

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

August 6, 2015

Present: Fredlyn Berger, Deborah Cutter, Mariela Feldman, Cynthia Fernandez, Michelle Heid, Jonathan Istrin, Eleshia Johnson, Staci Jordan, Ken Lane, Kristin Laurino, Wayne Tashjian, and Dolly Wauls - Committee Members
Charles Devlin, Dana Andrews, Claire Moynihan, Linda Cabuzzi, Jamie DeWitt, Yue Li, Roschell Ashley, Mandy Flower, Rhonda Bunnin, Veronica Barrera, Uju Okeke, Allen Abraham, Rosa Hernandez, Kathleen Sturkey, Chris Bratzel, Victoria Greenwood, Andrea Lemus, and Allen Abraham - Guests
George Stevens, Jennifer Kaiser, Erica Beall, Yolanda Bosch, John Youngbauer, Sarah Cox, Kimberly McNeil, and Anna Polin – Staff

Absent: Annie Cox, Marina Pink, and Scott Shepard

I. Call to Order & Introductions

Michelle Heid, VAC chair, called the meeting to order at 9:35 a.m. Michelle welcomed Staci Jordan to the VAC and introductions followed.

II. Public Input - There was no public input.

III. Consent Items

A. Approval of Agenda

Item VI. was deferred because Kim Rolfes was busy attending the statewide chief financial officer's meeting.

M/S/C (M. Feldman/K. Lane) To approve the agenda as modified.

B. Approval of Minutes from June 4th VAC Meeting

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

IV. Group Photo of VAC for NLACRC's Website

The meeting was interrupted briefly so a group photo could be taken.

V. Executive Director's Report (George Stevens)

- A. NLACRC's Performance Contract: The center's Strategic Planning Committee, which oversees our annual performance contract, wants to include consumer employment goals in the 2016 contract. We will want to work with adult service providers to create more work opportunity for our adult consumers. George provided the VAC with information from the center's 2015 performance contract local employment data.

Action: The VAC's adult services team will discuss work opportunities for adult consumers at next month's break out meeting.

- B. Cash Flow: The center just received its third advance from the Department of Developmental Services (DDS), so we did not have to borrow any money from our credit line.

- C. Transition of Behavioral Services to Managed Care: We are still working to finalize the transition plan and Memorandum of Understanding (MOU) between the 7 LA regional centers and the LA Care and Health Net managed care providers. The managed care plans are just beginning to see how big of a project this will be. They have identified a specific transfer month for each of the LA regional centers; NLACRC is currently scheduled to transition its behavioral services to managed care plans in May 2016. It is our understanding that they will be using our behavioral service providers. Dr. Youngbauer added that at the center's behavioral service orientations, family members are encouraged to contact their health plans so they can get ahead of the transition.

- D. State Auditor's Letter to Governor Brown & Legislative Leaders: Back in 2010, the office had recommended that DDS require regional centers to make sure they chose the least costly service provider to fill their consumers' needs and to document that information. We recently received a copy of a letter written to the governor by the State Auditor's office. The letter states that DDS did not implement this recommendation. As such, they are recommending to the governor that the legislature amend state law to direct regional centers to document the vendor cost analysis that the planning team performs when creating a consumer's Individual Program Plan (IPP). Copies of the letter were provided to the VAC. The Association of Regional Center Agencies (ARCA) released a statement in response to the state auditor's letter.

Action: Jennifer will forward a copy of ARCA's response to the state auditor's letter to the VAC.

