about what the statute entails. The 3rd meeting will be held from 6:00 to 8:00 p.m. on Thursday, June 11th, at our Antelope Valley office; please RSVP if you plan to attend. We are finalizing the selection of our 5 members of the joint State Council/NLACRC local volunteer advisory committee; their first meeting will be held later this month. Also, current trailer bill language is recommending that an additional 250 slots for self-determination services be opened for consumers coming out of the developmental centers.

- E. Behavioral Services: Services are scheduled to transition from the L.A. County regional centers to managed care starting in September. The Department of Health Care Services (DHCS) is creating new rates for health plans, but regional centers will continue to use their current rates. DHCS stated that consumers under the age of three will be considered “provisionally autistic” so that applied behavioral analysis (ABA) services can be provided without a diagnosis formal autism spectrum disorder diagnosis. There is another stakeholders meeting on June 18th to discuss the comprehensive diagnostic assessment requirement. Some advocates do not want there to be a requirement for a comprehensive diagnostic evaluation (CDE). NLACRC provides behavioral services to nearly 1,000 consumers. We are doing our best to make sure the transition is seamless to our consumers and families.

Action: Michelle recommended that an information meeting be held to bring everyone up to speed about the transition of behavioral services and to get their questions answered.

- F. Annual Rollover: At the end of each fiscal year, all current service authorizations end and then must be re-authorized for the new fiscal year.

V. **Chief Financial Officer’s Report** (Yolanda Bosch for Kim Rolfes)

A. Draft Out-of-Community/Out of State Travel Guidelines

1. For Residential Services: The guidelines for residential service providers will be presented at next week’s board meeting for approval. Once approved, it will be posted on the center’s website.
2. For Supported Living Services (SLS): The draft guidelines for SLS providers were presented to the VAC. We will be putting together a meeting in order to get input on the guidelines from SLS providers before taking them to the board for approval.

- B. Cash Flow: The center’s current cash flow situation changes daily on whether or not we will have to borrow money to get through this fiscal year, but either way, it will not have an effect on our payments to service providers.

VI. **Community Services Director’s Report** (Yolanda Bosch)

- A. SB 490 (Beall/Huff): Currently, the law requires regional center service providers that receive payments between \$250,000 and \$500,000 per year obtain a review each year; providers that receive payments of \$500,000 or

more must obtain an independent audit. This bill would instead increase these thresholds, so that service providers that receive payments between \$500,000 and \$2 million would have to obtain a review and providers who receive \$2 million or more would have to obtain an independent audit. In addition, 2-year exemptions could be granted for those providers who receive good audits. If this bill passes, it would provide much needed relief for our service providers.

Regardless of whether or not this bill passes, providers that currently owe us audits will still be required to submit them.

- B. AB 1400 (Santiago): This bill would require all regional center contracts or agreements for in-home respite services and that have an annual revenue of at least \$7 million to require that at least 85% of regional center funds be spent on direct service expenditures.

- C. Uniform Holiday Schedule/Half-Day Billing: DDS did not seek approval from the Center for Medicare and Medicaid Service (CMS) for their holiday schedule, so it was found to be unlawful – along with the half-day billing. DDS has appealed this ruling. In the meantime, we are reverting to our old holiday schedule, which includes closures on all major holidays and the time between Christmas and New Year’s Day. NLACRC originally began the uniform schedule to identify days that we would not pay for transportation, due to decreased consumer attendance at programs; not a directive for programs to close on those days. Going forward, we will be modifying our e-billing system to allow providers to enter their attendance data. To bill for days retroactively, please submit that information in writing to our accounting department.

- D. CMS Final Rule: 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.

These new mandates are troublesome and very concerning. They will mean a lot of changes to our system. In addition, they will be difficult to implement with consumers who have behavioral or judgment issues. The final implementation date isn't until March 2019. In the meantime, Yolanda has been attending the stakeholder meetings. The next meeting will be held July 1st. More to come.

- E. Minimum Wage Trainings: The California minimum wage will increase from \$9 to \$10 an hour starting January 1, 2016. Eligible service providers will be able to request a rate increase as a result. To ensure a smooth process, NLACRC will be providing trainings to help providers understand the submission process and how to complete the related forms. The first training will be held immediately following this VAC meeting. The second training will be held Thursday, July 23rd, from 10:00 to 11:30 a.m. at the center's main office and the third and final training will be held Thursday, July 9th, from 10:00 to 11:30 a.m. at the center's Antelope Valley office.
- F. 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 the disclosure 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.
- G. Department of Labor (DOL) Trainings: The DOL published a Final Rule on October 1, 2013, extending minimum wage and overtime pay protections to many home care workers (such as home health aides and personal care assistants) who provide essential assistance to people with disabilities and older adults. The Home Care Final Rule is the subject of pending litigation, and the DOL is not currently enforcing the Rule. However, they are encouraging employers of home care workers to prepare for their compliance in the event it prevails in the lawsuit. Webinars will be held:
1. Wednesday, June 24th, at 10:00 a.m.
 2. Friday, July 10th, at 11:00 a.m.

Please go to www.arcanet.org/dol-webinar.html to register for either event.

Action: Yolanda will send further information about the DOL webinars to Jennifer so she can forward it to the VAC and others who are interested.

- H. Training Suggestions: The community services department wants to help our providers to be as successful as they can be. If you have any suggestions for future trainings, please contact Yolanda directly at ybosch@nlacrc.org.

VII. Brief Committee Business

- A. Resignation of Rebecca Lienhard from the VAC: Jenni reported that with the added responsibilities as the new executive director of Tierra del Sol Foundation, Rebecca was unable to participate in the VAC meetings on a regular basis and had to resign her position on the VAC.

VIII. Agenda Item for the Next Board Meeting

The following items were identified for the VAC's section of the June 10th board meeting agenda:

- A. Minutes of the June 4th VAC Meeting

IX. Announcements/Public Input

- A. Annual Board Dinner: Saturday, June 6th, at 6:00 p.m.
- B. AB 563 (Lopez): Ken announced that this bill would require DDS and the CA Department of Aging, in consultation with certain stakeholders, to develop best practices for providing culturally competent services and supports to aging consumers. The bill would require DDS to conduct a 2-year pilot program that implements those best practices in 3 regional centers that reflect the geographic diversity of the state and, after the conclusion of the pilot program, by January 1, 2020, submit a report, evaluating the pilot program to the Legislature. This bill had little to no opposition in the Assembly and the Senate.

Action: Ken will send a template for an AB 563 support letter to Jennifer to share with the VAC.

- C. Next Meeting: Thursday, August 6th, at 9:30 a.m. (full meeting). Jenni added that the next meeting will be conducted by Michelle Heid, the new VAC chair.

Jenni thanked the VAC for the opportunity to serve on the VAC for the last 6 years and to have chaired it for the last 5 years. She really enjoyed the experience and will continue to attend VAC meetings as a guest. She also feels that she is leaving the VAC in good hands with Michelle at the helm.

X. Adjournment

Jenni adjourned the meeting at 10:24 a.m.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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