

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

August 7, 2014

Present: Deborah Cutter, Mariela Feldman, Cynthia Fernandez, Michelle Heid, Jonathan Istrin, Pam Jacobson, Eleshia Johnson, Ken Lane, Marina Pink, Wayne Tashjian, Gay Wane, and Dolly Wauls - Committee Members

John Youngbauer, Yolanda Bosch, Kim Rolfes, Erica Beall, Sarah Staley, Jason Trevino, Anna Polin, Arsho Garlanian, Everlyn McOmie, Sarah Rolfes, and Nikisia Simmons, Jennifer Kaiser, and George Stevens – Staff Members

Dana Andrews, Emily Owens, Kendra Espinoza, Stella Shahangian, Katina Powe, Valerie Kissell, Arcelia Brown, Rhonda Bunnin, Sarah Blitzstein, Rachel Hofman, Don Lucas, Randi Levinson-Kuzmin, Janet Schilling, Kathleen Sturkey, Chris Bratzel, Jeffrey Popkin, Mariel Galvan, and Michael Wright - Guests

Absent: Fredlyn Berger, Annie Cox, Kristin Hoefflin, Rebecca Lienhard, Jenni Moran, and Scott Shepard

I. Call to Order & Introductions (Gay Wane for Jenni Moran, Chair)
(Welcome new VAC Members: Fredlyn Berger, Deborah Cutter, Mariela Feldman, Cynthia Fernandez, Kristin Hoefflin, and Eleshia Johnson!)

II. Public Input – There was no public input.

III. Consent Items

A. Approval of Agenda

M/S/C (M. Heid/W. Tashjian) To approve the agenda as presented.

B. Approval of Minutes from May 29th VAC Meeting

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

IV. Executive Director's Report (George Stevens)

A. Restoration of the Early Start Program: The program was restored in the FY 2014-15 state budget and will start on January 1, 2015. We need to get the word out! At this point, we don't know what is going to happen to the

prevention program, but we want to continue to support our family resource centers.

- B. Payment of Insurance Deductibles: Trailer bill language that was signed by the governor gives regional centers the authority to pay families' insurance deductibles for autism-related services. We won't know the specifics however until we receive further direction from the Department of Developmental Services (DDS).
- C. Service Provider Rates: Unfortunately, the rate issue was not directly addressed by the state budget, but it was deferred to the Developmental Center Task Force for discussion. We all need to keep an eye on it to make sure it doesn't get lost, because adequate rates are an integral part of a viable community system. Ken Lane asked George if the Association of Regional Center Agencies (ARCA) had a response to the letter that was recently written by the Lanterman Coalition to Santi Rogers, DDS director, requesting an immediate, temporary 10% rate increase for service providers. George stated that ARCA has a presence on the Developmental Center Task Force.

Action: Jennifer will find out who is currently serving on the Developmental Center Task Force and forward that information to George and the VAC.

- D. Lanterman Developmental Center (LDC): The closure date for the LDC is December 31, 2014. NLACRC only has about 6 consumers still living at LDC and they will be moved into the community very soon.
- E. Medicaid Waiver Audit: NLACRC's audit is coming up next week. The auditors will spend the first week here at the center reviewing records and will spend the second week out in the field visiting providers. This audit is very important because it will continue to make the center eligible to receive needed federal funding.
- F. Draft 2015 Performance Contract: The center must hold a public meeting to present its draft contract to the community for their review and input. The center will hold several public meetings: at the center's main office at 2:00 and 6:30 p.m. on Tuesday, August 26th; and at 6:30 p.m. at the center's Antelope Valley office on Wednesday, September 3rd. We don't usually get much of a turnout at the public meetings. A comment form is available that people can use if they want to provide input but cannot attend the meeting.
- G. FY 2013-14 Purchase of Service (POS) Budget: The center is still projecting a deficit between \$16 and \$17 million in its POS budget for last fiscal year. We

firmly believe DDS will cover this shortfall, but it does cause cash flow issues for us, which could force us to borrow money from our credit line.

- H. Allocation Methodology: DDS may go back to using the old allocation methodology which bases a regional center's POS expenditures and projected growth. NLACRC is one of the fastest growing regional centers in the state.
- I. Rebuilding the System: George feels very positive about this fiscal year and is very hopeful that provider rates and regional center operations budgets will be addressed in the near future.
- J. Sonoma Developmental Center (SDC): The SDC could lose millions more in federal funding for one of the facility's main care units after state officials announced broader penalties related to the deficient care of their residents, including allegations of abuse. The state's action could result in the center's intermediate care facility losing certification and leave 240 clients (more than half of the center's population of 443) ineligible to receive federal money for their care. If they lose federal funding, it would be up to the state's general fund to completely cover the costs of sustaining the DC.
- K. Self-Determination Program: We just received preliminary information from DDS on how the centers should begin implementing the self-determination program. More to come!

