Board of Trustees Meeting

Tuesday, October 10, 2017
6:30 p.m.

NLACRC’s San Fernando Valley Office
9200 Oakdale Avenue, Suite 100
Chatsworth, CA 91311

Packet #1 – mailed
North Los Angeles County Regional Center

Board Packet # 1

Contents

1. Purple:
   Board Calendars (page 1)

2. Green:
   Agenda & Minutes (page 4)

3. Yellow:
   Committee Action Items (page 17)

4. Blue
   Attendance Sheets & Meeting Evaluation (page 71)
Board Calendars
**NLACRC Board of Trustees**  
**Master Calendar**  
**Fiscal Year 2017-18**

### October 2017

<table>
<thead>
<tr>
<th>Sun</th>
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<td>9:30 am: Vendor Advisory Committee</td>
<td>9:30 am: Vendor Advisory Committee (full meeting)</td>
<td>6:00 pm: Shemini Atzeret &amp; Simchat Torah at sundown (no work on Oct. 4 or 5)</td>
<td>6:00 pm: Board Dinner</td>
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<td>5:30 pm: Board Packet Review</td>
<td>5:30 pm: Board Meeting (San Fernando Valley Office)</td>
<td>5:30 pm: Board Meeting (San Fernando Valley Office)</td>
<td>5:30 pm: Board Dinner</td>
<td>Shemini Atzeret &amp; Simchat Torah at sundown</td>
<td>6:30 pm: Board Meeting (San Fernando Valley Office)</td>
<td>ARCA CAC Meeting (Sacramento)</td>
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<td>6:00 pm: Consumer Services</td>
<td>6:00 pm: Consumer Services</td>
<td>7:00 pm: Government/Community Relations</td>
<td>5:30 pm: ARCA Meetings (San Diego)</td>
<td>7:00-9:00 pm: Self-Determination Advisory Committee (Antelope Valley Office)</td>
<td>ARCA Meetings (San Diego)</td>
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<td>5:30 pm: Board Dinner</td>
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**29**

Halloween
<table>
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<tr>
<th>Day</th>
<th>Event</th>
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<tr>
<td>Sun 2</td>
<td>9:30 am: Vendor Advisory Committee (break-out groups)</td>
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<tr>
<td>Mon 3</td>
<td>Day Before Veterans' Day (NLACRC closed)</td>
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<td>Wed 5</td>
<td>Daylight Savings Time Ends</td>
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<tr>
<td>Thu 6</td>
<td>6:00 pm: Strategic Planning Committee</td>
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<td>Fri 7</td>
<td>2:00 pm-3:30 pm: Consumer Advisory Committee</td>
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<td>Sat 8</td>
<td>Election Day</td>
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<tr>
<td>Sun 9</td>
<td>5:00 pm: Board Packet Review</td>
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<td>Mon 10</td>
<td>6:00 pm: Board Dinner</td>
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<td>Tue 11</td>
<td>6:30 pm: Board Meeting (San Fernando Valley Office)</td>
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<tr>
<td>Wed 12</td>
<td>6:00 pm: Consumer Services</td>
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<td>Thu 13</td>
<td>7:00 pm: Self-Determination Advisory Committee</td>
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<td>Fri 14</td>
<td>7:00 pm: Government/Community Relations</td>
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<tr>
<td>Sat 15</td>
<td>7:00-9:00 pm: Self-Determination Advisory Committee</td>
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<td>Sun 16</td>
<td>6:00 pm: Self-Determination Advisory Committee</td>
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<tr>
<td>Mon 17</td>
<td>7:00 pm: Government/Community Relations</td>
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<td>Tue 18</td>
<td>7:00 pm: Executive Committee</td>
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<tr>
<td>Wed 19</td>
<td>10:00 am: Antelope Valley Vendor Forum</td>
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<td>Thu 20</td>
<td>6:00 pm: Administrative Affairs</td>
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<td>Fri 21</td>
<td>7:00 pm: Executive Committee</td>
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<td>Sat 22</td>
<td>Thanksgiving (NLACRC closed)</td>
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<td>Sun 23</td>
<td>Day after Thanksgiving (NLACRC closed)</td>
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<td>Mon 24</td>
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<td>Tue 25</td>
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**Note:** The calendar covers November 2017.
Agenda & Minutes
North Los Angeles County Regional Center  
Board of Trustees Meeting  
NLACRC, 9200 Oakdale Avenue, Suite 100, Chatsworth, CA  91311  
Tuesday, October 10, 2017  
6:30 p.m.  

~ AGENDA ~

1. Call to Order & Introductions  
   Debra Newman  
   President

2. Public Input & Comments (3 minutes)

3. Consent Items (Packet #1, page 4)  
   A. Approval of the Agenda  
   B. Approval of the September 13th Board Meeting Minutes

4. Group Photo for the Website

5. Committee Action Items (Packet #1, page 17)  
   A. Administrative Affairs Committee (Dan Becerra)  
      1. Approval of Contract: Norman Sarafian, DDS  
      2. Approval of Contract: Ashnar Homes  
      3. Approval of Contract: The Adult Skills Center  
   B. Executive Committee (Debra Newman)  
      1. Approval of Conflict of Interest Resolution Plan  
   C. Consumer Services Committee (Jessica Gould)  
      1. Approval of Changes to Service Standards

6. Director’s Report  
   George Stevens  
   Executive Director

7. Association of Regional Center Agencies  
   Debra Newman  
   ARCA Delegate  
   A. Next Meetings: October 19th & 20th (San Diego)

8. Administrative Affairs Committee  
   Dan Becerra  
   Treasurer  
   A. Minutes of the September 27th Meeting  
   B. Financial Report

9. Consumer Advisory Committee  
   Lesly Forbes  
   Chair  
   A. Minutes of the October 3rd Meeting

10. Consumer Services Committee  - No Report  
    Jessica Gould  
    Chair
11. Executive Committee
   A. Minutes of the September 27th Meeting
   B. Action Taken to Approve MOU with Harbor Regional Ctr.
      Debra Newman
      Chair

      Tamar Wiener
      Chair

13. Nominating Committee – No Report
      Jeremy Sunderland
      Chair

14. Post-Retirement Medical Trust - No Report
      Debra Newman
      Chair

15. Strategic Planning Committee – No Report
      Jeremy Sunderland
      Chair

16. Vendor Advisory Committee
   A. Minutes of the October 5th Meeting
      Michelle Heid
      Chair

17. Old Business / New Business (Packet #1, page 71)
   A. Attendance Sheets
   B. Complete Meeting Evaluations
   C. Visitation Reports

18. Announcements / Information / Public Input
   A. Next Meeting: November 8th, at 6:30 p.m. (Chatsworth)

19. Adjournment
Minutes of Regular Meeting
of
North Los Angeles County Regional Center
Board of Trustees

The Board of Trustees of North Los Angeles County Regional Center, Inc., a nonprofit corporation, held their regular board meeting at North Los Angeles County Regional Center, 9200 Oakdale Avenue, Chatsworth, California, on September 13, 2017.

**Trustees Present**
Manuel Alfaro
Daniel Becerra
Elena Burnett
Adelina Castellanos
Melissa Ferman
Lesly Forbes
Jessica Gould
Michelle Heid
Ismael Maldonado
Lillian Martinez
Meagan Miller
Caroline Mitchell
Bridget Moss
Debra Newman
Louis Paparozzi
Reinwick Pole, Intern
Curtis Wang
Todd Withers

**Trustees Absent**
Elizabeth Badger
Pat Grayson-DeJong
Erika Hernandez
Jeremy Sunderland
Tamar Witmer

**Staff Present**
Sara Iwahashi
Ruth Janka
Jennifer Kaiser
Michele Marra
Kim Rolfs
George Stevens
Anna Whitlock

**Guests Present**
Julie Eby-McKenzie
Jenni Moran

1. **Call to Order & Introductions**

   Debra Newman, president, called the meeting to order at 7:01 p.m. and introductions were made.

2. **Public Input & Comments (3 minutes)**

   A. Ismael Maldonado provided fliers for a “community coffee” hosted by Senator Bob Hertzberg that will be held Tuesday, September 26th, from 8:00 to 10:00 a.m. at Myke’s Café in Pacoima.

   B. Lesly Forbes announced that a “Taste of Soul” festival will be held on Saturday, October 21st, from 10:00 a.m. to 7:00 p.m., in Los Angeles. You can take the Metro there!
C. Melissa Ferman announced that career fair will be held at CSUN on Thursday, September 28th, from 11:00 a.m. to 2:00 p.m. to help students find employment in the non-profit and government arenas.

Action: Melissa will forward information about the career fair to Jennifer Kaiser.

D. Caroline Mitchell announced that Pierce College is celebrating its 50th anniversary with many different events.

E. Debra Newman announced that she will be wed to Rodney Steven Barnett on Saturday, September 24th, in Ohio, and circulated an invitation to her wedding.

3. Consent Items

A. Approval of the Revised Agenda (Packet #2, page 94)

Item 21. Executive Session was moved up on the agenda to become item 5. Item 8.A.6 was added to the agenda.

M/S/C (C. Wang/C. Mitchell) To approve the revised agenda as modified.

B. Approval of the August 9th Board Meeting Minutes (Packet #1, page 7)

M/S/C (J. Gould/M. Miller) To approve the minutes as presented.

4. Presentation of Draft 2018 Performance Contract (Sara Iwashashi) – Handout

Sara provided the committee with copies of the draft performance contract for 2018 and reviewed it with them. The contract included: 10 public policy performance measures; 3 measures related to reducing disparities and improving equity in purchase of service expenditures; and 9 local performance contract measures, along with the activities that the center will employ to achieve the outcomes. At the end of the contract, there were 11 final compliance measures listed that the center must strive to achieve. The Department of Developmental Services (DDS) extended the deadline for submitting the performance contract until December, so the contract will be presented for board approval at the November 8th board meeting.

5. Executive Session (Employee Salaries and Benefits)

M/S/C (C. Wang/C. Mitchell) To go into executive session at 7:26 p.m.

The session ended at 7:33 p.m. and the board meeting resumed.
6. Group Photo for the Website – Deferred

7. Committee Action Items (Packet #1, page 17)

A. Administrative Affairs Committee (Dan Becerra)

1. Adoption of Personnel Classification Report – Handout

M/S/C (L. Paparozzi/D. Becerra) To approve the report as presented and to authorize that it be posted on the center’s website.

2. Approval of Contracts

a. Elwyn California
b. Ability Pathways (7) 109s:
   ▪ Casa Del Sol – PL1540-109
   ▪ Canyon Crest – PL1534-109
   ▪ Crockett – PL 1532-109
   ▪ Elben – PL1533-109
   ▪ Norris – PL1536-109
   ▪ Terhune – PL1535-109
   ▪ Vista del Valle – PL1538-109
c. Amigo Home Care, Inc.
d. R&D Transportation

M/S/C (L. Paparozzi/I. Maldonado; Abstention: M. Heid) To approve the 4 contacts listed above, as presented.

B. Consumer Services Committee (Jessica Gould)

1. Approval of Committee Priorities for FY 2017-18

M/S/C (C. Mitchell/R. Pole) To approve the Consumer Services Committee’s priorities for FY 2017-18, as presented.

8. Additional Action Items (Packet #2, page 97)

A. Administrative Affairs Committee (Dan Becerra): Approval of Contracts

1. Autism Learning Partners, Vendor #PL0933-612
2. Autism Learning Partners, Vendor #PL0934-615
M/S/C (B. Moss/I. Maldonado; Abstention: M. Heid) To approve the 2 contracts with Autism Learning Partners, as presented.

3. Build Rehabilitation Industries, Vendor #PL1629-055
4. J&L Goldman, Inc. dba ComForcare Senior Services Woodland Hills

M/S/C (A. Castellanos/L. Paparozzi; Abstention: M. Heid) To approve the contracts with Build Rehabilitation Industries and J&L Goldman, as presented.

5. Partners of Change, Inc. Vendor #PL1637-896 – 1st Amendment

M/S/C (J. Gould/C. Wang; Abstention: M. Heid) To approve the contract with Partners of Change, as presented.

6. Harbor Regional Center MOU – Handout

M/S/C (L. Paparozzi/C. Wang; Abstention: M. Heid) To approve the MOU with Harbor Regional Center, as presented.

B. Consumer Advisory Committee (Lesly Forbes)

1. Approval of CAC Priority Activities for FY 2017-18

   M/S/C (E. Burnett/B. Moss) To approve the CAC’s priority activities for FY 2017-18, as presented.

C. Government & Community Relations (George Stevens for Tamar Witmer)

1. Approval of AB 279 Message

   M/S/C (D. Becerra/I. Maldonado) To approve the message thanking the community for their efforts to support AB 279 (Holden), as presented.

D. Vendor Advisory Committee (Michelle Heid)

1. Approval of Priority Issues for FY 2017-18

   M/S/C (M. Alfaro/D. Becerra) To approve the VAC’s priority issues for FY 2017-18, as presented.

9. Director’s Report (Packet #2, page 117)
George Stevens addressed the following areas in his report: allocation methodology; state budget, legislation; and regional center operations. Copies of the director's report were included in the meeting packet along with the center's monthly quality assurance and special incident reports. Also attached to George's report was a legislative update that was prepared by staff.

10. Association of Regional Center Agencies

A. **Report on August 17th & 18th Meetings** (Torrance)

   The main topics of discussion at the last ARCA meetings were self-determination, safety net homes, and AB 279 (Holden).

B. **Next Meetings: October 19th & 20th** (San Diego)

   Debra Newman will be attending the next meetings with Ruth Janka, who will be attending in George's absence.

11. Administrative Affairs Committee (Packet #2, page 146)

A. **Minutes of the August 30th Meeting**

   The minutes were included in the meeting packet; please see Dan with any questions.

B. **Financial Report**

   The July 2017 financial report showed that the center's operations budget was $49,935,172 and the purchase of service (POS) budget is $392,044,289. Currently we are not forecasting a POS surplus or deficit until our first Sufficiency of Allocation Report (SOAR) is completed in December.

