

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

January 5, 2017

Present: Orli Almog, Fredlyn Berger, Shelly Briggs, Deborah Cutter, Cynthia Fernandez, Michelle Heid, Sharoll Jackson, Eleshia Johnson, Kristin Laurino, Jenni Moran, Scott Shepard, and Wayne Tashjian - Committee Members

Arpi Arabian, Erica Beall, Yolanda Bosch, Erin Broughton-Rodriguez, Sarah Cox, Arsho Garlanian, Jennifer Kaiser, Evelyn McOmie, Anna Polin, Kim Rolfes, and George Stevens – Staff

Ken Lane, Dennis Rutman, Mark Steidl, Kelly Grimes, Alona Yorkshire, Rebecca Lienhard, Steve Miller, Victoria Berrey, Leticia Leon, Stephanie Medina, Sonia Ojeda, Erik Elliott, Dana Andrews, Claire Moynihan, Don Lucas, Rachel Hofman, Jason Walker, Michael Stephens, Uju Okeke, Joe Smollett, Emily Owens, William Powe, Mary Cady, Verjine Egian, Stephani Anderson, Karn Layfield, Lynne Bolen, Cindy Aguirre, Moira Letzer, Victoria Greenwood, John Lubbers, Nick Vukotic, Tiki Thompson, Idris Danesi, Bob Erio, Saeda Farah, Marisol Yribe, Daisy Pineda, Rafael Carbajal, Mindy Hughes, and Cyndi McAuley - Guests

Absent: Mariela Feldman, Staci Jordan, and Marina Pink

I. Call to Order & Introductions

Michelle Heid, VAC chair, 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
- B. Approval of Minutes from the November 3rd VAC Meeting

M/S/C (J. Moran/E. Johnson) To approve the agenda and minutes as presented.

IV. Executive Director's Report

George Stevens gave the following reports:

- A. Minimum Wage Increase Action Group: George will be meeting with a group of providers, after today's VAC meeting, to make a case to the Department of Developmental Services (DDS) on funding minimum wage increases.
- B. NLACRC's Purchase of Service (POS) Budget: The center has completed its first Sufficiency of Allocation Report (SOAR) and for the first time in many, many years, the center is projecting a POS surplus in the best case scenario (and a small deficit in the worst case). Other regional centers are also reporting POS surpluses. The surpluses may be due to the move of behavioral health treatment to the managed care programs.
- C. Governor's Budget: The governor's proposed budget for FY 2017-18 should be released sometime next week and we will find out what public policy issues have his attention. A budget hearing will be held on Wednesday, February 15th, from 10:00 a.m. to 3:00 p.m. People can dial in and hear what is being discussed.
- D. Behavioral Health Treatment: Dr. Arpi Arabian reported that the center is still in the process of transitioning consumers behavioral health services to managed care and are about 65% done. We are having an issue with Health Net who wants all future consumers to go through the entire enrollment/evaluation process rather than just be transitioned over; we are working with them. We are also working with managed care plans of what other services should be included with behavioral health treatment.

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

- A. Minimum Wage Increase: The state minimum wage increased by \$0.50 per hour, from \$10.00 per hour to \$10.50 per hour effective January 1, 2017.
- B. Residential ARM Rate Information: DDS has published a new ARM rate schedule to reflect the minimum wage increase, which will be reflected in residential service provider claim forms for the January 1, 2017 service month. This same information has been posted on NLACRC's and DDS's websites.
- C. Non-Mobile Day Program Services: The non-mobile day program rate increased by \$0.42 per day, from \$8.04 to \$8.46 per day, which will be reflected in day program claim forms for eligible consumers for the January 1, 2017 service month. This same information has been posted on NLACRC's and DDS's websites.

- D. In-Home Respite Services (service code 862) and Community Based Day Programs (service code 505, 510 515, 520, and 805): In-home respite service agencies and community-based day programs may seek a rate adjustment to comply with the state minimum wage increase effective January 1, 2017. Requests for a minimum wage increase effective January 1, 2017 must be submitted directly to DDS. DDS has published the rate adjustment request form on its website.