- E. Significant Transportation Problems: A significant issue has arisen: Southland

Transit is experiencing issues with timely arrival/pick-up times and delivery/drop off times due to driver shortages. As soon as they hire and train new drivers, they tend to lose their drivers to other transportation companies who can pay them higher wages. Unfortunately, Southland Transit is not able to offer the same competitive driver wages as other public transportation providers under the current rate that they receive from regional center. They are statutorily prohibited from seeking a rate increase to cover increased operating costs due to the statutory rate freeze. Yesterday, several routes in the Antelope Valley could not be run due to the lack of drivers, which affected 182 consumers. Other regional centers are facing a similar problem with their transportation providers. Charles Devlin, president of R&D Transportation Services, a transportation broker, stated that he has been working with regional centers since 1991 and he has never seen problems this bad. NLACRC is in the process of reaching out to residential providers and day programs to find out if they can assist with transportation.

- F. Roundtable Forum: ARCA and the LA regional centers held a roundtable forum at Lanterman Regional Center yesterday to inform legislators about the crisis of the community system for people with developmental disabilities and the options available in the Special Session (X2). The roundtable included representatives of 8 Senators and 6 Assembly members. Over 30 invited representatives of the developmental services community were also in attendance to share their personal stories. Senator Jim Beall spoke about the needs of our community and his bill to provide a 10% across-the-board increase to the developmental disabilities service system and funding reform for the long-term. Michelle Heid and Tavia Wooley, board president, represented NLACRC. We are hoping to eventually get the governor's attention and for him to address our issues with additional funding.

VI. Chief Financial Officer's Report (Kim Rolfes) – *Deferred*

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

- A. SB 3 (Leno/Leyva) Minimum Wage Bill: A bill was passed that will increase the minimum wage to \$10/hour effective January 1, 2016. This bill would increase the minimum wage from \$10/hour to \$11/hour on that date. Service providers that are able to submit a rate increase letter should do so, but we will be holding on to them until we find out what the minimum wage increase will be on January 1.
- B. Update on CMS Final Rule: As reported at previous VAC meetings, the Centers for Medicare and Medicaid Services (CMS) issued rules about what

services will qualify for federal funding under Medicaid waivers and 1915(i) state plan amendments. A stakeholder group has been meeting and Yolanda has been attending their meetings. At the last meeting, there was a conflict between the feds and the state which they were trying to resolve. Nancy Bargmann was a prominent member of the stake holder group, however is no longer working at DDS and so is no longer serving on the committee. The final implementation won't be until March 2019, but we need to take this time to educate ourselves and prepare for it so we'll be in compliance when the time comes. The center will be working closely with our providers on a transition plan. This is a nationwide movement.

- C. AB 1522 Sick Leave Bill: This bill enacted the Healthy Workplaces, Healthy Families act of 2014 and entitles employees who work on or after July 1, 2015, and who work 30 or more days within a year, to accrue sick leave at a rate of one hour for every 30 hours worked. The bill also authorizes an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each year of employment. The budget for fiscal year 2015-2016 and accompanying trailer bill language assumes many vendors will either receive, or be eligible to request, a rate increase, if necessary, in order to comply with the new sick leave requirements. NLACRC sent a letter to its service providers last month with information on the types of vendors that are affected and what process will be used to make necessary rate adjustments. Additional information about this has been posted on our website.

- D. 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. Unfortunately, we still have 381 vendors who have not submitted their completed forms to us. The center is required by law to enforce this. As such, these 381 vendors will be sent a letter notifying them that the center will be discontinuing referrals to their programs, moving to terminate their vendorization, and moving consumers out of their programs.

- E. Competitive Integrated Employment (CIE): In December 2014, the California Departments of Rehabilitation, Education and Developmental Services entered into an MOU to further advance the state's Employment First policy and other federal and state laws to address employment in integrate settings, at competitive wages, for our consumers. These 3 departments are currently developing a blueprint to support the achievement of CIE. The beginnings of the draft blueprint can be accessed on the California Health and Human services website which address the following sections:

1. Section 2: Introduction
2. Section 3: Interagency System Overview
3. Section 4: Current Initiatives and Collaboration

You can share your comments or suggestions with them. Section 5 is still being developed at includes recommendations in support of improving access to CIE services and increasing CIE outcomes for consumers.