C. **4th Quarter Financial Graphs**

   There were no projections during the first quarter because we had not yet completed our first SOAR. Starting in October 2016, we began to report a deficit between $1.4 and $8.2 million. Through the remainder of the fiscal year, the deficit continually decreased and eventually became a surplus. We ended the fiscal year with a POS surplus between $2.2 and $2.4 million.

12. **Consumer Advisory Committee**
A. **Minutes of the August 1st Meeting** *(Packet #1, page 32)*

B. **Minutes of the September 5th Meeting** *(Packet #2, page 160)*

The minutes were included in the meeting packet; please see Lesly with any questions.

13. **Consumer Services Committee**

A. **Minutes of the August 16th Meeting** *(Packet #1, page 38)*

The minutes were included in the meeting packet; please see Jessica with any questions.

B. **Presentation of Changes to the Service Standards** *(Packet #2, page 165)*

1. Family Supports and Living Arrangements
2. Educational and Vocational Services
3. Legal Services

Ruth Janka presented the changes to the board which were made to reflect the pending elimination of the cap on respite services; thus the reference to the respite services cap and exemption criteria has been struck. Additionally, requirements of the Workforce Innovation and Opportunities Act related to transition services, subminimum wage employment and competitive integrated employment have been added to the Educational and Vocational Services Standard, as well as the competitive integrated employment and paid internship programs, and an expanded definition of special education services pursuant to the Individuals with Disabilities Education Improvement Act. Lastly, additional minor changes were made to reflect service provision more accurately for independent living skills training, a minor correction to the Legal Services Standard under the diversion section, and the addition of new requirements related to Health Insurance Portability and Accountability Act (HIPAA), and the annual training of regional center staff and maintenance of certification of trainings. Lastly, some grammatical errors were corrected.

C. **Self-Determination Program Update**

The center’s next Self-Determination Advisory Committee meeting is scheduled to be held at 7:00 p.m. on Thursday, September 21st, at the center’s Chatsworth office.
14. Executive Committee (Packet #2, page 184)

A. Minutes of the August 30th Meeting

The minutes were included in the meeting packet; please see Debra with any questions.

B. Executive Director’s Performance Evaluation Process (Michele Marra)

Copies of the executive director’s performance evaluation timeline and the evaluation itself were provided and Michele reviewed both documents with the board. Michele also explained how the executive director’s compensation is directly tied to the evaluation responses. Board members are required to complete an evaluation each year. Blank evaluation forms will be provided at the March board meeting and will be due to the board president prior to the April board meeting.

C. Review Whistleblower Policy and Sign Acknowledgments

Each year, we ask our board members to read through the center’s whistleblower policy and then sign and submit the acknowledgment form for filing.

Action: Board members should submit their signed whistleblower policy acknowledgment forms to Jennifer before the next board meeting.

D. Action Taken to Approve US Bank Authorized Signature Form

The Executive Committee took action, on behalf of the Board, to approve the US Bank Authorized Signature form, which was needed to reflect the change in board officers.

E. NLACRC’s 5-Year Strategic Plan (July 1, 2017 to June 30, 2022)

Over the past couple months, George, Ruth, Kim, and Michele drafted a strategic plan for the center for the next 5 years. Copies of the draft plan were provided to the board and reviewed. The plan contains 6 objectives and the steps they plan to take to accomplish them. Michele also presented the center’s preliminary FY 2017-18 staffing plan that will support the objectives in the strategic plan. The board was pleased with both plans.

15. Government & Community Relations (Packet #1, page 44)
A. **Minutes of the August 16th Meeting**

The minutes were included in the meeting packet; please see Tamar with any questions.

B. **Legislative Bill File**

Copies of the committee’s updated bill file were provided; the committee is currently tracking 41 different bills.

16. **Nominating Committee** *(Packet #2, page 212)*

A. **Minutes of the August 2nd & August 9th Meetings**

The minutes were included in the meeting packet; please see Jeremy with any questions.

B. **Nomination of new 1st Vice President**

The board actually nominated Elena Burnett to serve as 1st vice president at last month’s board meeting, so her election should be held this month.

*M/S/C* (L. Paparozzi/C. Wang) To correct this agenda item to “election of new 1st vice president.”

*M/S/C* (B. Moss/I. Maldonado) To elect Elena Burnett to serve as the board’s 1st vice president for the remainder of this fiscal year.

17. **Post-Retirement Medical Trust - No Report**

18. **Strategic Planning Committee** *(Packet #2, page 220)*

A. **Minutes of the August 7th Meeting**

The minutes were included in the meeting packet; please see Jeremy with any questions.

B. **Quarterly Program Closure Report**
Copies of the report were included in the meeting packet; since FY 2008-09, the center has had 267 program closures which affected 2,288 consumers.

19. Vendor Advisory Committee

A. Minutes of the August 3rd Meeting  (Packet #1, page 79)
B. Minutes of the September 7th Meeting  (Packet #2, page 236)

The minutes were included in the meeting packet; please see Michelle Heid with any questions.

C. Report on Rally for AB 279 in Sacramento: Wednesday, August 30th

Unfortunately, the Senate Appropriations Committee gave in to the governor who had made it clear that he would veto the bill, and the bill was not pulled out of suspense. Nonetheless, everyone who supported this bill did a great job getting legislators to co-author the bill, sending support letters, meeting with legislators, and participating in the rally. Our voices were heard! Michelle reported that nearly 400 people participated in the rally at the State Capitol, and many of them met with legislators afterwards. Michelle added that she created a Facebook page for the bill and you can go there to see photos and videos of the rally. We will live to fight another day.

D. Self-Assessment Surveys

Michelle Heid, along with Steve Miller (the center’s legislative educators) thought that instead of asking consumers, parents, and service providers to support a particular piece of legislation or to take action on an issue that we have identified, they would conduct a community needs assessment survey to find out from self-advocates, families, and providers what issues were important to them. Three different surveys were developed, one for service providers, one for parents, and another for consumers. Once finalized, the parent and service provider surveys will need to be completed online, but the consumer survey is being made available in paper form. Once the surveys are completed, the results will be tallied, priority issues will be identified, and town hall meetings will be held so we can engage with our elected leaders and with one another regarding how to best address the priority issues identified. The center serves nearly 25,000 consumers, so they are hoping to receive lots of completed surveys!

20. Old Business / New Business  (Packet #1, page 89)
A. **Attendance Sheets**

Updated board and committee attendance sheets are always included in the meeting packet. Board members cannot miss 3 meetings in a row or 5 meetings in a 12-month period.

B. **Complete Meeting Evaluations**

Debra asked the board members to please complete their evaluation forms after the meeting and submit them to her with any comments.

C. **Visitation Reports** - *No visitations were reported.*

21. **Announcements / Information / Public Input**

A. **Next Meeting:** *Tuesday,* October 10th, at 6:30 p.m. (Chatsworth)

22. **Adjournment**

Debra adjourned the meeting at 9:33 p.m.

Submitted by,

Jennifer Kaiser
Executive Assistant

for:

Tamar Witmer
Board Secretary

[bdmin 13.2017]
Committee Action Items
# Contract Summary and Board Resolution

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<th>No.</th>
<th>Description</th>
<th>Contract Summary</th>
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<tr>
<td>1.</td>
<td><strong>Contract Overview:</strong> (New or Amendment) (POS or OPS)</td>
<td>New - Professional Services Agreement, Purchase of Services (POS)</td>
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<tr>
<td>2.</td>
<td><strong>Name of Vendor or Service Provider</strong></td>
<td>NORMAN SARAFIAN D.D.S., INC. PL1014-715&lt;br&gt;Vendored since 11/20/2009</td>
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<td>3.</td>
<td><strong>Purpose of the Contract</strong></td>
<td>The service provider is validly licensed by the California Board of Dental Examiners and practices the branch of medicine which specializes in the diagnosis, prevention, and treatment of diseases of the teeth and their associated structures.</td>
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<td>4.</td>
<td><strong>Contract Term</strong></td>
<td>Five (5) year contract effective October 1, 2017 through September 30, 2022.</td>
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<td>5.</td>
<td><strong>Total Amount of the Contract</strong></td>
<td>Projected annual fiscal impact of $82,588.52 per year is based on year-to-date expenditure, January 2017 – August 2017, and projection based on monthly average of $6,882.38. Projected fiscal impact of five (5) year term of the contract is $412,942.60.</td>
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<td>6.</td>
<td><strong>Total Number of Consumers Served</strong></td>
<td>Projected to serve 153 consumers per year.</td>
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<td>7.</td>
<td><strong>Rate of Payment or Payment Amount</strong></td>
<td>Payment will be reimbursed to service provider based on 1) the actual services authorized; 2) the actual services provided; and 3) the authorized rate.</td>
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<td>8.</td>
<td><strong>Method or Process Utilized to Award the Contract</strong></td>
<td>Based on vendorization requirements under statute and regulation for Dentistry services.</td>
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<td>9.</td>
<td><strong>Method or Process Utilized to Establish the Rate or the Payment Amount</strong></td>
<td>The maximum rate of reimbursement shall be in accordance with the Schedule of Maximum Allowances (SMA), pursuant to Title 17, Section 57332(b).</td>
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<td>10.</td>
<td><strong>Exceptional Conditions or Terms:</strong> If Yes, provide explanation</td>
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The North Los Angeles County Regional Center’s ("NLACRC") Administrative Affairs Committee reviewed and discussed the above Professional Services Agreement ("Contract") and is recommending an action of the Board of Trustees to Approve the Contract.

Daniel Becerra, Board Treasurer

September 27, 2017

Date

PL1014-715

Page 1 of 2
Contract Summary and Board Resolution

The North Los Angeles County Regional Center’s ("NLACRC") Executive Committee on behalf of the Board of Trustees reviewed and discussed the Professional Services Agreement ("Amendment") for NORMAN SARAFIAN D.D.S., INC. and passed the following resolution:

RESOLVED THAT, in compliance with NLACRC’s Board of Trustees’ Contract Policy, the Contract between NLACRC and NORMAN SARAFIAN D.D.S., INC. has been reviewed and is hereby approved by NLACRC’s Executive Committee on behalf of the Board of Trustees on September 27, 2017.

NLACRC’s Executive Committee on behalf of the Board of Trustees hereby authorizes and designates any officer of NLACRC to finalize, execute and deliver the Contract on behalf of NLACRC, in such form as NLACRC’s counsel may advise, and on such further terms and conditions as such Officer may approve. The final terms of the Contract shall be conclusively evidenced by the execution of the Contract by such Officer. For purposes of this authorization, an “Officer” means NLACRC’s Executive Director, Chief Financial Officer, Deputy Director, or Chief Organizational Development Officer, and no one else.

Certification by Secretary: I certify that: (1) I am the Secretary of the NLACRC; (2) the foregoing Resolution is a complete and accurate copy of the Resolution duly adopted by NLACRC’s Executive Committee on behalf of the Board of Trustees; (3) the Resolution is in full force and has not been revoked or changed in any way.

____________________________  ____________________________
Tamar Witmer, Board Secretary  September 27, 2017

Date
## Contract Summary and Board Resolution

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Contract Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Contract Overview: (New / Amendment) (POS / OPS)</td>
<td>New - Nonresidential Negotiated Rate Agreement, Purchase of Services (POS)</td>
</tr>
<tr>
<td>2.</td>
<td>Name of Vendor or Service Provider</td>
<td>Ashnar Homes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vendor # PL1656, Service Code 109</td>
</tr>
<tr>
<td>3.</td>
<td>Purpose of the Contract</td>
<td>Contractor will provide Supplemental Residential Services Program Support services pursuant to Title 17, Section 54356 and the DDS published guidelines regarding Miscellaneous Services revised 05/10/2010. The service provider will provide, or obtain, time limited supplemental staffing in excess of the amount required by regulation. Supplemental Residential Program Support is designed to implement an objective in the consumer's IPP and allows the consumer to remain in their current residential environment. Supplemental Residential Program Support services include, but are not limited to: assistance and training in skills for activities of daily living and in socially appropriate skills to replace (and serve the same function/purpose as) a challenging behavior.</td>
</tr>
<tr>
<td>5.</td>
<td>Total Amount of the Contract</td>
<td>Projected annual value of the contract of $142,833.60 based on the provider's cost statement and an estimation of 6 hours per day of supplemental program support per consumer. The projected total value of the contract over the 5 year term is $714,168.00.</td>
</tr>
<tr>
<td>6.</td>
<td>Total Number of Consumers Served</td>
<td>5 per year.</td>
</tr>
<tr>
<td></td>
<td>Note: HL0789 has a vended capacity of 6. If 5 of the consumers have 1:1 supplemental support through the 109 vendorization, the facility staffing requirements will provide services for the 6th consumer.</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Rate of Payment or Payment Amount</td>
<td>Payment will be reimbursed to service provider based on 1) the actual services authorized; 2) the actual services provided; and 3) the authorized rate.</td>
</tr>
<tr>
<td>8.</td>
<td>Method or Process Utilized to Award the Contract</td>
<td>Based on vendorization requirements under statute and regulation for Supplemental Residential Services Program Support services.</td>
</tr>
</tbody>
</table>
9. Method or Process Utilized to Establish the Rate or the Payment Amount

Negotiated rate of $13.08 per hour is based on a cost statement. The rate negotiated complied with WIC, Section 4691.9 (b) which states that “no Regional Center may negotiate a rate with a new service provider, for services where rates are determined through a negotiation between the Regional Center and the provider, that is higher than the Regional Center’s median rate for the same service code and unit of service, or the statewide median rate for the same service code and unit of service, whichever is lower.” The vendor’s stated cost of $13.08 per hour is the same as the NLACRC’s and the statewide 07/01/2016 median rates of $13.08 per hour.

10. Exceptional Conditions or Terms: If Yes, provide explanation

None

The North Los Angeles County Regional Center’s (“NLACRC”) Administrative Affairs Committee reviewed and discussed the above Nonresidential Negotiated Rate Agreement (“Contract”) and is recommending an action of the Board of Trustees to Approve the Contract.