- E. In-Home Respite Services (service code 862) rate range between \$10.50 per hour and \$11.31 per hour: DDS reported that a statutory change was made in the 1990's in which in-home respite agencies received a \$0.81 per hour increase to enhance respite worker wages. Since the 1990's, each time the in-home respite agency hourly rate increased, such as for minimum wage, the \$0.81 per hour statutory increase to enhance respite worker wages has been added to the then current state minimum wage. As such, on January 1, 2017, when the state minimum wage increased to \$10.50 per hour, the in-home respite worker hourly rate increased to \$11.31 per hour (\$10.50 per hour state minimum wage plus \$0.81 per hour statutory increase to enhance respite worker wages. As such, in-home respite agencies may seek a rate adjustment from DDS to increase respite worker wages for those in-home respite workers who are paid less than \$11.31 per hour.

- F. Service Providers with Rates Negotiated by the Center: Service providers with a rate negotiated by the center may seek a rate adjustment to comply with the state minimum wage increase effective January 1, 2017 directly from the center. The center will publish the rate adjustment request form on NLACRC's website by Friday, January 6, 2017.

- G. Transportation Services: Effective January 1, 2017 the IRS mileage rate decreased by \$0.005 per mile, from \$0.55 per mile to \$0.545 per mile which will be reflected in service provider claim forms for the January 1, 2017 service month.

- H. Local and County Minimum Wage Update: Effective July 1, 2017, the local minimum wage mandate increases to \$12.00 per hour; however in January 1, 2018, the state's minimum wage will only be \$11.00 per hour. There will be a funding gap between local minimum wage requirements and the state's minimum wage mandate and there will continue to be a funding gap between the local minimum wage mandates and the state's minimum wage mandates until 2022 when both the state minimum wage requirements and local minimum wage mandates reach \$15.00 per hour. Currently, statute only allows DDS and regional centers to increase service provider rates to comply

with the state's minimum wage. For service providers who have a rate negotiated by the center, the center attempted to utilize the health & safety exemption process to assist service providers in obtaining a rate increase to comply with local minimum wage mandates. However, NLACRC has received additional requirements from DDS that make the health & safety exemption process not effective in addressing this issue. Given this new information, the center will not be using the health & safety exemption process to assist service providers with complying with local mandates. Currently, there is interest by Assemblyman Chris Holden's office to propose a bill to address this issue and a group of service providers in partnership with Steve Miller are working with the Assemblyman Holden's office to address this issue.

- I. Minimum Wage Training: The center's accounting staff will be holding trainings for service providers in February and March in regards to the process to submit a minimum wage increase effective January 1, 2017.
- J. Center for Medicaid and Medicare Services (CMS) Service Provider Proposals: The state budget included \$15 million to enable DDS to fund changes that will be necessary for providers to make in order to come into compliance with the CMS Final rules by March 2019. NLACRC's service providers submitted a total of 106 proposals totaling \$25 million in requests! A subcommittee of the Vendor Advisory Committee reviewed all 106 proposals and prioritized the proposals based on our established local priorities. All proposals were submitted to DDS by the November 30th deadline. We expect to get a response from DDS sometime in February. The next step will be to make sure all of our providers have completed their self-assessments.
- K. 1099 Forms: Will be going out the third week of January.
- L. Close out of FY 2014-15: DDS will be closing out the center's FY 2014-15 contract at the end of February 2017. In order to meet DDS's timeline, the center requests that all service providers submit any outstanding FY 2014-15 purchase of service (POS) late bills for payment processing by Tuesday, February 7th in order for the center to meet DDS's timeline for closing out the FY 2014-15 contract. Any service providers who have any outstanding FY 2014-15 late bills are encouraged to submit them to the Center as soon as possible for reimbursement.
- M. Community Integrated Employment (CIE) & Paid Internship Program (PIP): We received direction from DDS about the CIE and PIP incentive programs and the center will be providing trainings to our service providers about these

programs. Annually, on September 15th, all regional centers are required to report data to DDS in regards to consumers in either CIE or PIP programs. Service providers who participate in the CIE or PIP incentive programs will be required to provide information to the center by September 1, 2017 and annually thereafter in order so that the center may report out the required data by September 15th of year.

