

North Los Angeles County Regional Center  
**Vendor Advisory Committee Meeting Minutes**

February 6, 2020

**Present:** Orli Almog, Erica Beall, Catherine Carpenter, Deborah Cutter, Bob Erio, Mariela Feldman, Cynthia Fernandez, Sharoll Jackson, Dana Kalek, Ken Lane, Don Lucas, Jenni Moran, Sonia Ojeda, Kevin Shields, and Nick Vukotic - Committee Members

Ruth Janka, Jennifer Kaiser, Elisa Hill, Jesse Weller, Maria Bosch, Lisa Mayti, Evelyn McOmie, Arsho Garlanian, Kim Rolfes, Venus Khorasani, Cathy Robinson-Learn, Chantelle Crown, Sheila Calove, Stephanie Margaret, Erin Broughton-Rodriguez, Mone Masa, Lauren Morton, and Sonja Chapman – Staff

Teresa Rathsam, Andrea Devers, Claire Moynihan, Natasha Jackson, Maria Ortiz, Glynda Givens, Tara Estrella, Cheryl Keehne, Linda Cobuzzi, Lori Sivazlian, Debra Dinielli, Ralph Stokes, Guadalupe Hernandez, Uju Okeke, Cheryl Bridges, Freddie Berger, Tag Artunian, Alexandra Rivera, Melissa Nishimoto, Darrell Bunch, Alisha Turner, Lily Handley, Michael Stephens, Chelsea Wade, Myrna Beltran, Monique Lopez, Ivanna Ayala, Isaiah Kelley, Yolanda Bosch, Fred Rockwood, Leticia Leon, Lisa Fisher, Kenny Ha, Lori Resnick, Marcel Mitchell, Aminta Garcia, Emily Owens, Idris Danesi, Saeda Farah, Kendra Espinoza, Debra McCurry, Tania Holguin, Michele Linares, Annie Cox, Sharon Weinberg, Tania Bartolo, Dennis Rutnam, Raquel Armedariz, Michelle Heid, Alona Yorkshire, John Brauer, Jessica Gould, Tsaiah Kelley, and Limoran Chiprut

**Absent:** Suad Bisogno

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## **I. Call to Order & Introductions**

Sharoll Jackson, VAC chair, called the meeting to order at 9:35 a.m. and introductions were made.

## **II. Public Input**

A. NLACRC's Legislative Town Hall: Jesse Weller and Michelle Heid reminded everyone that the center's town hall meeting will be held Thursday, February 27<sup>th</sup>, at the new Bella Vida senior center in Santa Clarita. An hour of networking will be held from 5:30 to 6:30 p.m., then the program will begin. We have received attendance confirmations from Senator Scott Wilk, Senator Christy Smith, and Assembly Member Tom Lackey. Fliers were provided. Kevin Shields encouraged everyone to help consumers get there by offering transportation.

B. National Girls & Women in Sports Day! Sharoll Jackson made this announcement and appreciated how sports involvement has really opened up for girls and women.

### III. Consent Items

A. Approval of Agenda

**M/S/C** (O. Almog/J. Moran) To approve the agenda as presented.

B. Approval of Minutes from the January 9<sup>th</sup> VAC Meeting

**M/S/C** (O. Almog/J. Moran) To approve the minutes as presented.

### IV. Executive Director's Report (Ruth Janka)

A. Allocation: The center received its A-3 allocation from the Department of Developmental Services (DDS). The A-3 includes funding for the oversight and expansion of family home agency (FHA) homes, the self-determination program (both operations funding and funding for participant supports) and for our community placement and resource development plans.

B. The Governor's Proposed FY 2020-21 Budget: The governor released his proposed budget on January 10<sup>th</sup>. Budget highlights related to DDS include:

1. Population: The updated FY 2019-20 population estimate decreased by 114 from 350,161 to 350,047. The anticipated FY 2020-21 population estimate is 368,622 (an increase of 18,461).
2. Community Budget: The FY 2019-20 community budget decreased from \$7.798 billion to \$7.735 billion. The anticipated FY 2020-21 community budget estimate increased to \$8.751 billion (13.1%).
3. Policy
  - The Department of Finance has issued a budget change proposal on behalf of DDS to begin the process of replacing the Uniform Fiscal System (UFS) as a state project.
  - Temporarily increase the capacity of the secure treatment area at Porterville Developmental Center.
  - 5 additional Enhanced Behavioral Supports Homes (EBSHs) with delayed egress with secured perimeters proposed.
  - Decreased caseload ratios for children under age 5 to 1:45, but the estimate only provides funding for children who are 3 to 4 years old.
  - The Systemic, Therapeutic, Assessment, Resources, and Treatment (START) training model for those who are dually diagnosed is being piloted at San Diego and San Andreas Regional Centers. The proposed budget includes expansion to 4 additional regional centers at a cost of \$4.54 million.