Daniel Becerra, Board Treasurer

September 27, 2017

Date

Contract Summary and Board Resolution

The North Los Angeles County Regional Center’s (“NLACRC”) Board of Trustees reviewed and discussed the Nonresidential Negotiated Rate Agreement (“Contract”) for Ashnar Homes and passed the following resolution:

RESOLVED THAT, in compliance with NLACRC’s Board of Trustees’ Contract Policy, the Contract between NLACRC and Ashnar Homes have been reviewed and are hereby approved by NLACRC’s Board of Trustees on October 10, 2017.

NLACRC’s Board of Trustees hereby authorizes and designates any officer of NLACRC to finalize, execute and deliver the Contract on behalf of NLACRC, in such form as NLACRC’s counsel may advise, and on such further terms and conditions as such Officer may approve. The final terms of the Contract shall be conclusively evidenced by the execution of the Contract by such Officer. For purposes of this authorization, an “Officer” means NLACRC’s Executive Director, Chief Financial Officer, Deputy Director, or Chief Organizational Development Officer, and no one else.

Certification by Secretary: I certify that: (1) I am the Secretary of the NLACRC; (2) the foregoing Resolution is a complete and accurate copy of the Resolution duly adopted by NLACRC’s Executive Committee on behalf of the Board of Trustees; (3) the Resolution is in full force and has not been revoked or changed in any way.

Tamar Witmer, Board Secretary

October 10, 2017

Date
### Contract Summary and Board Resolution

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Contract Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>Contract Overview:</strong> (New/Amendment) (POS/OPS)</td>
<td>4&lt;sup&gt;th&lt;/sup&gt; amendment - Professional Services Agreement Purchase of Services (POS)</td>
</tr>
<tr>
<td>2.</td>
<td><strong>Name of Vendor or Service Provider</strong></td>
<td><strong>The Adult Skills Center</strong> PL1591, Service Code 117 \Originally vendoed effective 09/01/2016</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contractor will provide Specialized Therapeutic Services to serve at least 15 adult consumers who are moving from a State Developmental Center (SDC) into the community or who are at risk for placement into a SDC, or consumers with significant behavioral challenges as well as co-occurring mental health diagnosis. The Specialized Therapeutic Services is to be developed will serve individuals with significant behavioral challenges as well as co-occurring mental health diagnoses. At a ratio of one staff to one consumer, the program will serve a minimum 15 individuals that require specialized services including psychological assessment, individual psychotherapy, group psychotherapy, medication management and monitoring, interpersonal skill development, and psychoeducational interventions. The program will also include, for those that are able to participate, a component focused on the development of vocational skills. The program will have licensed clinicians on staff as well as registered interns in the field of mental health and social work. The purpose of the 1&lt;sup&gt;st&lt;/sup&gt; amendment was to add a subcode to the identify certain types of Purchase of Service (&quot;POS&quot;) expenditure per DDS guidelines regarding CPP-POS expenditure tracking for the Fairview (&quot;FDC&quot;) and Porterville (&quot;PDC&quot;) developmental center closure, pursuant to DDS Technical Bulletin 4694, dated April 4, 2016. The purpose of the 2&lt;sup&gt;nd&lt;/sup&gt; amendment was to supplement the program design with an addendum describing the increase in capacity from fifteen (15) to thirty (30) consumers, and the addition of Licensed Psychiatric Technicians (&quot;LPT&quot;) as available staff, effective March 1, 2017. The purpose of the 3&lt;sup&gt;rd&lt;/sup&gt; amendment was to increase the rate according to new provider rates effective July 1, 2017.</td>
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<tr>
<td><strong>5. Total Amount of the Contract</strong></td>
<td>With vendor capacity increase, projected annual value of the contract is $3,179,768.40. The projected total value of the contract over the 5 year term is $13,883,464.56.</td>
<td></td>
</tr>
<tr>
<td><strong>6. Total Number of Consumers Served</strong></td>
<td>Projected to serve forty-five (45) consumers per month.</td>
<td></td>
</tr>
<tr>
<td><strong>7. Rate of Payment or Payment Amount</strong></td>
<td>Payment will be reimbursed to service provider based on 1) the actual services authorized; 2) the actual services provided; and 3) the authorized rate of $115.46/hour.</td>
<td></td>
</tr>
<tr>
<td><strong>8. Method or Process Utilized to Award the Contract</strong></td>
<td>Request for Proposal (RFP) process that was published by NLACRC on September 28, 2015. The Specialized Therapeutic Services were developed with FY15/16 CPP start-up funding (IP-1516-22).</td>
<td></td>
</tr>
<tr>
<td><strong>9. Method or Process Utilized to Establish the Rate or the Payment Amount</strong></td>
<td>Negotiated hourly rate of $106.25 per consumer is based on cost statement prepared by the service provider. For service providers vended by NLACRC after July 1, 2008, the rate must comply with WIC, Section 4681.6(b) which states that “no Regional Center may negotiate a rate with a new residential service provider, for services where rates are determined through a negotiation between the Regional Center and the provider, that is higher than the Regional Center’s median rate for the same service code and unit of service, or the statewide median rate for the same service code and unit of service, whichever is lower.” The vendor’s stated cost of $106.25 is the same as both NLACRC’s median rate and the statewide median rate, which are each also $106.25. However, WIC, Section 4691.10 states that commencing July 1, 2016, notwithstanding any other law or regulation, and to the extent funds are</td>
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</table>
appropriated in the annual Budget Act for this purpose, DDS shall provide a rate increase for the purpose of enhancing wages and benefits for staff who spend a minimum of 75 percent of their time providing direct services to consumers. The statute allows for the Center to increase the Service Provider’s rate that is in effect as of June 30, 2016 by 8.36%, commencing on the Effective Date. Further, WIC, Section 4691.11 states that notwithstanding any other law or regulation, and to the extent funds are appropriated in the annual Budget Act for this purpose, DDS shall provide a rate increase for the purpose of administrative expenses, that shall apply only to providers for which rates are set by DDS or through negotiations between the regional centers and service providers. The statute allows for the Center to increase the Service Provider’s rate that is in effect as of June 30, 2016, by 0.31%, commencing on the Effective Date.

This combined 8.67% increase due to the passage of AB X2-1 increased the hourly rate to $115.46.

10. Exceptional Conditions or Terms: If Yes, provide explanation
   None

The North Los Angeles County Regional Center’s ("NLACRC") Administrative Affairs Committee reviewed and discussed the above Fourth Amendment to the Professional Services Agreement ("Amendment") and is recommending an action of the Board of Trustees to Approve the Contract.

Daniel Becerra, Board Treasurer

September 27, 2017
Date
Contract Summary and Board Resolution

The North Los Angeles County Regional Center’s ("NLACRC") Executive Committee on behalf of the Board of Trustees reviewed and discussed the Professional Services Agreement ("Amendment") for The Adult Skills Center and passed the following resolution:

RESOLVED THAT, in compliance with NLACRC’s Board of Trustees’ Contract Policy, the Contract between NLACRC and The Adult Skills Center has been reviewed and is hereby approved by NLACRC’s Executive Committee on behalf of the Board of Trustees on September 27, 2017.

NLACRC’s Executive Committee on behalf of the Board of Trustees hereby authorizes and designates any officer of NLACRC to finalize, execute and deliver the Contract on behalf of NLACRC, in such form as NLACRC’s counsel may advise, and on such further terms and conditions as such Officer may approve. The final terms of the Contract shall be conclusively evidenced by the execution of the Contract by such Officer. For purposes of this authorization, an “Officer” means NLACRC’s Executive Director, Chief Financial Officer, Deputy Director, or Chief Organizational Development Officer, and no one else.

Certification by Secretary: I certify that: (1) I am the Secretary of the NLACRC; (2) the foregoing Resolution is a complete and accurate copy of the Resolution duly adopted by NLACRC’s Executive Committee on behalf of the Board of Trustees; (3) the Resolution is in full force and has not been revoked or changed in any way.

__________________________________________  ________________________________
Tamar Witmer, Board Secretary                    September 27, 2017     Date
NOTIFICATION OF CONFLICT OF INTEREST,
AND
CONFLICT RESOLUTION PLAN

LILLIAN MARTINEZ – NLACRC BOARD MEMBER
NORTH LOS ANGELES COUNTY REGIONAL CENTER

I. Law Governing Conflicts of Interest

The prohibition against Regional Center employee or board member conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code. Subsection (d) of said section 4626 provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding....”

That general prohibition is explained in more detail in Title 17 of the California Code of Regulations, section 54520 “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides in pertinent part:

(a) A conflict of interest exists when a regional center governing board member...or family member of such person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations:

(1) a governing board member
(2) a board committee member
(3) a director
(4) an officer
(5) an owner
(6) a partner
(7) a shareholder
(8) a trustee
(9) an agent
(10) an employee
(11) a contractor
(12) a consultant
(13) a person who holds any position of management
(14) a person who has decision or policy making authority.

(Emphasis added.)

Section 54505 states that: “Business Entity, Entity or Provider” means any individual or business venture from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations.”

Further, Section 54533 states:

(a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the present or potential conflict
shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Potential Conflict of Ms. Martinez

Lillian Martinez is a Board Member at North Los Angeles County Regional Center (hereinafter “NLACRC” or “the Regional Center”). Ms. Martinez is a new board member and participates on the Government and Community Relations and Consumer Services committees. NLACRC Executive Director George Stevens confirms that Ms. Martinez is a productive and valued member of the Board of Trustees. Attached as Exhibit A is Ms. Martinez’s completed Conflict of Interest Reporting Statement. As part of the Conflict Resolution Plan, she will remain in her position on the Board of Trustees.

Ms. Martinez’s daughter, Amaris Martinez, however, is a respite worker for her brother (a consumer of NLACRC) for Libertana, a vendor of North Los Angeles County Regional Center. This creates a direct conflict for Ms. Martinez as defined by regulation. This document constitutes a disclosure of this conflict, a Conflict Resolution Plan to eliminate any adverse consequences from this relationship, and a request for approval of the Conflict Resolution Plan by DDS.

In short, this Conflict Resolution Plan will have Ms. Martinez remain in her position on the NLACRC Board of Trustees, but limit her actions as a board member so that she in no way participates in any role whatsoever with regard to Libertana or any other vendor who provides respite services.

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this request will first provide the facts regarding Ms. Martinez’s duties and responsibilities as a board member and her daughter’s role as a respite worker for Libertana.

A. Ms. Martinez’s Duties as Board Member

As a board member, Ms. Martinez regularly meets with other board members of NLACRC to create policy for the operation of the regional center. Policy is developed through recommendations from board committees and the Executive Director. Direct operation is delegated to the Executive Director who is hired by the board. Staff recommendations for policy initiation or modification go the Executive Director, who, in turn, refers them to the board and/or an appropriate board committee. A copy of the Board Member Responsibilities is attached as Exhibit B.

Ms. Martinez’s primary duties are as follows:
1. Attendance at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at the main NLACRC office in Van Nuys at 6:30 p.m.

2. Membership and attendance on at least one (1) board committee.

3. Because the regional center is funded under contract with the State of California, Department of Developmental Services, each member of the Board of Trustees is required to identify any potential conflict of interest as identified in Welfare and Institutions Code Sections 4626 and 4627.

4. A part of a board member’s responsibility is to be an informed and active advocate member of the Board of Trustees, she is expected to attend a board orientation and/or board training scheduled during the first year on the board and attend one annual board retreat.

5. Visitation to NLACRC supported programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).


Under the suggested Conflict Resolution Plan, Ms. Martinez will remain in her board position, but will be strictly regulated so that she has no role or involvement whatsoever with any matter that might conceivably impact Libertana, or a vendor that provides respite services.

B. Amaris Martinez's Duties at Libertana

Libertana is a service provider to NLACRC that provides the following services:

1) Home Health Agency - respite care for medically fragile consumers: CHHA, LVN, & RN levels.

2) In-Home Respite Services - non-medical respite care

3) Personal Assistance - support consumer’s caregiver in cases where an extra person is needed to assist the consumer with activities of daily living.

4) Speech Pathology

5) Physical Therapy

6) Occupational Therapy

As a respite worker for Libertana, Ms. Martinez provides respite services solely to her brother who a NLACRC consumer.
IV. **Conflict Resolution Plan**

The Regional Center and its Executive Director, George Stevens, have concluded that Ms. Martinez provides great value to the Board of NLACRC. After consideration of the totality of the circumstances and a careful review of the facts, the Executive Director believes it is in the best interests of the Regional Center to create and implement a Conflict Resolution Plan to eliminate any adverse consequences from this relationship and seek approval of this plan by DDS.

Initially, the first step in the Conflict Resolution Plan is to allow Ms. Martinez to remain in her position on the Board of Trustees, but to cease any activity or action that might in any way impact Libertana. This will eliminate any instance in which Ms. Martinez would have to vote, give her opinion, analyze, assess the performance of, or take action for or against Libertana, and would eliminate any possible action by Ms. Martinez to recommend Libertana or other similar available respite services.

The second part of the plan is to insulate Ms. Martinez from any involvement whatsoever with the generic type of provider like Libertana. She would recuse herself from participation in any vote regarding, drafting, planning, or discussion of rules, policies, or restrictions that would impact Libertana and all other respite vendors. Any duties that potentially relate to Libertana or generic policies applicable to such a vendor represent a small portion of the valuable duties she performs on behalf of the Regional Center, and these duties can be easily delegated to other Regional Center board members. Like other board members, Ms. Martinez develops policy through recommendations from the Executive Director, and thus works with numerous vendors on a variety of services.

Further, as the Conflict Resolution Plan details below, when any matter arises with regard to Libertana or other respite vendors, she will agree not to be involved in the discussion of the matter, the presentation of options to the Board, or the decision or vote on such matter. NLACRC will require Ms. Martinez to abstain from discussion with, or involvement in the matter, and require the other board members to take all such actions, including appropriate description of options, recommendations, analysis and ultimate decision and vote.