- N. ABX2-1 Funding. All service providers who received ABX2-1 funding will be required to submit a report to DDS on October 1, 2017 in regards to how the ABX2-1 funds were utilized. It is very important that providers read and understand the statute regarding ABX2-1 funds and ensure that they document and have records to demonstrate how the ABX2-1 were utilized.
- O. Vendor Audits: Effective March 1, 2016, WIC, Section 4652.50 was amended and provides that any service providers for which the regional center does not find issues with the service provider's independent review/audit report, the service provider may seek a two-year exemption from the statutory independent review/audit requirement. The new statute is proactive, not retroactive. Eligible service providers may begin to seek the two-year exemption from the statutory independent review/audit requirement beginning with the service provider's independent review/audit report submitted for its fiscal year ending after March 1, 2016.

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

- A. Vendor Maintenance Newsletter: Yolanda presented copies of the community services department's new provider newsletter. It contains current information about the minimum wage increases, audits, disclosure statements, etc.
- B. CMS State Transition Plan: California submitted its transition plan to CMS in November. CMS is the first approval of 3 that will be needed. So far, Tennessee is the only state in the union that has received all 3 approvals for their transition plan.
- C. CMS PowerPoint Presentation: Yolanda has developed a presentation that she and her staff want to take on the road to help explain what changes CMS will bring; CMS will affect all of our providers on some level. The dates for the CMS trainings have not been established, however Yolanda plans to begin trainings starting in February 2017. Please contact the community services department if you want to have a presentation given to your group or if you have a large meeting room that can be used for a community presentation.

- D. DS 1891 Forms: The DS 1891 form is a regulatory requirement for all providers. The purpose of the form is to identify current service providers and prospective vendors that may be ineligible to provide services due to conviction of a crime related to the Medicare, Medicaid, or Title XX programs or of abuse/neglect of an elder, or dependent adult or child. The center monitors compliance on a biannual basis with a new cycle starting January 1st of every even year. If a provider has submitted their DS 1891 form in 2016, this form will be valid until December 31, 2017. It is easy to update your form using the center's portal.
- E. 637 Proposals: The center will be submitting three 637 proposals (proposals that will require waiving regulation) to DDS:
1. 605 for providers required to have staff with Master's degrees.
 2. New service code with appropriate rate to break down ratios (1:1 ratios are an issue with labor laws due to rest and meal breaks).
 3. CMS compliance – want consumers in the community and integrated.

Anyone interested in joining the 637 CMS Committee should contact Yolanda.

VII. Committee Business - No committee business was identified for discussion.

VIII. Reports from the VAC Priority Issue Work Groups

- A. Implementation of CMS & WIOA (Eleshia): This group helped review the 88 CMS funding proposals submitted by the center's providers (see Section V.B. above). The group also met with the adult services team to discuss the implementation of the Workforce Integration Opportunity Act (WIOA). We anticipate having a very busy year!
- B. Implementation of the Behavioral Services Transition (Mariela): Mariela was not present to give a report, but the implementation of the behavioral services transition was already covered by Dr. Arpi Arabian earlier during this meeting (see Section IV.D. above). The group appreciates all the work the center is doing to make sure no consumers "slip through the cracks" during the transition period.
- C. Implementation of the Self-Determination Program (Michelle): DDS has still not submitted the federal waiver to CMS as yet. The self-determination program will probably have to come into compliance with the CMS rules, which would cause further delays. In the meantime, the center's self-

determination volunteer advisory committee continues to meet on a regular basis. The next meeting will be held at 7:00 p.m. on Thursday, January 19th, at the center's main office in Chatsworth. The meetings are open to the public and the agendas and minutes from the meetings are posted on the center's website.