- Provider Rates: supplemental provider rates approved for FY 2019-20 are proposed for expansion on January 1, 2021 to the following additional service codes at a cost of \$18 million:
  - Early Start specialized therapeutic services
  - Independent living programs
  - Infant development programs

The supplemental provider rates are currently scheduled for potential suspension on January 1, 2022. The proposal would expand that date 18 months to July 1, 2023.

- The budget proposal notes, “The Uniform Holiday Schedule will sunset on June 30, 2023.”
- The Administration is proposing \$78 million for the development of a Performance Incentive Program, which will “require regional centers to meet an advanced tier of performance measures and outcomes to receive incentive payments” with an eye towards the following goals:
  - Focusing on personal outcomes such as meaningful activities
  - Developing more person-centered service options
  - Promoting integrated community settings
  - Increasing competitive employment

C. Rate Study: On January 10<sup>th</sup>, DDS posted a summary of comments received, along with DDS’s responses to these comments and any necessary and appropriate changes to rate models contained in the rate study. Here is a summary of the changes:

1. Updated rate models resulted in a weighted average increase of 7.5% over the draft models; this breaks down by service category as follows:
  - Personal Supports: 2.1%
  - Residential Services: 5.1%
  - Day, Employment, and Transportation Services: 12.8%
  - Professional and Behavioral Support Services: 31.6%
  - All Services: 7.5%

The estimated cost to fully implement continues to be \$1.8 billion primarily due to methodical changes. Rate models continue to assume a January 1, 2020 effective date; if implemented in a future year, rate models will have to be updated based on annually published data sources, changes to statewide minimum wage, and review of regional adjustment factors (e.g. regional wage differences). Some of the changes include an assumption that 30% of the workforce is part time (previously assumed 100% of the workforce was fulltime), added educational/vocational counselor to job mix, changed wage

assumptions for professionals (e.g. behavior technicians, ABA therapists), also change wage assumptions in community care facilities.

2. A Senate Budget Subcommittee 3 hearing was held on January 22<sup>nd</sup> regarding the rate study and developmental disabilities system reform.
  - Stephen Pawlowski, Burns and Associates, detailed the 3 elements of changes made in response to public comment. First, cost data and program use estimates were updated. Second, external costs (e.g. mileage rates) were updated based on new data. And third, rate models themselves were changed in various cases.
  - Study continues to recommend an infusion of \$1.8 billion into the developmental disabilities services system, minus approximately \$413 million included in the rate increases over the next fiscal year.
  - Nancy Bargmann, director of DDS, stated the importance of ensuring that all elements of the community are appropriately represented. Additionally, long-term changes to the work of both providers and regional centers will continue to be explored through various avenues.
  - Senator Richard Pan has a strong interest in the implementation of the study, and repeatedly pressed the issue with Director Bargmann, including asking for a timeline and goal set for implementation.
  - Jay Kapoort and Brent Houser, representatives of the Department of Finance (DOF), stated that future funding estimates are based on caseload growth and minimum wage costs.
  - Senator Pan, DDS, and DOF agreed that some implementation of the rate study and regional center performance incentives would require trailer bill language. It is currently expected to be made public on February 1<sup>st</sup>.
  - Senator Pan asked for the plan by the time of the March budget hearing. However, he noted a recognition of the need to balance the overall budget and the possibility that DDS's position could be that the state does not plan to implement the rate models moving forward.

#### D. Legislative Activities

1. Public Charge: The U.S. Supreme Court voted to allow the Trump Administration to enforce the public charge rule. This creates a test to be used on those trying to immigrate to the U.S. or get a green card. Important for people to know this only applies to those trying to change their immigration status. This does not apply to family members of those trying to change their immigration status who use regional center services.