The Regional Center and Ms. Martinez’s suggested Conflict Resolution Plan for this conflict of interest is as follows:

1. Ms. Martinez will have no interaction as a board member with any matter that might impact Libertana, and specifically she will recuse herself from any vote on any matter that could impact Libertana.

2. Ms. Martinez will, in every conceivable manner, cease interacting with the Board on any matter that could conceivably impact Libertana.

3. Ms. Martinez will not participate as a board member in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion,
recommendation or action regarding Libertana or any actions creating policy or approaches that would impact Libertana and other respite vendors.

4. Ms. Martinez will not review or participate as a board member in any discussions, recommendations, or decisions about Purchase of Service authorizations for Libertana and other respite vendors.

5. Ms. Martinez will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Libertana and other respite vendors.

6. Ms. Martinez will not create, review, or in any way participate as a board member in, any corrective action plans for Libertana and other respite vendors.

7. Ms. Martinez will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Libertana and other respite vendors.

8. Ms. Martinez will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Libertana and other respite vendors.

9. Ms. Martinez will not as a board member access vendor files or other information the regional center maintains about Libertana and other respite vendors, either in electronic or hard copy form.

10. Ms. Martinez shall not participate as a board member in developing, creating, or recommending any POS policies, or other policies, that might apply to Libertana and other respite vendors. Instead, these tasks will become the responsibility of the other board members.

11. Ms. Martinez will not be involved as a board member in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving Libertana and other respite vendors.

12. The NLACRC Board of Trustees will be informed about this Plan of Action, and they will be informed of the need to ensure that Ms. Martinez has no involvement whatsoever in any action or business whatsoever involving or affecting Libertana and other respite vendors.

13. These restrictions only apply to Libertana and policies impacting other respite vendors. The bulk of Ms. Martinez's duties with regard to a vast array of other Board issues and other vendors will remain unchanged, unless the Board work would in any way impact Libertana. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Ms. Martinez provides to the NLACRC Board.
14. NLACRC has received approval from its Board of Trustees regarding this Conflict Resolution Plan.

V. Request Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, North Los Angeles County Regional Center hereby requests that DDS approve the Conflict Resolution Plan in this matter.

Respectfully submitted,

By: ____________________________
Lillian Martinez, NLACRC Board Member

Date: __________________________

By: ____________________________
Debra Newman, NLACRC Board President

Date: __________________________

By: ____________________________
George Stevens, Executive Director, NLACRC

Date: __________________________
North Los Angeles County Regional Center

Service Standards

Adopted by the Board of Trustees
November 10, 2015

Approved by the
Department of Developmental Services
March 8, 2016
# TABLE OF CONTENTS

INTRODUCTION .................................................................................................................. 2  
(Approved: July 22, 2010)

I. CASE FINDING AND PUBLIC INFORMATION .................................................................. 5  
(Approved: May 14, 2012)

II. PRENATAL/GENETICS/AT RISK ................................................................................ 8  
(Approved: July 22, 2010)

III. INDIVIDUAL PROGRAM PLAN (IPP) DEVELOPMENT ............................................... 9  
(Approved: March 8, 2016)

IV. FAMILY SUPPORTS AND LIVING ARRANGEMENTS ............................................... 22  

V. EDUCATIONAL AND VOCATIONAL SERVICES (School Age, Adults, and Seniors) .... 37  
(Approved: March 8, 2016)  Draft: August 16, 2017

VI. CLINICAL SERVICES .................................................................................................... 47  
(Approved: March 8, 2016)

VII. LEGAL SERVICES ....................................................................................................... 55  
(Approved: March 8, 2016)  Draft: August 16, 2017

VIII. TRANSPORTATION SERVICES .................................................................................. 67  
(Approved: May 14, 2012)

IX. SOCIAL/RECREATIONAL ACTIVITIES .......................................................................... 69  
(Approved: July 22, 2010)

X. FAIR HEARING PROCESS ............................................................................................... 71  
(Approved: January 26, 2011)

XI. EARLY START PROGRAM .............................................................................................. 76  
(Approved: March 8, 2016)
IV. FAMILY SUPPORTS AND LIVING ARRANGEMENTS
Service and Procedural Standards

PHILOSOPHY

It is the philosophy of NLACRC that consumers and/or their family members should
decide where they live. This means NLACRC will work with families to maintain their
minor children at home when it is the families' preference and, for adult consumers, help
them to access living options of their choice. To this end, NLACRC will work to empower
consumers and their family members as well as advocate on their behalf. The regional
center is dedicated to providing family support and will plan with each family to identify
services that meet each unique need. As such, the planning team should consider each
family’s responsibility to provide typical supports.

FAMILY SUPPORT SERVICES & RESPITE

DEFINITIONS:

Family support services mean services and supports provided to a minor with a
developmental disability or his or her family and that contributes to the ability of the family
to reside together. These services may include respite, daycare cost assistance, personal
assistance, adaptive equipment, advocacy, necessary appliances, counseling and mental
health services.

Effective October 1, 2011, for consumers eligible for the Home and Community Based
Services (HCBS)/Medicaid Waiver, daycare and respite services purchased using vouchers
are required by law to be used in conjunction with a Financial Management Service (FMS)
provider. An FMS provider assists a family member with verifying worker eligibility status,
collecting and processing timesheets of worker(s), processing payroll, withholdings, filing
and payment of applicable taxes and insurance, performing billing payments and
reimbursements, and maintaining all source documentation related to the authorized
service(s). This service arrangement is known as participant-directed services.

Respite Services

- In-home respite services mean intermittent or regularly scheduled temporary non-
  medical care and supervision provided in the consumer's own home when the
  consumer resides with a family member.

- Cost-effective out-of-home respite service options may include temporary residential
  services, vendored weekend program (Saturday program), and other services
designed to provide planned relief from the ongoing care and supervision of the
consumer.
POLICIES

Children

It is the policy of NLACRC to empower and advocate for consumers and families to access existing personal and community resources, such as Early and Periodic Screening, Diagnosis, and Treatment (EPSDT), whenever possible to meet their family support needs. Thus, to the extent that the law requires, NLACRC will encourage families to use these resources before expending the center’s funds. This also means that consideration must be given to the ordinary care, support, and supervision that a family must provide to a child of the same age without a disability and to cost-effectiveness.

The regional center may only purchase respite services when the care and supervision needs of a consumer exceed that of an individual of the same age without a developmental disability. As such, regional center-funded services will focus on services required by and resulting from the consumer’s developmental disability. NLACRC will seek to provide effective family support services. This may include using creative and innovative approaches to meet objectives contained in the consumer’s Individual Program Plan (IPP)/Individual Family Service Plan (IFSP) and represent a cost-effective use of public funds.

NLACRC will use the most commonly encountered situations to help in determining the typical level of support services for a minor consumer. The situations relate to the increasing care and supervision the minor may need based on his or her age and degree of disability. Finally, NLACRC cannot anticipate all situations, and therefore, individualized planning is essential.

NLACRC shall not purchase more than 90 hours per quarter of in-home respite services nor more than 21 days of out of home respite services in a fiscal year, unless an exemption is granted. Exemptions will be based on the intensity of the consumer’s care and supervision needs such that additional respite hours are necessary to maintain the consumer in the family home or are necessary due to an extraordinary event that impacts the family member’s ability to meet the care and supervision needs of the family. Exemptions for exceptional consumer intensity should be considered when a consumer experiences a behavioral or medical emergency or presents with chronic, continuous or long-term medical/behavioral needs of such an intense nature that line of sight and constant supervision is needed to ensure health and safety. Extraordinary events may include a catastrophic occurrence, death, serious illness, or incapacitation/long-term absence of a caregiver that directly impacts a family’s ability to provide care and supervision. Service coordinators will assess for an exemption during each regularly scheduled individual program planning meeting and/or when a parent, legal guardian, or conservator requests family support services. Service coordinators will ensure that parents, legal guardians, or conservators are informed of the exemption criteria and the outcome of the assessment for
an exemption. NLACRC shall not purchase day care services to replace or supplant respite services.

All respite purchase of service (POS) authorizations, will be reviewed for Family Cost Participation Program eligibility and all eligible consumers will be subject to requirements of the program.  

Adults

It is the policy of NLACRC to support adult consumers who choose to live in the home of a family member. To this end, NLACRC will provide support services that allow the caregivers periodic relief from the ongoing responsibilities of care and supervision. The regional center may only purchase respite services when the care and supervision needs of a consumer exceed that of an individual of the same age without a developmental disability. Once the need for vendored respite services is established, NLACRC will use the following situations to help in determining the typical level of respite services for a consumer. The situations relate to the consumer’s increasing need for care and supervision on the degree of his or her disability. Finally, NLACRC cannot anticipate all situations, and therefore, individualized planning is essential.

NLACRC shall not purchase more than 90 hours per quarter of in-home respite services nor more than 21 days of out-of-home respite services in a fiscal year, unless an exemption is granted. Exemptions will be based on the intensity of the consumer’s care and supervision needs such that additional respite hours are necessary to maintain the consumer in the family home or are necessary due to an extraordinary event that impacts the family member’s ability to meet the care and supervision needs of the family. Exemptions for exceptional consumer intensity should be considered when a consumer experiences a behavioral or medical emergency or presents with chronic, continuous, or long-term medical/behavioral needs of such an intense nature that line of sight and constant supervision is needed to ensure health and safety. Extraordinary events may include a catastrophic occurrence, death, serious illness, or incapacitation/long-term absence of a care giver that directly impacts a family’s ability to provide care and supervision. Service coordinators will assess for an exemption during each regularly scheduled individual program planning meeting and/or when a parent, legal guardian, or conservator requests family support services. Service coordinators will ensure that parents, legal guardians, or conservators are informed of the exemption criteria and the outcome of the assessment for an exemption. NLACRC shall not purchase day care services to replace or supplant respite services.

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9 The Family Cost Participation Program was created by the Department of Developmental Services for the purpose of assessing a cost participation to parents who have a child that has a developmental disability, birth through 17 years of age, lives in the parent’s home, receives services purchased by the regional center, and is not eligible for Medi-Cal.
DAY CARE SERVICES

DEFINITION:

Day care services mean services that provide appropriate non-medical care and supervision, while a parent is engaged in employment outside of the home and/or educational activities leading to employment, to ensure the consumer’s safety in the absence of family members. Day care services will attend to the consumer’s basic self-help needs and other activities of daily living including interaction, socialization, and continuation of usual daily routines which would ordinarily be performed by the family member. Day care services can be provided by a licensed family day care agency, a licensed child care center, preschool, a family member voucher arrangement, or through participant-directed services, if eligible.

POLICIES

Children

It is the policy of NLACRC to empower and advocate for consumers and families to access existing personal and community resources whenever possible to meet their day care needs. Thus, to the extent that the law requires, NLACRC will encourage families to use these resources before expending the center’s funds. This also means that consideration must be given to the ordinary care, support, and supervision that a family must provide to a child of the same age without a disability and to cost-effectiveness.

NLACRC may pay the cost of the day care services that exceed the cost of providing day care to a child without a disability when the child resides in the family home. NLACRC may pay in excess of this amount when a family can demonstrate a financial need and when doing so will enable the child to remain in the family home. All day care POS authorizations will be reviewed for Family Cost Participation Program eligibility and all eligible consumers will be subject to requirements of the program.

Adults

It is the policy of NLACRC to support adult consumers who choose to live in the home of a family member. The NLACRC acknowledges that adult consumers may require care and supervision in the absence of a caregiver and that parents/guardians/caregivers may not be able to provide constant ongoing care and supervision while engaged in employment or educational activities leading to employment. As such, NLACRC will provide day care services to adult consumers in need of care and supervision during the absence of their usual caregiver.
NLACRC will use the following factors in determining the need for day care services:

- Length of time the consumer is able to be left unsupervised.
- Availability of natural supports (family members, friends, neighbors, etc.).
- Parent’s employment status and/or educational activities leading to employment.
- Consumer’s involvement in a day program.
- Eligibility and/or use of generic services such as In Home Support Services.

PERSONAL ASSISTANTS

DEFINITION

Children

Personal assistant services are to assist with bathing, grooming, dressing, toileting, meal preparation, feeding, and protective supervision is a typical parental responsibility for minor children. Personal assistant services for minor children will be considered on an exception basis when the needs of the consumer are of such a nature that it requires more than one person to provide the needed care. There may be exceptional circumstances as a result of the severity and/or intensity of the developmental disability that may impact the family’s ability to provide specialized care and supervision while maintaining the child in the family home. Eligibility and/or use of generic services such as In-Home Support Services will be explored and accessed where possible prior to NLACRC funding as an exception.

Adults

Personal assistant services are to assist consumers who require support in the following areas of activities of daily living, including bathing, grooming, dressing, toileting, meal preparation, feeding, and protective supervision. Personal assistant services are intended to provide adult consumers with appropriate care and supervision and assist consumers in maintaining community living arrangements, including a living arrangement in the family home, if that is the consumer’s preference.

POLICY

It is the policy of NLACRC to support adult consumers who choose to live in the home of a family member. The NLACRC acknowledges that adult consumers may require care and supervision in the absence of a caregiver and that parents/guardians/caregivers may not be able to provide constant ongoing care and supervision due to aging, declining health, or other mitigating factors. As such, NLACRC will provide personal assistant
services to adult consumers in need of care and supervision and/or enhanced care and supervision.

NLACRC will use the following factors in determining the need for personal assistant:

- Length of time the consumer is able to be left unsupervised.
- Availability of natural supports (family members, friends, neighbors, etc.).
- Consumer’s involvement in a day program.
- Eligibility and/or use of generic services such as In-Home Support Services, college/university special student services, or Department of Rehabilitation.
- Support, based on an assessed need when a consumer’s behavioral or medical issues are of such severity that a parent requires assistance in the home in order to adequately care for the consumer.

