

North Los Angeles County Regional Center
Consumer Services Committee Meeting Minutes

May 22, 2013

Present: Richard Dier, Craig Girard, Dawn Hamilton, Duane Joslin, and Martha Lopez – Committee Members
Linda Dier, Connie Lapin, and Jennifer Pecor – Guests
Rebecca Lienhard – Vendor Advisory Committee Representative
Diane Ambrose, Susana Gil, Jennifer Kaiser, Michele Marra, and George Stevens – Staff Members

Absent: Jeremy Sunderland

I. Call to Order & Introductions

Duane Joslin called the meeting to order at 6:01 p.m. on behalf of Jeremy Sunderland. Everyone present introduced themselves.

II. Public Input - There was no public input

III. Consent Items

A. Approval of Agenda

Items IV.I. and IV.J. were added to the agenda.

M/S/C (C. Girard/D. Hamilton) To approve the agenda as modified.

B. Approval of Minutes of April 17th Meeting

M/S/C (C. Girard/D. Hamilton) To approve the minutes as presented.

IV. Committee Business

A. 3rd Quarter Appeals/Hearings Report

During the 3rd quarter of FY 2012-13:

1. Eligibility: 411 Notices of Action were sent and 18 were returned (appealed).
2. Service: 82 Notices of Action were sent and 9 were returned.

3. Hearings: 14 fair hearings were held:
- 11 eligibility hearings (3 dismissed, 3 denied, 1 granted, and 4 decisions pending)
 - 3 service hearings (all denied)

George is expecting the number of appeals to rise next quarter as the center just mailed out the Family Cost Participation Program assessments.

B. DDS Statewide Fair Hearing Semi-Annual Report

DDS compiles fair hearing data based on the fair hearing requests received from the regional centers and decisions rendered by the Office of Administrative Hearings. This report covers the period from January 1, 2012 through June 30, 2012. George provides these reports to the committee for their review and information. It was noted that the report only covered information for 20 of the 21 regional centers; the data for San Andreas Regional Center was missing.

C. Review and Approve Committee's Critical Calendar for FY 2013-14

The quarterly reports on the implementation of the 1115 Waiver (consumers' transition into managed care) were removed from the calendar as the transition has taken place. Also, the annual legislative training was moved from March to April 2014.

M/S/C (R. Dier/D. Hamilton) To approve the committee's critical calendar for FY 2013-14 as modified.

D. Monthly Community Placement Plan (CPP) Report

Copies of the monthly report were provided to the committee. The center's goal for FY 2012-13 is to place 14 consumers out of Lanterman Developmental Center (LDC), Canyon Springs (CS), Porterville Developmental Center (PDC), and Fairview Developmental Center (FDC) and into community settings. As of April 30, 2013 the center had placed 17 individuals out of LDC, 1 out of FDC, and 2 out of PDC into community living settings, for a total of 20 placements for the fiscal year to date. We currently have only 28 consumers who are still living at LDC. We anticipate that we will be able to place 8 more consumers next month, for a total of 28 placements this fiscal year. Diane announced that starting in July,

Maria Bosch will be coming to the Consumer Services Committee meetings and giving these reports.

The consumers in the report are referenced by their initials, Craig wondered if this could constitute a HIPAA violation, perhaps their initials could be replaced by a number? George stated that the center is currently working with a law firm to make sure the center is in compliance with all HIPAA laws.

Action: George will ask the attorney whether or not using a client's initials in a public report constitutes any kind of HIPAA violation.

E. Board Audit: Ensure that the CPPs are being met

As the monthly CPP reports show, the center continues to meet its community placement plan goals.

F. Private Insurance and Behavioral Services (Richard)

Richard explained that professionally, he is a private case manager for people, who primarily are on workers' compensation. He is concerned about the independent contracts to cover families' co-payments for behavioral services when the center cannot verify the service provider's certification. Richard does not believe that insurance companies' requirements meet Title 17 regulations. This is why he voted against the contracts that were recently brought to the board. George stated that an advisory group developed best practice guidelines for the insurance companies to follow, but the state has not released them as yet. Susana confirmed that the center reviews all of the behavioral assessments that are done.