1. Legislative Hearings

- The Assembly Select Committee on Intellectual and Developmental Disabilities met on Tuesday, January 28<sup>th</sup>. Assembly Member Jim Frazier asked the CA Research Bureau to conduct a regional center client survey and then summarize and analyze the data: 682 responses; 235 full surveys complete; and 408 respondents shared additional information in their own words. Assembly Member Frazier presented the statewide survey results, which is noted as a convenience survey and thus cannot be generalized to all regional centers. That said, it still captures experiences of those who completed it. Areas of improvement included: accuracy and timeliness of information provided by regional centers; staff turnover and skills; payment and reimbursement challenges; oversight, compliance, and transparency; service availability; and equity of service access.

2. AB 2024 by Assembly Member Chris Holden: This bill would fix the minimum wage quirk by providing a uniform rate increase of 3.33% for each dollar. Kim Rolfes provided her expertise and assisted in drafting the language of this bill.

E. Legislative Plans:

1. The Lanterman Coalition has finalized a proposal for a multi-year strategic plan that will do the following:
- Phase-in the rate models over three years.
  - Make immediate corrective actions for services omitted from emergency funding increases last year and take immediate actions to comply with Federal and State caseload ratios.
  - Ensure all DDS funded services and supports receive adjustments for state minimum wage increases.
  - Secure a foundation for long-term planning by removing the suspension date of January 1, 2022.
2. ARCA's legislative platform includes:
- Repealing the Annual Family Program Fee and Family Cost Participation Program for children receiving Early Start Services.

- 8.2% rate increase for Independent Living Services and Infant Development Program providers for same duration as other providers.
  - Full funding of regional center caseload ratios needs, inclusive of the staffing needs to support service coordinators required to meet statutory caseload requirements.
3. The L.A. Service Providers Coalition is finalizing a legislative advocacy plan as well and will be advocating for the minimum wage fix, the service coordinator ratio fix, and a further down payment on funding the rate models.
- F. Home & Community-Based Services (HCBS): The HCBS settings assessment is coming and trainings scheduled for February 13<sup>th</sup> and 14<sup>th</sup> for Southern California.
- G. Monitoring Activities: As part of the Office of Inspector General's (OIG's) audit of California's Special Incident Reporting (SIR) and risk management processes and practices, OIG audited 5 California regional centers.
1. A list of Medi-Cal claims in which it appeared a SIR should have been submitted to the regional center and DDS; however there is no SIR in the electronic system. Per the OIG, no SIR was submitted for 61 of the 100 claims reviewed; 19 regional centers are involved. Neither North Bay RC nor RC of Orange County had claims and associated SIRs in the sample.
  2. A list of 58 SIRs in which the OIG noted at least one requirement in Title 17 was not met and/or there were procedural issues.

Regional centers will be required to gather additional information for DDS to respond to the OIG. Ruth's office is going to handle the follow-up for these reports and thus, if a claim is related to an individual that you serve, you may be contacted by Ruth's office.

## V. Chief Financial Officer's Report (Kim Rolfes)

- A. Fun Fact: Of our adult consumers 25 years and older, only 22% have autism and 66% have intellectual disability as their primary diagnosis. Of our consumers who are 18 years or younger, 74% of them have autism and only 19% have an intellectual disability as their primary diagnosis. The center is going to need to prepare for this "bubble" of consumers with autism as they get older.
- B. NLACRC's Budget: The center's operations budget for FY 2019-20 is \$55.7 million and the purchase of service (POS) budget is \$499.1 million for a total

budget of \$554.8 million. We are projecting a deficit in our POS budget of \$3.5 million which will be covered by future allocations from DDS. Of the 21 regional centers, the amount of NLACRC's deficit is #10, with North Bay Regional Center having the highest projected POS deficit. The regional center system as a whole is projecting a statewide POS surplus.