Action: Jennifer will e-mail a link to the blueprint sections to the VAC. [CaliforniaCIE@dor.ca.gov.]

- F. College to Career Program: Kristin Martin, executive director of Home Ownership for Personal Empowerment (HOPE), began a project in Long Beach called College to Career. Essentially it provides consumers who want to go to college with a place to live while they are going to their classes. The program also provides supported living services at the home and at the college. The Long Beach program has been very successful and Yolanda is interested in starting a program like that one in the Santa Clarita Valley in partnership with HOPE and College of the Canyons. She and Kristin met with the Santa Clarita Valley planning department 3 weeks ago to propose such an endeavor. California Mentor has agreed to provide the SLS for the program. Yolanda will be meeting with deans from College of the Canyons next month and is very excited about the prospects of this project.
- G. Partnership: Although the center is required to enforce requirements set forth in law, it is our goal to partner with our service providers to help them provide the best possible services to our consumers. We know it isn't an easy job, but it is our hope that we can partner and collaborate together and be respectful of one another.

VIII. Committee Business

- A. Annual Orientation (Review Policies & Procedures): The primary purpose of the VAC is to provide advice and guidance to the Board of Trustees. Michelle stated that VAC meetings are also a great place for providers to learn and get their questions answered.
- B. FY 2014-15 VAC Action Log: All of the actions that are taken by the board and its committees (including the VAC) are entered into a log and presented to the committee at the beginning of each fiscal year. Copies of the VAC's

log from last fiscal year were provided for the committee's review and information.

C. FY 2015-16 VAC Meeting Schedule: The VAC will meet 10 times this fiscal year. Michelle pointed out the VAC's attendance policy which states that VAC members cannot miss 3 consecutive VAC meetings or 5 meetings in a 12-month period; if they do, they must resign from the committee. Jennifer provides attendance reports with the monthly meeting packets.

D. VAC Priorities for FY 2015-16

1. Continuation of VAC Priority Issue Teams? Michelle reported to the committee that she believes that with the issues we are facing now that the VAC's break out teams are still a viable mechanism to get their work done.

M/S/C (J. Istrin/E. Johnson) To recommend to the Board of Trustees to approve the VAC's priority issues for FY 2015-16 as presented.

2. Selection of Team Chairs: The following VAC members volunteered to be the chairs for this fiscal year:

- Annie Cox – (Prevention/Early Start Services Group)
- Wayne Tashjian (Children's Services Group)
- Scott Shepard (Adult Services Group)
- Deborah Cutter (Mental Health Services Group)

Action: Michelle stated that non-VAC members are more than welcome to participate in the break-out groups.

E. Input on Government/Community Relations Committee's FY 2015-16 Priorities: The committee wanted to present their proposed priorities to the VAC to see if they had any input. No proposed changes were made.

F. Volunteers to Represent the VAC on Board Committees:

The following VAC members volunteered to represent the VAC on the following board committees this fiscal year (thank you!!):

1. Administrative Affairs: Ken Lane

2. Consumer Services & Government/Community Relations: Michelle Heid, Fredlyn Berger, Eleshia Johnson, and Dolly Wauls
3. Housing: Jonathan Istrin
4. Nominating: Jonathan Istrin
5. Strategic Planning: Annie Cox

IX. Reports from the VAC Priority Issue Work Groups

- A. Early Start/Prevention Services: Fredlyn stated that the group discussed rates and the difficulty in the ability to hire therapists.
- B. Children's Services: Wayne stated that the group hasn't met for some months, but he looks forward to chairing the next group meeting that will be held next month after an abbreviated VAC meeting.
- C. Adult Services: Ken asked the providers to please bring their ideas for adult services to the meeting next month!
- D. Mental Health Issues: This work group holds a collaborative meeting with members of the Department of Mental Health on the last Thursday of each month to discuss individual consumer cases and solutions.