OTHER FAMILY SUPPORT SERVICES

DEFINITION

Other family support services may include, but are not limited to adaptive equipment, advocacy, necessary appliances and supplies, homemaker services, diapers, education and training services, and counseling and mental health services.

POLICY

NLACRC will provide other family support services as determined through the individual program planning process. This process must include consideration of typical parental responsibility to provide a similar service to a child without a disability, the availability of generic sources that have a legal responsibility to provide services (such as private health insurance, local education agencies, California Children’s Services, and Medi-Cal), and the cost-effectiveness of services and service providers of comparable quality.

NLACRC may purchase diapers for children 3 years of age or older. NLACRC may purchase diapers for children less than three 3 years of age when a family can demonstrate a financial need and when doing so will enable the child to remain in the family home.

NLACRC may purchase van modifications for consumers to enable them to access the community when generic or natural supports are not available. Modifications must be consistent with the most cost-effective adaptation that meets the individualized need of the consumer and must represent the lowest of three bids from vendored service providers.
LICENSED RESIDENTIAL SERVICES

DEFINITION

Licensed residential services are designed to provide training and supervised living arrangements for children and adults with developmental disabilities in other than the individual’s home or that of a family member. Residential services include community care facilities, foster homes for children and adults, health care facilities, and state developmental centers.

POLICY

It is the policy of NLACRC to help consumers obtain residential services based upon goals and objectives contained in their IPPs. NLACRC will also adhere to the following:

- Ensure that every viable alternative has been given to help families in maintaining their children at home, before considering out-of-home placement.

- Use only licensed facilities for residential services suitable to meet a consumer’s needs. Within available licensed residential service alternatives, preference in placement will be as follows:
  a. Family-like settings.
  b. Small (6 beds or less) settings.
  c. Placements integrated into community settings.

- Effective July 1, 2012, a regional center shall not purchase residential services from a State Department of Social Services licensed 24-hour residential care facility with a licensed capacity of 16 or more beds, with two exceptions:
  a. The residential facility has been approved to participate in the Home and Community-Based Services Waiver or another existing waiver program or is certified to participate in the Medi-Cal program; or
  b. The service provider has a written agreement and specific plan prior to July 1, 2012, with the vending regional center to downsize the existing facility by transitioning its residential services to living arrangements of 15 beds or less or restructure the large facility to meet federal Medicaid eligibility requirements on or before June 30, 2013.

- In order to maintain a consumer’s preferred living arrangement and adjust the residential services and supports in accordance with changing service needs identified in the IPP, NLACRC may enter into a signed written agreement with a residential service provider for a consumer’s supervision, training, and support needs to be provided at a lower Alternative Residential Model (ARM) rate level as indicated
on the consumer’s IPP rather than at the current ARM service level for which the residential provider is vended to care for the other residents of the home. In such a case, NLACRC will ensure the following:

a. Services provided to other facility residents comply with the applicable service requirements for the facility’s approved service level.
b. Protection of the health and safety of each facility resident.
c. Identification of the revised services and supports to be provided to the consumer whose needs have changed.
d. If the service needs of the identified consumer change such that the consumer requires a higher level of supervision, training, and support, NLACRC shall provide supplemental support, alternatives or will consider pursuing an adjustment of the consumer’s service level to meet the consumer’s changing needs.
e. There is agreement between NLACRC, the consumer, and the service provider that the service provider can safely provide the services and supports needed by the consumer, as indicated in the IPP.

- Investigate appropriate and economically feasible alternatives for residential services within the center’s catchment area before placing a consumer outside the area. If suitable services cannot be found within the area, NLACRC may seek service outside its area. NLACRC will set a priority on placing a consumer as close to his or her home community as possible, however, placements may be made anywhere in the state of California.

- Pursuant to statutory requirements, a consumer who has been convicted of a sex offense against a minor shall not be placed in a community care facility within one mile of an elementary school or community location where children are known to gather.¹⁰

- Pursuant to statutory requirements, a consumer for whom registration is required pursuant to the Sex Offender Registration Act¹¹ shall not be placed in any residence within 2,000 feet of any public or private school or park or community location where children regularly gather.¹²

- Per statutory requirements, no consumer released on parole for imprisonment of an offense requiring registration pursuant to the Sex Offender Registration Act shall reside in a single family dwelling with any other person required to register pursuant to the Sex Offender Registration Act unless those persons are legally related by

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¹⁰ Health and Safety Code Section 1564 (a).
¹¹ Penal Code Section 290, et seq.
¹² Penal Code Section 3003.5(b).
blood, marriage, or adoption.13

- NLACRC can only authorize the purchase of an out-of-state residential service identified in a consumer’s IPP when the director determines the proposed service or an appropriate alternative, as determined by the director, is not available from resources and facilities within the state. Prior to the expenditure of funds, NLACRC must seek the Department of Developmental Services’ (DDS’s) approval for funding an out-of-state residential service. The request must be submitted to the director of the DDS, in writing, signed by the executive director and include the following information:

a. Name and location of the out-of-state service provider and a description of the services to be provided to the regional center consumer;

b. Verification that NLACRC has contacted the other state’s agency responsible for providing services to individuals with developmental disabilities to confirm that the identified service provider is in good standing and is utilized by its home state in the provision of services;

c. Verification that NLACRC has also contacted the other state’s licensing or certification agency (as applicable to that state) and confirmed that the residential program is in good standing and authorized to provide services;

d. Name of the educational agency that will be responsible for facilitating and funding educational services for the consumer, as applicable;

e. NLACRC’s plan for quarterly face-to-face monitoring of the consumer and his/her IPP objectives;

f. NLACRC’s plan for ensuring the out-of-state provider reports special incidents to the regional center in conformity with Title 17 regulations;

g. Description of the consumer, his/her residential service needs, and current IPP;

h. Proposed effective date for authorization to begin, period of time for which NLACRC is seeking authorization to expend state funds for the purchase of out-of-state residential services (up to six months per request), and the rate of payment; and

i. The NLACRC’s efforts to locate, develop or adapt an appropriate program for the consumer within the state, and an explanation of how the regional

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13 Penal Code Section 3003.5(a) This restriction is applicable during the period of parole.

NLACRC Service Standards – Page 30
center determined that the out-of-state residential provider is appropriate and
can meet the needs of the consumer (include whether referral was result of a
fair hearing, court order, etc.).

The DDS may approve a request to purchase an out-of-state residential service for no
more than six months per request, for the duration of any out-of-state placement. Should
the regional center determine that funding of the service is needed for an additional six
month period or less, the regional center shall submit a new request for approval with all
relevant information pursuant to the list above. In addition, the new request must include
an updated report for inclusion in the consumer’s IPP, summarizing the regional center’s
efforts to locate, develop, or adapt an appropriate program for the consumer within the
state.

INDEPENDENT LIVING SERVICES

DEFINITION

Independent living services (ILS) are designed to give consumers the supports they may
need to live in or transition to their own homes (whether leased, rented, or owned). NLACRC may provide this service on a permanent or periodic basis as defined on each
consumer’s IPP.

ILS offer individual or group training and support in some or all of the following areas:
cooking; cleaning; shopping; menu planning; meal preparation; money management,
including check cashing and purchasing activities; use of public transportation; personal
health and hygiene; self-advocacy; social skill development; use of medical and dental
services, as well as other community resources; community resource awareness such as
police, fire, or emergency help; and home and community safety. The service may also
help consumers to recruit, train, and hire individuals to provide personal care and other
assistance including in-home supportive services workers. ILS are conducted in natural
environments and activities are not simulated, but are conducted as part of everyday life
while participating and living in one’s own community.

ILS include varying levels of instruction and support based on the consumer’s needs. ILS
may also be used with other services to promote the competence of parents who have a
developmental disability.

POLICY

It is the policy of NLACRC to support consumers in selecting their living options. As such,
NLACRC will work with adult consumers, and where appropriate their family members, to
determine the type and amount of ILS required by consumers to live in homes they lease,
rent, or own, homes of family members, or transition to homes they lease, rent, or own. In
determining the provision of ILS, natural supports (such as family members) and generic resources (such as In-Home Support Services) must be explored as possible alternatives or adjuncts to ILS based on the consumer’s identified need(s).

To make the determination of the amount of service needed, an assessment of the consumer’s strengths and needs must be completed. The focus of the assessment should be based on specific needs for support and/or critical skills deficits identified in the IPP process. The assessment should use baseline information, specific measurable outcomes, and what methods and strategies will be employed to achieve them, as well as a recommendation for service frequency and intensity necessary to achieve progress towards identified outcomes.

The provision of ILS may entail the consumer moving from his or her family’s home or licensed residential facility to a single or shared living arrangement. For others, the service may be provided to the consumer in the family’s home or licensed residential facility, in preparation for moving to his or her own home or in supporting the consumer in the family’s home when no other services or resources are available.

For ILS related to transitioning to a more independent setting, ILS typically would be provided during the last six months prior to the planned move and there must be some indication that the consumer has, or will have, the necessary funds to make the move.

ILS may include varying levels of instruction and support based the individual’s needs to maintain the ability to live and participate in the community. Continuation of training in specific areas is dependent on documented measurement of progress.

In the event that a consumer is a registered sex offender with applicable residency restrictions pursuant to Penal Code 3003.5, the center is unable to provide ILS services and supports at the consumer’s residence if the residence violates the statutory requirement. 14

SUPPORTED LIVING SERVICES

DEFINITION

Supported living services (SLS) afford consumers the opportunity to live in homes they rent, lease, or own with support services available to the consumer in his or her residence as often and as long as needed. This service model allows the consumer to remain in his or her own home even if the support needs of the consumer change, provided that this is the consumer’s preferred living option as documented on the IPP.

The range of SLS and supports available include, but are not limited to: assessment of consumer needs; assistance in finding, modifying and maintaining a home; facilitating circles of support to encourage the development of unpaid and natural supports in the

14 Penal Code Section 3003.5 states that it is unlawful for any person for whom registration is required, pursuant to Section 290, to reside within 2000 feet of any public or private school or park where children regularly gather. Penal Code 290 is also known as the “Sex Offender Registration Act.”
community; advocacy and self-advocacy facilitation; development of employment goals; social behavioral, and daily living skills training and support; development and provision of 24-hour emergency response system; securing and maintaining adaptive equipment and supplies; recruiting, training, and hiring individuals to provide personal care and other assistance, (including in-home supportive services workers, paid neighbors, and paid roommates); providing respite and emergency relief for personal care attendants; and facilitating community participation.

A consumer is eligible for SLS upon a determination made through the IPP process that the consumer:

- Is at least 18 years of age.
- Has expressed directly or through the consumer’s personal advocate, as appropriate, a preference for:
  - SLS among the options proposed during the IPP process, and
  - Living in a home that the consumer chooses and is not the place of residence of a parent, conservator, or caregiver of the consumer. Consumers will not be denied eligibility for SLS solely because of the nature and severity of their disabilities.

POLICY

It is the policy of NLACRC to support consumers in their choice of living options. SLS are such an option and NLACRC will work with adult consumers and/or their family members to develop individualized supported living service plans that reflect the consumer’s choices about where and with whom he or she lives as well as the selection of service providers. Plans must include an assessment of the consumer’s preferences and needs (inclusive of comprehensive strategies to ensure the availability of paid and unpaid members to comprise the consumer’s circle of support group), strategies that detail how the consumer’s emotional, social and recreational needs will be met, and schedules of amounts and types of training and support activities to be provided. Finally, the provision of SLS must be effective in meeting the goals and objectives contained in the consumer’s IPP and be a cost-effective use of public funds.

NLACRC will confirm that all appropriate and available sources of natural and generic supports have been utilized to the fullest extent possible for a consumer living in a supported living arrangement.

Effective July 1, 2011, for consumers receiving SLS who share a household with one or more adults receiving SLS, NLACRC will consider whether efficiencies in the provision of service may be achieved if some tasks are shared, meaning the tasks can be provided at the same time while still ensuring that each person’s individual needs are met. These tasks shall only be shared to the extent they are permitted under the Labor Code and related regulations. At the time of development, review, or modification of a consumer’s IPP, for housemates currently in a supported living arrangement or planning to move together into
a supported living arrangement, or for consumers who live with a housemate not receiving supported living services who is responsible for the task, NLACRC will consider, with input from the service provider, whether any tasks, such as meal preparation and cleanup, menu planning, laundry, shopping, general household tasks, or errands can appropriately be shared. If tasks can be appropriately shared, NLACRC will purchase the pro-rated share of the activity. Upon a determination of a reduction in services, NLACRC will inform the consumer of the reason for the determination, and shall provide a written notice of fair hearing rights pursuant to Welfare and Institutions Code, Section 4701.

STANDARDIZED ASSESSMENT QUESTIONNAIRE

To ensure that consumers in or entering supported living arrangements receive the appropriate amount and type of supports to meet the person’s choice and needs as determined by the IPP team and that generic resources are utilized to the fullest extent possible, the IPP team shall complete a standardized assessment questionnaire at the time of development, review, or modification of a consumer’s IPP.

The questionnaire shall be used during the team meetings, in addition to the provider’s assessment, to assist in determining whether the services provided or recommended are necessary and sufficient and that the most cost-effective methods of supported living are utilized.

The IPP team shall utilize the standardized assessment questionnaire developed and provided to the regional centers by the Department of Developmental Services.

RENT, MORTGAGE, AND LEASE PAYMENTS

Rent, mortgage, and lease payments of a supported living home and household expenses are the responsibility of the consumer and any roommate who resides with the consumer. NLACRC shall not make rent, mortgage, or lease payments on a supported living home, or pay for household expenses of consumers receiving SLS, except under the following circumstances:

- The executive director of the regional center verifies in writing that making the rent mortgage, or lease payments or paying for household expenses is required to meet the specific care needs unique to the individual consumer as set forth in an addendum to the consumer’s IPP, and is required when a consumer’s demonstrated medical, behavioral, or psychiatric condition presents a health and safety risk to himself or herself, or another.