- C. DDS's Audit of NLACRC: In the main, the center had another really good audit, but there were findings in regards to 3 different consumers:
1. Consumer 1: The center incorrectly paid the family's share of cost for the family cost participation program (FCPP) resulting in an overpayment of \$4,209.60. The center will have to reimburse DDS this amount with funds from our operations budget.
  2. Consumer 2: The FCPP assessment allowed for 216 hours and we only paid for 132. The center disagrees with the overpayment finding of \$221.21.
  3. Consumer 3: The vendor billed for hours allowable only on non-school days, resulting in a potential overpayment of \$2,757.78. However, the center disagrees with the overpayments during the months of July and August 2017 (\$1024.64 total) because the consumer was on summer vacation those months. The center is asking DDS to reduce the overpayment by this amount. We will be collecting the amount of the overpayment from the service provider.
- D. FY 2017-18 Contract Year: Will be closing at the end of March; if you have any late bills from this contract year, please submit them to our accounting department by Friday so we can prepare them for payment.
- E. 1099 Forms: We mailed out the 1099 MISC forms to our 1,300+ vendors on January 27<sup>th</sup>. Although we transmitted the correct data to the IRS, we found out that the data reported on the 1099 MISCs was for 2018, rather than 2019. The error was caused inadvertently by the consultant who was assisting us in formatting the data on the new 1099 format. A communication went out to all of our vendors alerting them of this inadvertent error and our accounting department re-issued the forms with the correct data last week.
- F. Purchase of Service Expenditure Data Meetings: Each year, the center is required to hold public meetings to share information about how their POS dollars were spent. This year's meetings will be held as follows:
1. Thursday, March 12<sup>th</sup>, at 11:00 a.m. and 6:30 p.m. (SFV office)
  2. Monday, March 16<sup>th</sup>, at 11:00 a.m. and 6:30 p.m. (AV office)
- G. SIR Trainings: Due to the OIG audit (see Section IV.G. above), the center will be

providing additional trainings on SIRs and will also be available to provide technical support. SIRs must be reported as soon as you find out about them.

## VI. Chief of Program Services Report (Jesse Weller)

- A. Staffing Updates: We are actively recruiting for the following positions: community placement plan (CPP) manager; CPP nurse; and self-determination supervisor. In the meantime, please contact Maria Bosch with any CPP issues and contact Sheila Calove with any self-determination program matters.
  
- B. Trailer Bill Language (TBL): The center has finalized its IPP agreement form (as required in TBL) and began implementing it on January 28<sup>th</sup>. This form is like a receipt for IPP meetings; it identifies the agreed upon services and supports, frequency/duration, projected start date, and provider if known. We have also added additional signature lines to accommodate more participant names.
  
- C. Early Start
  - 1. ARCA has an Early Start Discipline Group that will hold its next meeting on February 25<sup>th</sup> at Alta California Regional Center in Sacramento; Jesse and Cristina Preuss will attend.
  - 2. The State Systemic Improvement Plan (SSIP) held a conference call on January 27<sup>th</sup>. They discussed implementation/sustainability surveys, progress towards the state-identified measurement result and measuring fidelity of evidence-based practices. Elisa Hill will provide a report on the discussion at the Early Start break-out group meeting that will follow this VAC meeting.
  - 3. The L.A. County Office of Education now has a mobile training unit on the Head Start program.
  
- D. POS Disparity
  - 1. Parent Mentors: We have now hired both parent mentors who will be helping consumers and families connect with services and navigate the regional center system. One parent is at our AV office Tuesday through Friday, and the other parent is at our SFV office Monday through Thursday.
  - 2. Cafecitos: The 2020 meeting schedule has been established. Cafecitos will be held once a month and will switch between the AV office and the SFV office.



3. Aprendiendo Entre Nos (Learning Amongst Us): This group was an offshoot of the Cafecitos and is a forum for discussing and learning about various topics, issues, and training needs for our Spanish-speaking families.
  4. Grupo de Hombres (Men's Group): This is another offshoot of our Cafecitos and will provide a forum for our Spanish-speaking Dads. It will be held twice a month, once at the AV office (in the morning) and once at the SFV office (in the afternoon).
  5. Family Empowerment Team in Action (FETA): Our FETA program has come to an end after 3 years. Jesse expressed his appreciation to the Family Focus Resource Center and to the folks at CSUN. We will be submitting FETA's final outcomes to DDS soon.
- E. CalFresh: An inter-agency agreement has been established and workshops are coming soon.
- F. Self-Determination Program (SDP) Update: We have 192 consumers enrolled, 13 have completed their person-centered plans, 3 have completed their budgets, and 4 have certified budgets. The next orientation will be held in the morning of March 2<sup>nd</sup> (AV office) and the next informational meeting will be held in the afternoon of March 2<sup>nd</sup> (AV office). The next monthly SDP advisory group meeting will be held February 20<sup>th</sup> at 7:00 p.m. (AV office); Michelle Heid is the chair of that group.
- G. National Core Indicators (NCI) Survey: The State Council on Developmental Disabilities will be interviewing adult consumers 18 years and older as part of the NCI program. They want to find out about consumers' services and supports. The surveys will be conducted through the end of June.