G. Update on "The Way Forward" Movement

A meeting of the full group (regional center executive directors and board delegates from 14 of the 21 regional centers) met at Harbor Regional Center on Thursday, May 9th. The group developed a survey to gain input on what the community believes are integral regional center services and what they think is missing. In addition, several members of the group have already interviewed experts in the field of developmental disabilities, but they want to expand their input. As a result, George will be working with Diane Anand, executive director of Lanterman Regional Center, and with Sharon Shueman, the movement's consultant, to identify leaders from all over the nation to participate in a

symposium on how their states are providing services to people with developmental disabilities. Regional center staff and community leaders will be invited to participate in the symposium and brainstorm to develop recommendations for our state's future. The symposium will be held after the holidays in early 2014.

Action: Jennifer will forward Connie the survey results from "The Way Forward" movement.

Connie strongly recommended that consumers who are self-advocates be invited to participate in the symposium as well. She also recommended Don Hoyle, from the ARC of Michigan, as a possible speaker. He has implemented an outstanding program on self-determination.

H. Questions re: Monthly Quality Assurance and Special Incident Reports

These reports are provided at each board meeting as part of George's director's report. They are an agenda item at this meeting in case anyone had any questions regarding either report. There were no questions regarding either report.

I. Health & Safety Modifications

George stated that on October 23, 2007, DDS released their instructions for requesting health and safety waivers exemptions; the instructions have not been updated since that time. DDS has rejected all waivers submitted by regional centers for programs; they will only consider waivers for individual consumers, and their turnaround time is not specified. This is very troublesome, as we recently submitted a waiver for 4 consumers from Lanterman DC. These consumers are doing extremely well in their new environment. Unfortunately, the rate being paid to the provider is inadequate and she continues to lose money serving these consumers due to their intense needs. We received a temporary rate increase from DDS, but they have not approved our request for a waiver to increase her rate. The temporary rate will expire at the end of this month. We will be working with the Office of Client Rights Advocacy, on these consumers' behalf, to request individual health and safety waivers for them to allow them to stay in this home.

Action: Jennifer will provide the committee with the DDS's 2007 instructions for requesting health and safety waiver exemptions.

J. Transportation for Consumers who Cannot Use Public Transportation

There are multiple types of transportation available to our consumers, such as:

1. Buses that the regional center pays for that follow routes taking consumers to their day programs and home again.
2. Authorizing payment to families, through the IPP process, to provide transportation for their consumer through a financial management service.
3. Supported living service providers who are given a higher rate in order to include the provision of transportation for the consumers they serve.

In each case, oversight is specifically assigned to a person or entity, in regarding to drivers' licenses, insurance, etc. This is because there is a lot of liability involved with transporting consumers.

V. Board Meeting Agenda Items

- A. Minutes of May 22nd Meeting
- B. 3rd Quarter Appeals/Hearings Report

VI. Announcements / Information Items / Public Input

A. Managed Care for Dually Eligible (Medi/Medi) Consumers

Connie provided everyone with a copy of information developed by the IHSS consumers Union which outlined their critical concerns regarding the coordinated care initiative. Connie stated that forced managed care for dually eligible consumers is not working very well. Jennifer Pecor added that this week alone, she was approached by 10 consumers from her program who were confused about the information they were receiving in the mail from LA Care and Health Net and wanted her help. Jennifer said that she did not have all the answers for them, so she has arranged for a representative from Medicare to come out to The Adult Skills Center (TASC) so she can talk with the consumers about their options.

B. Complete Meeting Evaluations

Duane asked everyone to complete evaluation forms after the meeting and submit them to him with any comments.

C. Next Meeting: Wednesday, July 17th, at 6:00 p.m. (no June meeting)

VII. Adjournment

Craig adjourned the meeting at 7:08 p.m.

Submitted by:

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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