- D. Services for Adult Consumers (Scott): The adult services team is collaborating with the VAC's CMS/WIOA team on the implementation of those programs. A meeting will be held with providers on Tuesday, January 17th.

IX. Report on Board Committee Meetings

Approved meeting minutes from the following committees are posted on the center's website: Governance Tab – Board of Trustees – Approved Meeting Minutes.

- A. Administrative Affairs (Kim Rolfes for Orli): The center has sent out a Request for Proposals for a new CPA firm; regional centers are required to change their CPA firms every 5 years. The center will be recruiting for 17 new service coordinators and 3 specialist positions.
- B. Board of Trustees (Michelle): The last board meeting was held on November 9th; the next meeting will be held Wednesday, January 11th, at the center's Santa Clarita Valley office. Michelle welcomed anyone interested to attend.
- C. Consumer Services & Government/Community Relations (Michelle): A legislative training was held in November in lieu of the Consumer Services and Government & Community Relations Committee meetings. The push is for people to cultivate relationships with their legislators. A lot of legislative events will be organized and held in the spring. Michelle stated that providers should let their legislators know how changes in legislation are affecting their business and the consumers they serve. Anyone who wants to become more legislatively involved should come to the monthly Government/Community Relations meetings. They are usually held on the 3rd Wednesday evening of each month immediately following the 6:00 p.m. Consumer Services Committee meeting.
- D. Nominating (Deborah): The committee will be holding orientations on Tuesday, January 24th, for the Board and VAC applicants. The committee will meet again on February 1st and will select applicants to interview. There will

be a total of 5 positions to fill on the VAC next fiscal year; there are currently 3 openings and Scott and Wayne will be terming off of the VAC in June.

- E. Strategic Planning (Wayne): Wayne attended his first SPC meeting on November 7th. This committee oversees the implementation of the center's performance based contract. They are also charged with identifying gaps in the service delivery system and recommend alternatives to close those gaps. DDS approved the center's 2017 performance contract. The committee reviewed the quarterly program closure report; in FY 2015-16, 99 programs closed which impacted 356 consumers. So far this fiscal year, 6 programs have closed impacting 149 consumers. The committee's priorities topics for this fiscal year are: employment; self-determination; sustainability of the system; National Core Indicators; and housing. The committee meets quarterly. Their next meeting will be held Monday, February 6th, at 6:00 p.m.

X. Open Issues for Discussion – No further issues were identified for discussion.

XI. Agenda Items for the Next Board Meeting

The following item was identified for the VAC's section of the January 11th board meeting agenda:

- A. Minutes from the January 5th Meeting

XII. Announcements/Information/Public Input

- A. Next VAC Meeting: Thursday, February 2nd (priority issue groups meet)
- B. SB-3 (Beall): This is a housing bill that could be very promising for our consumers.
- C. Early Start Services: The center has posted an RFP for Early Start therapies desperately needed in the Antelope Valley: occupational, physical, and speech.
- D. Legislative Trainings: Locations and Meetings Needed! Michelle reported that she and Steve Miller are going to be giving legislative trainings in the community. Please contact Michelle if you have a group who wants the training or if you have a meeting room that they could use to offer a training to the community.

- E. UCLA Webinar: A webinar will be held from 10:00 to 11:30 a.m. on Thursday, January 12th, on “California’s Blueprint for Competitive Integrated Employment for People with Intellectual and Developmental Disabilities.” The registration deadline is Monday, January 9th. For more information, please contact Mayra Perez at MPerez@mednet.ucla.edu or (310) 825-0170.

XIII. Adjournment

Michelle adjourned the meeting at 11:04 a.m.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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