

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes
November 3, 2016

Present: Orli Almog, Fredlyn Berger, Cynthia Fernandez, Michelle Heid, Sharoll Jackson, Eleshia Johnson, Staci Jordan, Kristin Laurino, Jenni Moran, Marina Pink, and Scott Shepard - Committee Members

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

Lisa Fisher, Sherry Beamer, Rebecca Lienhard, Dana Andrews, Emily Owens, Debra Dinielli, Salisa Wagner, Linda Cabuzzi, Lori Sivazlian, Rebecca Holik, Uju Okeke, Leticia Leon, Ken Lane, Natally Corleto, Victoria Greenwood, Lizeth Corral, Nick Vukotic, Riva Kestenbaum, Pat Knight, Mark Steidl, Don Lucas, Barbara Stephens, Ralph Stokes, Adam Stokes, Alexandra Rivera, Saeda Farah, Judith Vargas, Taguhi Artunian, Tanya Brustinov, and Rafael Carbajal - Guests

Absent: Shelly Briggs, Deborah Cutter, Mariela Feldman, and Wayne Tashjian

I. Call to Order & Introductions

Michelle Heid, VAC chair, called the meeting to order at 9:41 a.m. Introductions were made.

II. Public Input

A. Theresa from the Family Focus Resource Center reported that their annual resource fair was held last Saturday and was a huge success! They had 80 vendors there and over 1,000 people of all ages attended. Theresa expressed her appreciation to the CSUN volunteers and to the resource fair's co-sponsors.

III. Consent Items

A. Approval of Agenda

Item VIII.C. was added to the agenda.

M/S/C (J. Moran/S. Jackson) To approve the agenda as modified.

B. Approval of Minutes from the October 6th VAC Meeting

M/S/C (E. Johnson/S. Jackson; Abstention: J. Moran) To approve the minutes as presented.

IV. Executive Director's Report

- A. Behavioral Services Transition: Dr. Arpi Arabian reported that the center is about halfway through with transitioning their 800 consumers to managed care for their behavioral services. It has been very difficult to transition the second half of the group due to lack of consents from the families. Arpi again asked for service providers' help to reach out to parents to get them to send their consent forms in. For any questions about the transition, you can contact Jessica Garcia at BHT@nlacrc.org.
- B. Disparity Funding: The ABX2-1 funding included \$11 million to enable the Department of Developmental Services (DDS) to assist regional centers in reducing purchase of service (POS) disparities. NLACRC submitted 6 proposals to DDS and DDS agreed to fund 2 of them. The first is our Family Empowerment Team in Action (FETA). This proposal was developed in collaboration with California State University, Northridge to reach out and engage under-served communities within our service area. DDS also agreed to fund the center's social media outreach. A third proposal, to cover extra pay for bilingual staff, is still under DDS's consideration.
- C. Self-Determination: DDS is still working with the Center for Medicaid and Medicare Services (CMS) to prepare the waiver for federal funding, but has not formally re-submitted the waiver as yet. DDS is reportedly working to resolve the remaining 35 of the original 180 issues that CMS had with the original waiver application and it looks as though the best case scenario for resubmission of the waiver application will be late spring/early summer. CMS will then have 90 days to review the waiver. NLACRC staff members Ruth Janka and Evelyn Chamorro are the center's point people for the program.
- D. C-1 Allocation: The center received its C-1 allocation from DDS even though the contract is still under negotiation. As reported at the last VAC meeting, DDS is working to include language that would further protect consumer personal health information and data breaches.
- E. FY 2016-17 Budget: The center's budget for this fiscal year is nearly \$425 million. We will not know how much of a POS deficit we will be projecting

until we complete our first Sufficiency of Allocation Report (SOAR) for DDS next month.

- F. Caseload Growth: The center is now serving nearly 24,000 consumers – and we continue to grow.
- G. Annual Statements & Zero Tolerance Policy: The center just finished its annual mailing of the annual statements to families and the center’s policy on zero tolerance of consumer abuse or neglect. Service providers are required to share the center’s policy with their staff.
- H. DDS Draft Audit Report for FY 2013-14 and FY 2014-15: The center did so well in the audit that DDS canceled the exit interview.
- I. California State Auditor Audit Report: Five regional centers were randomly selected for an in-home respite audit; NLACRC was one of the centers selected.
 - 1. NLACRC Findings: There were 2 audit findings.
 - Regulations require that all in-home respite providers conduct a program evaluation (a self-assessment) and submit a written summary of their evaluation on an annual basis to the regional center, user regional centers, and DDS. NLACRC has not been collecting this information from our in-home respite service providers.
 - Regulations provide that the center review all vendor files, biennially, to verify the vendor continues to comply with vendorization requirements. The center’s community services staff have been reviewing vendor files biennially; however the review has not been documented or saved as part of the vendor file.

Discussion ensued about the self-assessment being yet another unfunded mandate and whether or not the VAC should take a stand against this requirement. After discussion, the VAC decided not to pursue that action at this time.

Action: Jenni Moran, Scott Shepard, Ken Lane, and Rebecca Lienhard all volunteered to help service providers who need assistance in completing the self-assessment.

2. Statewide Findings: The final audit report was released and included 3 key findings.
 - DDS has chosen not to obtain and review information that could assist DDS in determining whether its hourly payment rates to vendors for providing in-home respite services are appropriate.
 - The statewide average hourly rate for respite workers increased by 13% ; whereas the statewide weighted average hourly vendor rate increased by 19%.
 - Regional centers perform minimum monitoring of in-home respite vendors and that DDS performs limited oversight of regional centers.