- During the time period that regional center is making rent, mortgage, or lease payments, or paying for household expenses, the SLS vendor shall assist the consumer in accessing all sources of generic and natural supports consistent with the needs of the consumer.
NLACRC shall not make rent, mortgage, or lease payments on a supported living home or pay for household expenses for more than six months, unless NLACRC finds that it is necessary to meet the consumer’s particular needs pursuant to the IPP. The regional center shall review a finding of necessity on a quarterly basis and the executive director shall annually verify that the requirements set forth in paragraph (1) above continue to be met.

If NLACRC has been contributing to rent, mortgage, or lease payments or paying for household expenses prior to July 1, 2009, the service coordinator shall, at the time of IPP review, determine if these contributions are still needed. If these contributions are no longer appropriate, a transition plan to end regional center’s contributions (not to exceed 6 months) is permitted.

IN-HOME SUPPORT SERVICES

NLACRC shall not purchase SLS for a consumer to supplant In-Home Support Services.

NLACRC shall not purchase supportive services for a consumer who meets the criteria to receive, but declines to apply for, in-home supportive services 15 benefits. The regional center’s executive director may waive this if there is a finding that extraordinary circumstances exist.

SEX OFFENDERS

In the event that a consumer is a registered sex offender with applicable residency restrictions pursuant to Penal Code 3003.5, 16 the center is unable to provide SLS at the consumer’s residence if the residence violates the statutory requirement.

EXCEPTION PROCEDURE

NLACRC cannot anticipate all requests for family support services and living arrangements. It is recognized that some individual needs are so unique that they are not addressed in this service standard. Therefore, NLACRC’s executive director or his or her designee may grant exceptions. The planning team must make a request for an exception to the center’s staffing committee. The committee must review the request and make a recommendation to the executive director.

15 Supportive Services include domestic services, related services, heavy cleaning, personal care services, accompaniment to health-related appointments or alternative resource sites, yard hazard abatement, protective supervision, teaching and demonstration directed at reducing the need for other supportive services, and paramedical services.

16 Penal Code Section 3003.5 states that it is unlawful for any person for whom registration is required, pursuant to Section 290, to reside within 2000 feet of any public or private school or park where children regularly gather. Penal Code 290 is also known as the “Sex Offender Registration Act.”
EXEMPTION PROCEDURE

NLACRC cannot anticipate all requests for family supports and living arrangements. It is recognized that some individual needs are so unique that they may meet the criteria for an exemption. NLACRC's executive director, or his or her designee, may grant an exemption to the statutory limitation on respite services based on the intensity of the consumer's care and supervision needs such that additional respite hours are necessary. The planning team must make a request for an exemption to the center's staffing committee. The committee must review the request and make a recommendation to the executive director.
V. EDUCATIONAL AND VOCATIONAL SERVICES
(SCHOOL AGE, ADULTS & SENIORS)
Service and Procedural Standards

PHILOSOPHY

It is the philosophy of NLACRC that individuals with developmental disabilities have the right to access the same educational, vocational, and employment opportunities available to non-disabled people of the same age in their communities. Regardless of the severity of the developmental disability, NLACRC will advocate for and support integrated competitive employment for adult consumers. Similarly, for minors, NLACRC will provide advocacy and support for families, and service providers in promoting independence for their consumers through skill development and natural experiences, which lead to maximizing their opportunities for employment and active community membership when they enter adulthood. It is the responsibility of NLACRC and its partners to responsibly create, advocate and deliver supports and services that provide consumers opportunities to be as independent and self-sustaining as possible throughout their lifetime. NLACRC will provide quality information and advocate for consumers to ensure that they receive full benefit from generic services. In addition, NLACRC will assure the availability of alternate or supplemental community services and supports as well as site-based day program service options that are not available from generic services. These service options will ensure that consumers have a variety of viable and age appropriate choices. Moreover, the consumer's personal preferences and cultural heritage will be considered in the provision of day program services.

SCHOOL AGE

DEFINITION

Special Education

Under the Individuals with Disabilities Education Improvement Act (IDEIA) and the California Education Code, individuals with developmental disabilities ages 0 through the 21" year are entitled to a free and appropriate public education, which includes designated instruction and related services reasonably calculated to assist the individual in achieving his or her educational goals as agreed upon through the individualized educational program planning process.

- Ages 0 through 2 years

“Free appropriate public education is offered to individuals 3 through 21 years of age in California…”

17 Code of Federal Regulations 34, Section SS300.101

NLACRC Service Standards – Page 37
For infants and toddlers less than 3.0 years of age and their families who are eligible to receive services from both the regional center and a local education agency, the regional center shall be the agency responsible for providing or purchasing appropriate early intervention services that are beyond the mandated responsibilities of local education agencies. The local education agency shall provide special education services up to its funded program capacity.

- **Ages 3 through 21 years**

  a. For children ages 3 through 4.9 years, special education preschool programs provided by school districts should be designed specifically to meet the unique intensive needs of these students if their needs cannot be met in a regular instructional program with modifications (e.g. regular preschool in the community).

  b. For children ages 4.9 through 17.15 years, public school programs are intended to include, but not be limited to: academic training; prevocational and vocational training; speech therapy; occupational and physical therapies; transportation; mobility training; adaptive physical education; counseling services; social skills training; and other designated instructional services as identified in the student's Individualized Education Program (IEP).

  c. Adults with developmental disabilities 18 through 21 years are also entitled to continue in public education if they have not yet completed their prescribed course of study and/or have not met proficiency standards. For children ages 16 or younger, if deemed appropriate, the IEP must include transition services to prepare the child for life after school. An Individual Transition Plan must be included in the IEP and updated every year to include:

  - **Appropriate, measurable post-secondary goals based on age-appropriate assessments related to training, education, employment, and where appropriate, independent living skills.**

  - **The transition services, including the course of study, related services, community experiences, employment and adult living skills, needed to help the student in reaching those goals.**

  - **Beginning one year before the student reaches the age of 18, a statement that the student has been informed that the rights afforded to parents under IDEIA will transfer to the student at age 18, unless the student has been determined to be incompetent under state law. Transition services, IEP/ITP for a student with a disability in a secondary education setting (high school), are a coordinated set of activities that are:**
○ Focused on improving the academic and functional achievement of the student with a disability to facilitate the student’s movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing an adult education, adult services, independent living, or community participation.

○ Based on the individual student’s needs, taking into account the student’s strengths, preferences, and interests.

○ Inclusive of instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and a functional vocational evaluation.

d. Adults with developmental disabilities 18 through 21 years are also entitled to continue in public education if they have not yet completed their prescribed course of study and/or have not met proficiency standards.

**POLICY**

NLACRC’s authority to purchase educational services for consumers age 3 through 17 years of age is temporarily suspended, however NLACRC may grant an exemption on an individual basis in extraordinary circumstances. NLACRC will advocate and work with students and/or their representatives to secure all mandated services through the IEP or Individualized Transition Plan (ITP) process. NLACRC will also encourage and counsel students and their families on the use of services offered by public schools under IDEA.

NLACRC recognizes school age consumers (students, ages 3 through 21 years inclusive) have the right to a free and appropriate public education. The needs of the student should determine the educational setting and related services. Academic, vocational, and related services should be provided in settings that offer opportunities to relate and develop friendships with peers of similar ages. NLACRC will support and advocate for students and families who choose full inclusion as their preferred educational setting.

NLACRC will advocate and work with families in the transition to the public schools when the consumer turns 3 years of age.

For students ages 14 through 21 years, inclusive, who are preparing to leave public education, NLACRC will collaborate with the student, family, school and other community agencies to develop a transition plan that will optimize the student’s success in employment and other adult roles in the community. For those students over the age of 18 years who have completed their prescribed course of study and have received either a diploma or certificate of completion, NLACRC will coordinate services per Adult Educational and
Vocational Program Services Standards.

It is the policy of the State that opportunities for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, regardless of their disabilities.

Effective July 1, 2011, NLACRC shall not purchase day program, vocational education, work services, independent living program, or mobility training and related transportation services for a consumer who is 18 to 22 years of age, if that consumer is eligible for special education and related education services and has not received a diploma or certificate of completion, unless the Individual Program Plan (IPP) team determines that the consumer’s needs cannot be met in the educational system or grants an exemption.

ADULTS

DEFINITION

NLACRC funds adult day services and supports that are structured community or site-based programs, or supports that lead to integrated, competitive employment. NLACRC offers these services to consumers who are no longer eligible for public schools (usually age 22 years and older).

The following range of options (usually funded by the NLACRC) may be available as site-based or supported/community-based training and programming. Training and other activities should be based on a person-centered plan and take place in natural environments. Instruction should be based on a critical skills model.

- Integrated, competitive employment shall be the first option considered by the planning team, at or above minimum wage, including the prevailing wage, for working age individuals, but individuals may choose goals other than integrated, competitive employment and have a right to receive career counseling, information, and referrals.

- Post-secondary education, technical, or vocational training and internship programs may be considered as a means to achieve integrated, competitive employment, or career advancement.

- Skills training programs are designed to develop, maintain, increase, or maximize an individual’s independent functioning in areas that may include self-care, physical development, emotional growth, socialization, self-advocacy, communication, functional academics, and cultural development. They are designed to enable adults to engage in productive work or other meaningful activities. Post-secondary education, technical, or vocational training and internship programs may be considered as a means to achieve integrated, competitive employment or career advancement. The use of generic resources must be considered first.
Socialization and community-based training programs are designed for those consumers who may prefer to have increased skill acquisition prior to selecting an alternative learning experience to a vocational or educational type of program. The programs provide planned activities that may be community-based and promote social interaction and participation in the community. They focus on the consumer’s use of skills necessary for activities of daily living, socialization, recreation, and community integration.

Behavior management day programs serve consumers who exhibit behaviors that require more intensive supervision than is available in day activity centers, adult development centers, and some vocational day services. A behavior management day program may serve consumers who are dually diagnosed with both developmental and mental illness. These programs may provide services through a combination of therapeutic interventions.

Basic self-care programs focus on developing, maintaining, or improving functional skills such as toileting, eating, basic cleanliness and communication. In addition, the programs provide opportunities for practical skill development, socialization, vocational activities and community integration.

The California Department of Rehabilitation offers a variety of vocational and employment services for eligible persons that include occupational training and individual supported employment. Paid work is offered in a variety of settings with supervision and/or support. The Department of Rehabilitation funds these services.

The community offers a variety of adult education and training opportunities through such generic resources as community colleges and the state university system.

NLACRC places a high priority on opportunities for adults with developmental disabilities to choose and customize day services to meet their individualized needs, have opportunities to further the development or maintenance of employment and volunteer activities, direct their services, pursue postsecondary education, and increase their ability to lead integrated and inclusive lives. To further these goals, a consumer may choose a tailored day service or vouchered community-based training service, in lieu of any other regional center vended day program, look-alike day program, supported employment program, or work activity program.

Competitive Integrated Employment

Assisting individuals with a developmental disability to be competitively employed in integrated work settings is a high priority. Competitive employment means the individual is eligible for the same level of benefits provided to other employees and there are opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions. Integrated employment
Federal definition of “Competitive Integrated Employment” (Workforce and Innovation Opportunity Act, Section 7, 29 U.S.C. Section 705(5).)

means the engagement of an employee with a disability in work in a setting typically found in the community in which individuals interact with individuals without disabilities other than those who are providing services to those individuals, to the same extent that individuals without disabilities in comparable positions interact with other persons.19

Or

Assisting individuals with a developmental disability to be competitively employed in integrated work settings is a high priority. Competitive Employment means work in the competitive labor market that is preferred on a full-time or part-time basis in an integrated setting for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.20

Effective July 22, 2016, and pursuant to the Workforce Opportunities & Innovation and Opportunity Act, individuals age 24 or younger must receive Special Education transition services21, and must be referred to the Department of Rehabilitation Rehabilitation for assessment for competitive employment prior to engaging in subminimum wage employment. Further, an individual must either be found ineligible or unable to succeed at competitive employment and must receive career counseling before working a subminimum wage job.

An individual of any age who is already working in a subminimum wage job before July 22, 2016 must be provided with a career counseling, including information and referrals to programs in the employer’s geographic area, annually.

Pursuant to section 4870 of the Lanterman Act, an individual may be placed in competitive employment by a vendored regional center service provider.

Further, the Center will work in partnership with local school districts and the Department of Rehabilitation to ensure individuals with developmental disabilities are referred for assessment for competitive employment and receive the supportive services necessary to achieve his or her employment goals.

Paid Internship Program

To encourage competitive integrated employment opportunities, individuals may participate in paid internships. The internships will be in competitive, integrated work environments and will assist in the development of skills that will facilitate

19 Section 4851 (a) of the Welfare and Institutions Code
20 Sections 4851 (a) & 4870(d)(1) of the Welfare and Institutions Code:
21 Please see transition planning requirements on page 38 & 39.
paid employment opportunities in the future. Payments for internships cannot exceed $10,400 per year for each individual placed in an internship.

Tailored Day Service

A tailored day service shall do both of the following:

- Include an individualized service design, as determined through the IPP and approved by NLACRC that maximizes the consumer’s individualized choices and needs. This service design may include, but may not be limited to, the following:
  
  a. Fewer days or hours than in the program’s approved day program, look-alike day program, supported employment program, or work activity program design.
  
  b. Flexibility in the duration and intensity of services to meet the consumer’s individualized needs.

- Encourage opportunities to further the development or maintenance of employment, volunteer activities, or pursuit of postsecondary education, maximize consumer direction of the service, and increase the consumer’s ability to lead an integrated and inclusive life.

The type and amount of tailored day service shall be determined through the IPP process.

The IPP shall contain, but not be limited to, the following:

- A detailed description of the consumer’s individualized choices and needs and how these choices and needs will be met.

- The type and amount of services and staffing needed to meet the consumer’s individualized choices and needs, and unique health and safety and other needs.

Effective July 1, 2011, and prior to the time of development, review, or modification of a consumer’s IPP, NLACRC will provide information about tailored day service to eligible adult consumers. A consumer may request information about tailored day services from NLACRC at any time and may request an IPP meeting to secure those services.