X. Report on Board Committee Meetings

- A. Administrative Affairs (Ken): The center will be having 2 audits started next month, one by DDS and the other by Lautze & Lautze. The center is owed \$1.2 million due to delayed payments through the Intermediate Care Facility (ICF) state plan amendment (SPA) process. Five contracts were recommended for approval by the board. The center had 15 new hires last month.
- B. Board of Trustees (Michelle): At the last board meeting, Rosalba Gonzalez, field representative for Senator Fran Pavley, presented a resolution to NLACRC for its efforts in placing consumers out of Lanterman Developmental Center leading to its successful closure. The center approved their FY 2015-16 calendars and committee assignments. The board also approved their new social media policy and will be setting up a Facebook page.
- C. Consumer Services (Michelle): Jessica Gould, a consumer board member, was elected to serve as the committee chair for this fiscal year. The committee finalized the changes to the Educational/Vocational service standard to

include Employment First language. The joint NLACRC/State Council self-determination advisory board held their first meeting. The committee discussed new trailer bill language, some of which requires that English and Spanish (threshold language) IPPs be done within 45 days and all others within 60 days; and the issue at hand about how quickly or slowly translations can be done.

- D. Government & Community Relations (Michelle): The committee recommended to the Executive Committee to support SB 490. 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.
- E. Housing (Jonathan): The committee was provided with information about the College to Career program that the center wants to launch in the Santa Clarita Valley (see VII.F. above) and they reviewed the status of the center's currently community placement plan.
- F. Nominating (Jonathan): The committee met last evening. They will be recruiting for board, Consumer Advisory Committee, and VAC members starting in October, with applications due December 31st. The VAC currently has 3 vacancies and 3 VAC members will be terming off in June (Jonathan, Ken, and Dolly), so a total of 6 VAC vacancies will need to be filled. Jonathan encouraged people to talk with anyone they know that they think would be a good board, CAC, or VAC member and ask them to contact Jennifer for an application.
- G. Strategic Planning: One of this committee's duties is to oversee the center's performance-based contract with DDS. Three public meetings will be held to present the center's draft 2016 contract to the community:
1. Tuesday, August 25th, 6:00-7:30 p.m. (Lancaster office)
 2. Monday, August 31st, 2:00-3:30 p.m. (Lancaster office)
 3. Monday, August 31st, 6:00-7:30 (Van Nuys office)

The committee also tracks the number of program closures that have occurred. Since FY 2008-09, 81 programs have closed (the majority due to rate/financial issues) which had an impact on 1,691 consumers. Last year, the center closed more residential facilities than they opened. And with the new Center for Medicaid and Medicare Services (CMS) Final Rule, residential facilities will have to reduce their number of beds from 6 to 4, so we expect to continue to see more closures in the future.

XI. Open Issues for Discussion

- A. Ken announced that The Adult Skills Center is working with Assembly Member Bob Blumenfield to brainstorm on ways to get the governor to consider the Lanterman Coalition's recommended 10% increase for service providers and regional center operations.
- B. Yolanda Bosch announced that the center had almost 100 people (staff and board members) participate in "fans in the stands" for the soccer events held at Balboa park as part of the Special Olympic World Games. It was a great experience.

XII. Agenda Items for the Next Board Meeting

The following items were identified for the VAC's section of the August 12th board meeting agenda:

- A. Minutes of June 4th and August 6th Meetings
- B. Approval of Priorities for FY 2015-16

XIII. Announcements/Information/Public Input

- A. Next VAC Meeting: Thursday, Sept. 3rd, at 9:30 a.m. (work groups meet)
- B. Family Focus Resource Fair: The Family Focus Resource Center will be holding their 4th annual special needs resource fair on Saturday, October 17th, from 10:00 a.m. to 2:00 p.m. at CSUN. To participate in the fair, please call (818) 677-6854.

XIV. Adjournment

Michelle adjourned the meeting at 11:38.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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