V. Community Services Director's Report

Yolanda Bosch, community services director, gave the following reports:

- A. Partnership: Yolanda shared her intention to continue to forge successful partnerships with the center's providers, so our consumers received the best services possible.
- B. Upcoming Service Provider Trainings:
 1. Bedbugs: Prevention and Elimination: will be given by the Department of Public Health on Wednesday, August 20th. This is an important training for supported living, independent living, residential, and day program providers.
 2. Medication Error Diagnostic Tool: Medication errors are on the rise, so we have arranged a training by Mission Analytics Group for providers who

are serving (or who will be serving) consumers leaving Lanterman Developmental Center. The training will be held Thursday, September 11th, from 9:30 a.m. to 12:30 p.m.

3. Disaster Preparedness Training: Tuesday, September 30th, from 10:00 a.m. to 12:00 noon.
 4. Federal and State Labor Laws: This training was held at another regional center and was very well-received by their providers. We will be arranging the same training to be held here. More to come!
- C. Contracts: Yolanda's department is in the process of cleaning up all of the contracts to make sure they are all current and signed.
- D. Antelope Valley Vendor Forums: We hold a forum for our providers at our AV office every other month. This is an informal gathering that enables providers to get a status report on current issues and to have any questions answered. Yolanda reported that attendance was up at the last forum that was held July 28th. Yolanda had an open and honest discussion with them about the center's expectations and the importance of clear communication between providers and the center so we can work together successfully. The AV vendors shared that they are challenged by mental health issues due to a lack of resources in that area; Yolanda will be arranging a training for them by the Department of Mental Health.

Action: Kim will make sure the Antelope Valley Vendor Forums are listed on the center's website calendar.

Action: Jennifer will forward the meeting schedule for the AV Vendor Forums to the VAC.

Kim Rolfes, chief financial officer, gave the following reports:

- E. E-Mail Encryption: On Monday, August 25th, NLACRC will be implementing a new procedure which will cause all NLACRC outgoing emails to be encrypted. This procedure is being implemented to ensure that all confidential e-mail that is sent outside NLACRC'S network is protected as required under Health Insurance Portability and Accountability Act (HIPAA). We will post information on the center's website that will demonstrate how to un-encrypt encrypted e-mail messages.

- F. Rate Increase Requests to Cover Minimum Wage Increase: DDS has agreed to consider raising rates for certain providers in order to cover the recent increase in the minimum wage. The center has received very few requests for the increase. Kim encouraged providers that qualify to apply for the rate increase. The rate increase request is posted on the center's website.
- G. DS 1891 Portal: Providers should take advantage of the portal in order to update their DS 1891 forms.

VI. Committee Business

- A. Annual Committee Orientation (Review VAC Policies and Procedures): Copies of the policies and procedures were provided to the VAC for their review. The VAC is primarily responsible for "providing advice, guidance, recommendations, and technical assistance to the board in carrying out its mandated duties."
- B. FY 2013-14 VAC Action Log: All of the actions that the VAC takes are entered into a log and in August of each year, a copy of that log is provided to the VAC for their review. Copies of the action log were provided; the VAC took 41 actions last year!
- C. FY 2014-15 VAC Meeting Schedule: Copies of the meeting schedule were provided. The VAC generally meets on the 1st Thursday of each month, however the committee will meet on the 2nd Thursday in the months of January and March 2015, due to Jewish holidays. The VAC does not meet in December or July.
- D. FY 2014-15 VAC Priority Issues/Teams: Copies of the VAC's priority issues and teams for last fiscal year were provided to the committee and reviewed.

M/S/C (J. Istrin/D. Wauls) To recommend to the Board of Trustees that the VAC continue their FY 2013-14 priorities into FY 2014-15.

Action: Jennifer will e-mail the VAC to find out which priority issue team each member would like to serve on.

- E. Draft Employment First Policy (for September 10th board meeting): Pam Jacobson stated that Rebecca Lienhard will be reaching out to VAC members via e-mail to organize the next Employment First Policy meeting.

Action: Pam Jacobson will find out if the VAC will be ready to present the draft Employment 1st policy at the September 10th board meeting.