Vouchered Community-Based Training Service

A vouchered community-based training service is defined as a participant-directed service that assists the consumer in the development of skills required for community integrated employment or participation in volunteer activities, or both, and the assistance necessary for the consumer to secure employment or volunteer positions or pursue secondary education. Vouchered community-based training services shall be provided in natural environments in the community, separate from the consumer’s residence.
A consumer, parent, or conservator vendored as a vouchered community-based training service must utilize the services of a financial management services (FMS) provider. NLACRC will provide information about available FMS and will assist the consumer in selecting a FMS vendor to act as co-employer. A parent or conservator cannot be the direct support worker employed by the vouchered community-based training service vendor.

If the direct support worker is required to transport the consumer, the vouchered community-based training service vendor will verify that the direct support worker can transport the consumer safely and has a valid California driver’s license and proof of insurance. A consumer vendored as a vouchered community-based training service may also be eligible for a regional center-funded bus pass, if appropriate and needed.

Vouchered community-based training services are limited to a maximum of 150 hours per quarter. The services to be provided and the service hours will be documented in the consumer’s IPP.

A direct support worker of vouchered community-based training service must be an adult who possesses the skill, training, and experience necessary to provide services in accordance with the IPP.

Effective July 1, 2011, and prior to the time of development, review, or modification of a consumer’s IPP, NLACRC will provide information about vouchered community-based training service to eligible adult consumers. A consumer may request information about vouchered community-based training service from NLACRC at any time and may request an IPP meeting to secure those services.

The type and amount of vouchered community-based training service is determined through the IPP process. The IPP will contain, but not be limited to, the following:

- A detailed description of the consumer’s individualized choices and needs and how these choices and needs will be met.
- The type and amount of services and staffing needed to meet the consumer’s individualized choices and unique health and safety and other needs.

**POLICY**

It is the policy of NLACRC to advise, advocate and help adult consumers (usually age 22 years and older) to access adult education, employment opportunities, vocational services, or adult day services to meet their individual needs and preferences. It is the intent of the Lanterman Developmental Disabilities Services Act that appropriate generic resources need to be explored and utilized. Effective October 9, 2013, each regional center IPP planning team, when developing an IPP for a working age adult, must consider a specified Employment First policy. Integrated competitive employment will be the first option considered for every adult NLACRC supports at or above minimum wage, and all goals
developed and service provided shall be done with that outcome in mind. Post-secondary education, technical or vocational training, and internship programs may be considered as a means to achieve integrated, competitive employment or career advancement. The use of generic resources must be considered first.

It is the responsibility of the planning team, through the IPP process, to identify the appropriate day service for a consumer. The team must consider the consumer’s preferences and the ability of the service provider to meet the consumer’s IPP goals and objectives. With the exception of tailored day program services, the regional center shall set forth in the IPP the length of the consumer’s program day. The regional center may change the length of the declared and approved program day in order to meet the needs of the consumer upon the recommendation of the IPP planning team. The regional center shall set forth in the IPP the reasons for the change in the length of the declared and approved program day. The team must also assess the effectiveness and cost-effectiveness of the service when NLACRC funds are to be used.

Adult day services and supports may be provided in many settings and service formats to attain desired goals and objectives. Therefore, periodic IPP meetings must be scheduled to determine if the desired outcomes are being accomplished.

Finally, adult day services and supports should provide maximum opportunity for valued activities, meaningful work and learning in integrated settings within a framework for a pattern of life similar to non-disabled persons of the same age. There should be close communication between the adult day service and primary care giver and/or others designated by the consumer to assure continuity.

SENiors

DEFINITION

Generic programs for seniors are offered by agencies funded by Area Agencies on Aging under Title III of the Older Americans Act and are available to anyone 60 years of age and older.

In addition to day program services, senior programs may offer congregate and home delivered meals, case management, in-home and residential services, escort transportation, legal services, information and referral, physical and mental health services, and other social activities.

Services to a senior with developmental disabilities are directed toward assisting the individual to participate in social and recreational activities while retaining his or her ability to function as independently as possible. NLACRC will refer eligible consumers to generic services for seniors. NLACRC may purchase or develop specialized services or supports needed to integrate consumers successfully into generic senior programs.

NLACRC acknowledges that consumers who are engaged in work or adult services should
be involved in retirement decisions as part of an individual planning process. It is recognized that not all seniors with developmental disabilities may be best served in programs for senior citizens. Adult day services and "alternative senior program" components will be available as a service option to older persons with developmental disabilities.

**POLICY**

It is the policy of NLACRC to assure that older persons with developmental disabilities are aware of and have access to the services afforded to all individuals more than 60 years old under the Older Americans Act.

Services to a senior with developmental disabilities should help that individual to participate in social and recreational activities while retaining his or her ability to function as independently as possible. NLACRC will refer eligible consumers to generic services for seniors. NLACRC may purchase or develop specialized services or supports needed to integrate consumers successfully into generic senior programs.

NLACRC acknowledges that consumers who are engaged in work or adult services should be involved in retirement decisions as part of an individual planning process. It is recognized that not all seniors with developmental disabilities may be best served in programs for senior citizens. Adult day services will continue to be available as a service option to older persons with developmental disabilities.

**EXCEPTION PROCEDURE**

NLACRC cannot anticipate all requests for educational and vocational services and supports. It is recognized that some individual needs are so unique that they are not addressed in this service standard. Therefore, NLACRC’s executive director or his/her designee may grant exceptions. The planning team must make a request for an exception to the center’s staffing committee. The committee must review the request and make a recommendation to the executive director or his/her designee.
PHILOSOPHY

NLACRC believes that persons with developmental disabilities should have the same protections under the law as non-disabled persons.

CONSERVATORSHIP

DEFINITION

The establishment of a conservatorship is a legal proceeding where the court appoints an individual or agency to be responsible for ensuring that a person is properly cared for and, when appropriate, receives assistance in conservation of assets.

POLICY

It is the policy of NLACRC to assure the protection of all consumers’ rights in relation to the establishment of a conservatorship. The existence of a developmental disability should not be in and of itself sufficient reason for the establishment of a conservatorship. Parents, relatives, or other concerned persons may initiate a referral for establishment of a conservatorship. NLACRC will, within the California Department of Developmental Services (DDS) guidelines, initiate referral for conservatorship in accordance with the Lanterman Developmental Disabilities Services Act. NLACRC will provide consultation and/or referral to low cost legal assistance to persons interested in seeking conservatorship. NLACRC will provide technical assistance in conservatorship matters when it is in the best interest of the consumer and where the individual seeking conservatorship has no other resources available. NLACRC will not purchase legal services to establish conservatorship or pay court fees related to the institution of conservatorship except in those instances where the establishment of a conservatorship is essential to the implementation of the consumer’s Individual Program Plan (IPP). NLACRC will provide legal services in matters relating to proceedings in the Mental Health Department of the Superior Court.

It is the policy of NLACRC, and at the direction of the Probate Court, that the regional center shall provide a conservatorship report filed no later than 5 business days before the hearing date. The conservatorship petition should be received by the regional center 30 days before the hearing date. The regional center report will include:

- A description of who the consumer is.
- Identification of the proposed conservator.
- Whether or not the regional center supports the conservatorship to be granted.
• Whether or not the regional center supports the proposed conservator as the best advocate for the consumer.
• Whether or not the regional center supports the granting of each of the 7 powers and justify this based on the consumer support needs.

DIVERSION

DEFINITION

The court may grant diversions for certain misdemeanor offenses. A diversion program allows for the court to dismiss criminal charges when a diverted defendant has satisfactorily completed the program. A defendant can request to be diverted out of the penal system and receive treatment and habilitation services that address the criminal charges at any stage in the criminal proceedings. There are three basic requirements for application of the diversion statute:

• The offense is a misdemeanor, or it can be reduced to one.
• The defendant is found to be mentally retarded which is defined as “significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.”
• The defendant has not had a prior diversion within the two years prior to the present criminal proceedings.

POLICY

It is the policy of the NLACRC to advise consumers involved in the penal system of the potential opportunity to participate in a diversion program. The NLACRC service coordinator assigned to the consumer will convene a planning team meeting to determine whether a viable treatment/service plan can be developed and implemented that will address the criminal charges for a consumer who requests diversion. The team, at a minimum, must include the consumer and/or his or her representatives; NLACRC’s physician, psychologist and service coordinator; and the clients’ rights advocate. The team must reach a consensus on the viability of the diversion plan and any recommendations to the court.

PEER REVIEW OF BEHAVIOR MODIFICATION INTERVENTIONS THAT MAY CAUSE PAIN OR TRAUMA

DEFINITIONS

Behavior intervention is a prescribed therapeutic intervention and must be prescribed by and under the direction of a Board Certified Behavior Analyst (BCBA) or a qualified licensed professional trained in Applied Behavior Analysis. This service is intended to
assist consumers and parents/care givers when the consumer exhibits maladaptive, harmful, socially unacceptable, or developmentally unacceptable behaviors. Behavior intervention uses specialized methods of teaching family members or primary care givers how to effectively use the principles of learning and behavior to teach positive socially desirable behavior and to reduce maladaptive behaviors and increase adaptive skills.

**Emergency procedure** is the use of an appropriate technique as a reasonable response, including an aversive or restrictive procedure, to contain behaviors that pose a clear and present danger of serious physical injury to self or others that, in turn, cannot be prevented by less restrictive measures. If the need for emergency procedures occurs on a regular basis, the procedure must be considered part of the behavioral treatment plan for that individual.

**Pain** means a subjectively experienced, substantially unpleasant bodily sensation; it ordinarily results from, or is induced by physiological stimuli that may include, but not be limited to, injury, bodily contact, situational stress, heat, cold, noise, physical exertion, or immobilization. Typical observable responses may include, but not be limited to, evasive action, verbal exclamation or protest, escape, resistance, stiffening, grimacing, and reflexive avoidance or fainting. Some individuals may not exhibit any perceivable response.

**Trauma** means an occurrence under which the consumer experiences either tissue damage or severe and long-lasting emotional distress.

A **“Qualified Professional” (QP)** is a California-licensed physician, psychologist, BCBA, or other professional whose California licensure permits the practice of behavior modification, and has 12 semester units of Applied Behavior Analysis courses from an accredited college or university plus one year of experience designing behavior modification programs for persons with developmental disabilities or two years of experience teaching applied behavior analysis or behavior modification at the college level or above. The QP can be a member of an IDT that develops a proposed treatment plan.

The **“Behavior Modification Review Committee” (BMRC)** consists of at least one California-licensed psychologist, BCBA, or other professional whose California license permits the practice of behavior modification programs, one California-licensed physician, and one clients’ rights advocate affiliated with the regional center. Further, either the physician, psychologist, or BCBA will have at least three years’ experience in: 1) the supervision of the implementation of behavior modification programs; 2) teaching behavior modification at the college level or above; or 3) a combination of 1 and 2.

**POLICY**

It is the policy of NLACRC to use a peer review of behavior modification plans that may involve pain or trauma. The review is a two-step procedure:
• The BCBA reviews the proposed treatment plan to determine if it has the potential to abridge the consumer’s constitutional rights, cause or involves pain or trauma. The BCBA may disapprove such a plan or refer the plan to the BMRC if the plan has the potential to abridge the consumer’s constitutional rights, cause or involves pain or trauma. The BMRC has the sole responsibility to approve or disapprove the plan.

• The BMRC will review the proposed treatment plan and either disapprove the plan, or approve the plan for no more than one year’s time.

• The person responsible for the development or implementation of the treatment plan will not vote on the committee for any portion of the review and approval of the plan.

The use of a treatment plan that includes a behavior modification intervention that may cause pain or trauma can only receive approval if all of the following conditions are met:

• Informed written consent is obtained from the consumer or his/her legal representative. Consent means that the consumer or his/her legal representative has had the procedure explained in terms understandable to the consentor, including prior unsuccessful interventions, the expected side effects and/or risks of the proposed procedure. The consumer or his/her legal representative must agree in writing to the procedure. Consent may be withdrawn anytime.

• A BCBA who meets the criteria, \(^{24}\) designs, and supervises the implementation of the treatment plan.

• Each element of the behavior modification program described in the plan is technically adequate and appropriate in light of prevailing applied behavior analytic research and practice standards within the behavior analysis and psychological treatment profession.

• The treatment plan prescribes procedures for the monitoring and implementation of the behavior modification program by the Inter-disciplinary Team (IDT). Written progress reports must be submitted to the regional center and members of the IDT no less than quarterly.

The BMRC, or a designated member, will review the progress reports at least quarterly to ascertain the benefits of the treatment. By consensus of the BMRC, reports can be required more frequently and any member of the BMRC can convene the BMRC anytime. The treatment plan expires after one year; if continuation of the treatment is indicated, the consumer’s informed consent or the consent of the consumer’s legal representative must be obtained and the review procedures reinstituted.

\(^{24}\) Per California Code of Regulations, Title 17, Section 50810.
PRIVACY AND CONFIDENTIALITY AND RELEASE OF CONSUMER PROTECTED HEALTH INFORMATION

DEFINITION

NLACRC is mandated by law to maintain the privacy of consumer Protected Health Information (PHI) by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Health Information Technology for Economic and Clinical Health Act (HITECH), the Lanterman Act, and Early Start regulations.

PHI is information that identifies consumers in any form (electronic, written, oral, etc.) collected, created, maintained, or received by NLACRC relating to a consumer’s past, present or future physical/mental health or condition.

POLICY

The following privacy policy is adopted to ensure that NLACRC complies fully with all federal and state privacy protection laws and regulations. Protection of consumer privacy is of paramount importance to this organization. Violations of any of these provisions will result in severe disciplinary action including termination of employment and possible referral for criminal prosecution. This is an informational summary only. The complete NLACRC privacy policy is available upon request.

It is the policy of NLACRC that we will adopt, maintain and comply with our Notice of Privacy Practices, which shall be consistent with HIPAA and California law including the Lanterman Act and Early Start regulations.