V. Chief Financial Officer's Report

VI. Community Services Director's Report

Erica Beall, Evelyn McOmie, and Arsho Garlanian gave the following reports in Kim Rolfes' and Yolanda Bosch's absence.

- A. CMS Final Rule Update: 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 rules by March 2019. Service providers can apply for the funds through the regional centers and all submitted proposals will be forwarded by the regional centers to DDS. Directions on how to apply for this funding has been posted on our website. The deadline for submitting proposals was October 31st. The center received over 100 proposals and needs to prioritize them and submit them to DDS by November 30th. Also, it was clarified that residential service providers are not going to be required to transition from a 6-bed to a 4-bed under the CMS rules. The requirements stress consumer choice, and if a consumer wants to share a room with another consumer, they can.
- B. Workforce Innovation Opportunity Act (WIOA) Update: Initial meetings are underway to roll out tools for staff to use to implement the WIOA; we will be partnering with the school districts to help with transitioning.
- C. 605 Conversion: Look alike for adaptive skills; moving into compliance.

- D. Requests for Proposals (RFPs): The center has posted RFPs on its website for 3 residential homes and 1 layered day service in the Antelope Valley. Proposals are due December 1st. We are also in need to speech, occupational, and physical therapists to serve our consumers in the Antelope Valley.
- E. Internships and Competitive Employment: Information can now be found on the center's website under the "announcements and trainings" drop down option under the Service Providers tab.
- F. Social Security Administration (SSA) Audit: The center was recently audited by the SSA. The audit included a review of NLACRC's trust account and P&I ledgers of some of our residential service providers. The SSA identified consumers who had funds in excess of \$2,000. Consumers who are SSI recipients and who have more than \$2,000 in their cash resources lose their SSI and MediCal benefits. Additionally, SSA found that in some cases consumers had a negative P&I balance at the residential facility. The SSA reported that residential providers should not allow consumer spending to exceed P&I funds, resulting in a negative balance or "loan." As such, the SSA recommended that NLACRC better monitor the funds managed by our residential providers. In order to address this audit finding by the SSA, NLACRC will be sending out a communication to our residential service providers asking that they report to NLACRC, on a monthly basis, any time a consumer's P&I balance is equal to or greater than \$300.00. Copies of the draft communication were provided for VAC's review and input. NLACRC will also be monitoring consumer P&I balances during facility visits to ensure that consumers are not spending more funds than they are receiving. Questions were raised about consumers using newly established ABLE accounts. The ABLE accounts can be accessed through other states but they have not been established in California as yet.

VII. Brief Committee Business

- A. Annual Program Evaluation Reports

(See item IV.I.1. above.)
- B. VAC Representative for the Administrative Affairs Meetings: We need a volunteer from the committee to represent the VAC at the board's Administrative Affairs Committee meetings. This committee meets the last Wednesday of each month from 6:00 to about 7:15 or so. This committee monitors administrative matters, such as contracts, the budget, personnel matters, insurance, etc.

Action: Jennifer will contact the VAC members who are absent today to find out if they would be willing to volunteer to serve as the VAC representative to the Administrative Affairs Committee. *[Jennifer did not need to contact the absent members as Orli Almog volunteered to serve after the VAC meeting ended. Thanks Orli!]*

- C. Employment First Policy: The board's Strategic Planning Committee asked that the center's Employment First policy be reviewed to see if it needed to be updated in any way. Copies of the policy were provided. The committee did not feel that any changes were needed to the policy language, but that the policy statement that "integrated employed be the first option considered for every adult we support" be implemented.

VIII. Agenda Item for the Next Board Meeting

The following item was identified for the VAC's section of the November 9th board meeting:

- A. Minutes of the November 3rd VAC Meeting

Michelle encouraged service providers to attend the monthly board meetings. The next one will be held next Wednesday, November 9th, at 6:30 p.m. in the same room where the VAC meets.

IX. Announcements/Public Input

- A. Next Meeting: Thursday, January 5th (no December meeting)
- B. Candidates' Forum: Michelle Heid thanked everyone for participating in the recent candidates' forum; there was standing room only and all of the candidates participated. It is critical to continue to educate and inform our legislators and keep them up to date on our issues and needs.
- C. Legislative Training: A legislative training is going to be held at NLACRC's main office on Wednesday, November 16th, from 6:00 to 8:00 p.m. and will be presented by Michelle Heid and Steve Miller. If you want to attend, please RSVP to Jennifer Kaiser at jkaiser@nlacrc.org.

Action: Jennifer will send information about the legislative training to the service providers on her e-mail list.

- D. New Rate-Setting Methodology: Michelle Heid announced that as part of ABX2-1, the legislature has 3 years to draft a new rate-setting methodology

that will be able to sustain the system into the future. It is important for service providers to be involved in that conversation. We should look to see if information about it is included in the governor's proposed budget for FY 2017-18 which will be released in mid-January.

X. Committee Work

- A. Behavioral Services Transition (Mariela Feldman, chair)
- B. CMS Final Rule/WIOA (Eleshia Johnson, chair)
- C. Self-Determination Program (Michele Heid, chair)
- D. Adult Services (Scott Shepard, chair)

XI. Adjournment

Michelle adjourned the meeting at 10:49 a.m. and the committees broke into the work groups for individual discussions.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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