## **VII. Community Services Director's Report (Evelyn McOmie)**

- A. SB 81 Rate Increase Letters: If you don't receive your letter by March 1<sup>st</sup>, go to [contract&compliance@nlacrc.org](mailto:contract&compliance@nlacrc.org). There is a link on the HCBS portal on how to complete the survey. In addition, webinars will be held on February 13<sup>th</sup> and 14<sup>th</sup>; informational fliers are on the information table. There are no increases for service providers with SMA rates.
- B. Minimum Wage Increases: Effective January 1, 2020, the minimum wage has increased to \$12/hour for companies with 25 employees or less and \$13/hour for companies with 26 employees or more. Service providers may be eligible for a rate increase to compensate for these increases depending upon how their rate was

originally set. Please contact the community services department with any questions.

- C. DS 1891 Forms: Service providers need to update the information on their forms every 2 years – even if there are no changes to the information.
- D. Annual Evaluations: Are due for 862 service codes (in-home respite) by March 31<sup>st</sup>. Please submit them to [contract&compliance@nlacrc.org](mailto:contract&compliance@nlacrc.org).
- E. Licensed Homes and Programs: Please sign up for the Provider Information Notice (PIN) from Community Care Licensing to receive updated notices. A hyperlink has been included in our recent newsletter.
- F. RSO Classes: Will now be held within a 30-day period, 2 classes per week. The classes will begin on March 2<sup>nd</sup>. These classes are for anyone opening a group home or becoming an administrator. There are still 30 spots available. For more information, see our newsletter.
- G. HCBS Surveys: If you haven't received a survey from OIG, please check your spam. Please contact Sonja Chapman with any questions.
- H. Upcoming Trainings:
  - 1. Personal & Incidental Funds: February 25<sup>th</sup> (AV) and February 26<sup>th</sup> (SFV).
  - 2. SIRs and Risk Mitigation: March 19<sup>th</sup> (AV) and March 31<sup>st</sup> (SFV). Please sign up on our website.

### **VIII. Legislative Advocacy Report** (Michelle Heid/Raquel Armendariz)

Michelle and Raquel, the center's legislative outreach and education team, provided copies of their written report; highlights included:

- A. The primary election on March 3<sup>rd</sup> and a list of candidates who will be on the ballot.
- B. LA County's new voting system.
- C. NLACRC Grass Roots visits with local legislators.
- D. The legislative calendar.
- E. Summaries of recent legislative hearings.
- F. An update on current bills.
- G. Upcoming events.

## **IX. Committee Business**

- A. Update on Employment Committee (Erica Beall): The next meetings will be held at 2:00 p.m. on February 25<sup>th</sup> at The Adult Skills Center. Unfortunately the DS Task Force's community resources workgroup is meeting at that same time.

## **X. Agenda Items for the Next Board Meeting**

The following item was identified for the VAC's section of the February 12<sup>th</sup> board meeting agenda:

- A. Minutes of the February 6<sup>th</sup> VAC Meeting

## **XI. Announcements/Public Input**

- A. Dana Kalek announced that Early Start trainings will be held here at 9:30 a.m. on February 20<sup>th</sup>. Please contact her with any questions.
- B. Next Meeting: Thursday, March 5<sup>th</sup> (full meeting)

## **XII. Committee Work** (The committee breaks into their workgroups)

- A. Early Start Services (Dana Kalek)
- B. School Age Services (Mariela Feldman)
- C. Adult Services (Jenni Moran)
- D. Implementation of Legislative Changes (Sharoll Jackson)

## **XIII. Adjournment**

Sharoll adjourned the meeting at 10:58 a.m.

Submitted by,

*Jennifer Kaiser*

Jennifer Kaiser  
Executive Assistant

[vacmin.feb6.2020]