Notice of Privacy Practices

It is the policy of NLACRC that a notice of privacy practices must be published, that this notice be provided to all subject individuals during the intake process if possible, and that all uses and disclosures of protected health information are done in accord with this organization's notice of privacy practices. It is the policy of NLACRC to post the most current notice of privacy practices in our reception area at each of our offices, and to have copies available for distribution upon request at any time. Furthermore, an electronic copy of the notice is posted on the NLACRC website, which can be downloaded.

Minimum Necessary Use and Disclosure of Protected Health Information

It is the policy of NLACRC that for all routine and recurring uses and disclosures of PHI (except for uses or disclosures made for treatment purposes, as authorized by the consumer or their legal representative, or as required by law for HIPAA compliance) such uses and disclosures of PHI must be limited to the minimum amount of information needed to accomplish the purpose of the use or disclosure. It is also the policy of
NLACRC that non-routine uses and disclosures will be handled pursuant to established criteria. It is also the policy of this organization that all requests for PHI (except as specified above) must be limited to the minimum amount of information needed to accomplish the purpose of the request, and where practicable, to the limited data set.

Complaints

It is the policy of NLACRC that all complaints relating to the protection of health information be investigated and resolved in a timely fashion. Furthermore, it is the policy of NLACRC that all complaints will be addressed to the executive director or his/her designee who is duly authorized to investigate complaints and implement resolutions if the complaint stems from a valid area of non-compliance with the HIPAA privacy or security rules. It is the policy of NLACRC that any violations be reported to DDS within 72 hours of learning of the breach as per our contractual obligations.

Prohibited Activities—No Retaliation or Intimidation

It is the policy of NLACRC that no employee or contractor may engage in any intimidating or retaliatory acts against persons who file complaints or otherwise exercise their rights under HIPAA regulations. It is also the policy of this organization that no employee or contractor may condition treatment, payment, enrollment or eligibility for benefits on the provision of an authorization to disclose protected health information except as expressly authorized under the regulations.

Safeguards

It is the policy of NLACRC that appropriate safeguards will be in place to reasonably safeguard protected health information from any intentional or unintentional use or disclosure that is in violation of the HIPAA private and security rules. These safeguards will include physical protection of premises and PHI, technical protection of PHI maintained electronically and administrative protection of PHI. These safeguards will extend to the oral communication of PHI. These safeguards will extend to PHI that is removed from this organization.

Business Associates

It is the policy of NLACRC that business associates must comply with the HIPAA privacy and security rules to the same extent as NLACRC, and that they are contractually bound to protect health information to the same degree as set forth in this policy pursuant to a written business associate agreement. It is also the policy of this organization to report any violations to DDS as per our contractual obligations. Furthermore, business associates who violate their agreement will be dealt with first by an attempt to correct the problem,
and if that fails by termination of the agreement and discontinuation of services by the business associate, or if that is not feasible, by notification of the Department of Health and Human Services Secretary. Finally, it is the policy of this organization that organizations that transmit PHI to NLACRC or any of its business associates and require access on a routine basis to such PHI, be business associates of NLACRC.

Training and Awareness

It is the policy of NLACRC that all members of our workforce have been are trained by the compliance date annually on the policies and procedures governing protected health information and how NLACRC complies with the HIPAA privacy and security rules. It is also the policy of NLACRC that new members of our workforce receive training on these matters within a reasonable time (with in their first week of employment when possible, not to exceed 3 months from their date of hire) after they have joined the workforce. It is the policy of NLACRC to provide training should any policy or procedure related to the HIPAA privacy and security rules materially change. This training will be provided within a reasonable time (within 6 months) after the policy or procedure materially changes. Furthermore, it is the policy of NLACRC that each employee who receives training will sign a certification indicating the employee’s name and the date on which the training was completed. NLACRC will retain each employee’s written certification for the duration of their employment at the Center, training will be documented indicating participants, date, and subject matter.

Sanctions

It is the policy of NLACRC that sanctions will be in effect for any member of the workforce who intentionally or unintentionally violates any of these policies or any procedures related to the fulfillment of these policies. Such sanctions will be recorded in the individual’s personnel file. Sanctions may include disciplinary action including termination of employment and possible referral for criminal prosecution.

Cooperation with Privacy Oversight Authorities

It is the policy of NLACRC that oversight agencies such as DDS and the Office for Civil Rights of the Department of Health and Human Services be given full support and cooperation in their efforts to ensure the protection of health information within this organization. It is also the policy of this organization that all personnel must cooperate fully with all privacy and security compliance reviews and investigations.

Investigation and Enforcement

It is the policy of NLACRC that in addition to cooperation with privacy oversight authorities, NLACRC will follow procedures to ensure that investigations are supported internally and that members of our workforce will not be retaliated against for cooperation.
with any authority. It is our policy to attempt to resolve all investigations and avoid any penalty phase if at all possible.

HUMAN IMMUNODEFICIENCY VIRUS (HIV)/ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

DEFINITIONS

- HIV is a virus spread through body fluids that affects specific cells of the immune system, called CD4 cells, or T cells. Over time, HIV can destroy so many of these cells that the body can't fight off infections and disease. When this happens, HIV infection leads to AIDS. With proper medical care, HIV can be controlled. Treatment for HIV is often called antiretroviral therapy or ART. It can dramatically prolong the lives of many people infected with HIV and lower their chance of infecting others. Before the introduction of ART in the mid-1990s, people with HIV could progress to AIDS in just a few years. Today, someone diagnosed with HIV and treated before the disease is far advanced can have a nearly normal life expectancy. (www.cdc.gov/hiv/basics)

- AIDS is the final stage of HIV infection. People at this stage of HIV disease have badly damaged immune systems, which put them at risk for opportunistic infections, such as certain types of pneumonia and cancer. (www.aids.gov/hiv-aids-basics)

POLICY

- NLACRC will not:
  
a. Deny services or discriminate in the provision of services to eligible persons who are known to be HIV positive or suspected of having had an HIV test or of being affected by AIDS.

b. Require testing for exposure to the virus as a condition of eligibility or service provision.

- NLACRC will seek to assure that:

c. Its vendors do not deny services nor discriminate in the provision of services to eligible persons who are known to or suspected of having had an HIV test or of being HIV positive or affected by AIDS.

d. Its vendors do not require HIV testing as a condition of eligibility or service provision.
HIV/AIDS EDUCATION

DEFINITION

Educational program means:

- Information provided to minimize the risk of acquiring HIV.
- Information on the legal rights and obligations about HIV testing, HIV status, HIV treatment, and AIDS.

POLICY

NLACRC will carry out educational program for employees regarding universal health precautions.

NLACRC will undertake to assist in the implementation of an educational program for its vendors and their staffs and consumers' regarding universal health precautions.

All service providers are expected to adopt universal health precautions.

All service providers and their staffs are expected to be trained in and to implement such practices.

HIV TESTING

DEFINITIONS

- **HIV Test** is any clinical laboratory test used to identify HIV, a component of HIV, antibodies to HIV or antigens of HIV.

- **Informed Consent** - For purposes of this policy, this will refer to the consent given by one who has been advised of all the risks and consequences of a medical procedure and who, understanding those risks and consequences, gives knowing, intelligent and voluntary assent. Persons who may, in appropriate circumstances, give written consent for HIV testing for an individual are as follows:
  a. An unconserved adult consumer.
  b. A legal conservator empowered with the specific authority to make medical decisions for an adult consumer.
  c. The parent/legal guardian of a minor under the age of 12, or parent/legal guardian of any minor who is not competent to give such consent.
  d. If the child is a dependent of a court, such court.
  e. A child 12 or more years of age.

- **Special Health Needs Committee** – This committee will be created on an ad hoc
basis for the purpose of making recommendation on the provision of services for a particular consumer. The committee will include, at a minimum, the director of consumer services or his/her designee, the clients' rights advocate, a regional center physician and the consumer's counselor; other individuals may be added, as appropriate.

POLICY

The consumer's primary care physician determines if the consumer will be referred for HIV testing based on standard medical indications.

If a physician decides to ascertain a consumer's HIV status, written consent for testing will be obtained from the individual authorized to consent to the provision of medical care for the consumer. If the person authorized to sign for medical care refuses, no test may be given.

If doubt exists whether a consumer is competent to give consent to HIV testing and treatment, the executive director may investigate the viability of the consumer's parents, guardian, or conservator as substitute decision-maker pursuant to Health and Safety Code 121020 (a)(1).

If the consumer does not have capacity to give consent to HIV testing and treatment and has no parent, guardian, or conservator legally authorized to consent, or if this person does not respond within a reasonable time to the request of the director or designee for the granting or denying of consent for such treatment, the executive director or designee may consent on behalf of the developmentally disabled person to HIV testing and treatment pursuant to Welfare and Institutions Code, Section 4655.

If the consumer has no parent, guardian, or conservator legally authorized to consent to HIV testing and treatment on behalf of the consumer, the executive director or the designee may initiate, or cause to be initiated, proceedings for the appointment of a guardian or conservator legally authorized to consent.

CONFIDENTIALITY AND RELEASE OF HIV/AIDS RELATED CONSUMER INFORMATION

DEFINITION

NLACRC is mandated by law to maintain the privacy of consumer Protected Health Information (PHI) by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Health Information Technology for Economic and Clinical Health Act (HITECH), the Lanterman Act, and Early Start regulations.
PHI is information that identifies consumers in any form (electronic, written, oral, etc.) collected, created, maintained, or received by NLACRC relating to a consumer’s past, present or future physical/mental health or condition.

A consumer’s “Record” means any item of information directly relating to a person with developmental disabilities or to one who is believed to have a developmental disability which is maintained by NLACRC, whether recorded in handwriting, print tapes, film, microfilm or other means as pursuant to Welfare and Institutions Code, Section 4725 (b).

Persons authorized to give written consent for release of HIV test information are as follows:

- The parent/legal guardian of a minor under the age of 12 or parent/legal guardian of any minor who is not competent to give such consent.
- If the child is a dependent of a court, such court.
- A child 12 or more years of age.
- An unconserved adult consumer.
- A legal conservator empowered with the specific authority to decide for an adult consumer.

**POLICY**

NLACRC complies fully with all federal and state privacy protection laws and regulations. Protection of consumer privacy is of paramount importance to NLACRC. Violations of NLACRC privacy policy will result in disciplinary action including termination of employment and possible referral for criminal prosecution.

NLACRC will adopt, maintain and comply with our Notice of Privacy Practices, which shall be consistent with HIPAA and California law including the Lanterman Act and Early Start regulation.

All members of NLACRC workforce have been trained by the compliance date on the policies and procedures governing protected health information and how NLACRC complies with the HIPAA privacy and security rules.

Please refer to Service Standard Section VII and NLACRC Privacy Policy for additional detailed information.

- Release of Information/Form of Disclosure: NLACRC will exercise strict confidentiality regarding any HIV/AIDS information relating to consumers. Any
disclosure of HIV/ AIDS related information. HIV tests or AIDS diagnosis will be made in accordance with NLACRC Notice of Privacy Practices and current law.

- NLACRC requires a specific written authorization by the consumer or legally authorized party to release any HIV/ AIDS related information to any third party as per California Health and Safety code 120975, 120980.

- In cases where a consumer poses a significant risk of danger to self or others, which has been substantiated and documented, the Special Health Needs Committee will be convened. The committee will make provisions for immediate and thorough education, assess the consumers' needs, and develop appropriate recommendations.

**HIV/ AIDS AND SERVICE PROVISION**

**DEFINITION**

Provision of service includes, but is not limited to, the obtaining of residential placement, day program services, family support services and health care services.

**POLICY**

NLACRC will not discriminate in the provision of services, including placement, to consumers who are known to be HIV positive or have AIDS.

In special circumstances, if indicated, recommendations regarding the provision of specific services to consumers known to be HIV positive or have AIDS will be made by the Special Health Needs Committee.

If a consumer has tested HIV positive, services will be provided without disclosure of the condition as per NLARC's Notice of Privacy Practices, unless authorized in writing by the consumer or the authorized legal representative.

**EXCEPTION PROCEDURE**

NLACRC cannot anticipate all requests for legal services. It is recognized that some individual needs are so unique that they are not addressed in this Service Standard. Therefore, NLACRC's Executive Director or his/her designee may grant exceptions. The planning team must make a request for an exception to the center's staffing committee. The committee must review the request and make a recommendation to the executive director or his/her designee.
Attendance Sheets
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Meeting Evaluation
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Attendance Policy: In the event a Trustee shall be absent from three (3) consecutive regularly-scheduled Board meetings or from three (3) consecutive meetings of any one or more committees on which he or she may be serving, or shall be absent from five (5) regularly-scheduled Board meetings or from five (5) meetings of any one or more Committees on which he or she may be serving during any twelve (12) month period, then the Trustee shall, without any notice or further action required of the Board, be automatically deemed to have resigned from the Board effective immediately. The secretary of the Board shall mail notice of each Trustee’s absences during the preceding twelve (12) month period to each Board member following each regularly-scheduled Board meeting. (policy adopted 2-10-99)
North Los Angeles County Regional Center
Board of Trustees

Meeting Evaluation

Name: _______________________________________

Comments: _______________________________________

_________________________________________________

1. Did the meeting follow the agenda?  Yes ___  No ___

2. Did the meeting begin as scheduled?  Yes ___  No ___

3. Did the meeting end as scheduled?  Yes ___  No ___

4. Did you receive written or verbal information about the issues on the agenda?  Yes ___  No ___

5. Did the information received enable you to make informed decisions?  Yes ___  No ___

6. Did the issues concern:

   a. Consumers?  Yes ___  No ___

   b. Board operations?  Yes ___  No ___

   c. Committee business?  Yes ___  No ___

   d. Center operations?  Yes ___  No ___

   e. None of the above? (please specify below)

       _______________________________________________________

7. Did you feel prepared to participate in the meeting?  Yes ___  No ___

8. What would you like more information about?

       _______________________________________________________

       _______________________________________________________

75