- F. Support Letter for SB 577 (Pavley): The VAC had recommended that the Board of Trustees take a support position on SB 577, which they did. A letter of support was written and copies of the letter were provided to the VAC.
- G. Oppose Unless Amended Letter for SB 1109 (Hueso): The VAC had recommended that the Board of Trustees take an oppose unless amended position on SB 1109. However, the bill has since died, so a letter wasn't necessary.
- H. Assignment of VAC Members to Serve on Board Committees: The following members volunteered to represent the VAC on the following board committees:
 - 1. Administrative Affairs (Ken Lane)
 - 2. Consumer Services & Government/Community Relations (Michelle Heid and Rebecca Lienhard)
 - 3. Housing (Jonathan Istrin)
 - 4. Nominating (Jonathan Istrin)
 - 5. Strategic Planning (Annie Cox)

VII. Reports from the VAC Priority Issue Work Groups

- A. Early Start/Prevention Services (Annie Cox, Chair): Annie provided a written report as she was not present to give a verbal report. Her report indicated that the group discussed the importance of restoring the Early Start eligibility to pre-2009 levels and were very happy to get the news that it had been. Much work needs to be done to educate our community about this and we need to spread the word.
- B. Children's Services (Wayne Tashjian, Chair): This group has been focused on VAC representation at new parent orientations and vocational goals to be included in IPPs, assessments, and treatment plans as part of the center's soon coming Employment First policy. They will be meeting immediately following today's VAC meeting and anyone interested is welcome to join in.
- C. Adult Services (Rebecca Lienhard, Chair): This group has been focused on drafting an Employment First policy for the center.

- D. Mental Health (Gay Wane, Chair): This group meets the last Thursday of the month at 3:00 p.m. in room 210 of the center's main office. The meetings are confidential in nature as they discuss real consumer cases.
- E. VAC Employment (Blue, Red, and Purple Bubble Groups): These groups no longer exist as employment is now being covered by the first 3 VAC priority issue groups.

VIII. Report on Board Committee Meetings

- A. Administrative Affairs (Ken Lane): The committee had a long discussion with the center's auditors at Lautze & Lautze, preparing for the FY 2013-14 audit. With respect to identifying the 85% direct service/15% administrative cost requirement by the state, the regional center and state approve looking at the number of direct service workers versus administrative workers not rates of pay. The center is owed \$3 million by intermediate care facilities (ICFs) through the state plan amendment payment process. Six contracts were approved to go to the board including several supported living service agencies and one facility to support 5 individuals leaving the Lanterman Developmental Center. There was a significant service provider issue for a residential facility requiring that 5 consumers be moved due to concerns for health and safety.
- B. Board of Trustees (George Stevens for Jenni Moran): The board last met on June 11th and elected new board officers, 5 new board members, 6 new VAC members, and 5 new Consumer Advisory Committee (CAC) members.
- C. Consumer Services (Michelle Heid/Rebecca Lienhard): The committee identified their priority issues for this fiscal year, reviewed the 4th quarter exceptions/exemptions report, reviewed the 4th quarter consumer diagnosis report, and discussed the pending implementation of the self-determination program.
- D. Government & Community Relations (Michelle Heid/Rebecca Lienhard): Most of the bills the committee was tracking are dead, except for SB 577 (Pavley) which is in the Assembly Appropriations Committee's suspense file (due to its implementation cost).
- E. Housing (Jonathan Istrin): The next quarterly Housing Committee meeting will be held Monday, August 11th, at noon.

- F. Nominating (Jonathan Istrin): The committee held their first meeting last night. There are not many vacancies to fill this fiscal year as only 1 board member is terming off, only 1 VAC member is terming off, and no CAC members are terming off.

- G. Strategic Planning (Annie Cox): Annie provided a written report as she was not present to give a verbal report. Her report indicated that William Rayber was elected to serve as chair and the draft 2015 performance contract was reviewed and discussed. The committee also established the following priorities for this fiscal year:
 - 1. Employment
 - 2. Self-Determination
 - 3. System Sustainability

IX. Open Issues for Discussion

- A. Yolanda Bosch provided copies of the July 2014 issue of “Federal Perspectives” newsletter that is put out by the National Association of State Directors of Developmental Disabilities Services (NASDDDS). The lead article is about the Department of Labor releasing guidance on 3rd party joint employment in consumer-directed Medicaid programs. Yolanda recommended that providers talk with their labor counsels about this to see if and how they are impacted.

- B. Dolly Wauls asked where residential facilities could obtain updated labor posters.

Action: Kim will ask Michele Marra, the center’s human resources director, about where the posters can be found and will report back at the next VAC meeting.

X. Agenda Items for the Next Board Meeting

The following items were identified for the VAC’s section of the next Board of Trustees meeting:

- A. Minutes of August 7th Meeting
- B. SB 577 (Pavley) Support Letter
- *C. Approval of VAC’s Priority Issues & Teams for FY 2014-15

Gay Wane reported that she regularly attends the NLACRC board meetings and encouraged other providers to do so as well. The next meeting will be held at the center's main office on Wednesday, August 13th, at 6:30 p.m.

XI. Announcements/Information/Public Input

A. Next VAC Meeting: Thursday, September 4th, at 9:30 a.m.

XII. Adjournment

Gay adjourned the meeting at 10:43 a.m.

* Board Action Item

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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