

North Los Angeles County Regional Center
Vendor Advisory Committee Meeting Minutes

April 2, 2020

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

Absent: Sharoll Jackson

I. Call to Order & Introductions

Jenni Moran called the meeting to order, on behalf of Sharoll Jackson, VAC chair, at 9:40 a.m.

II. Public Input – There was no public input.

III. Consent Items

A. Approval of Agenda

M/S/C (S. Bisogno/D. Kalek) To approve the agenda as presented.

B. Approval of Minutes from the March 5th VAC Meeting

M/S/C (O. Almog/S. Bisogno) To approve the minutes as presented.

IV. Executive Director's Report (Ruth Janka)

A. COVID-19 Report

1. **Status of COVID-19 Infections in California:** As of March 31, 2020, there were a total of 8,155 positive cases and 171 deaths in California.

2. **Updates from the State**

- a. Governor Newsom announced that **Safe At Home** to continue through **April 30, 2020**.
- b. State superintendent of public instruction announced **schools are closed** for remainder of the school year.
- c. California's public health officials today released guidance on the use of **cloth face coverings** to protect against COVID-19 for Californians who must leave their homes to conduct essential activities.
- d. Three major statewide public interest advocacy groups, one of which is Disability Rights California, yesterday urged Governor Newsom to take stronger action to protect tenants against **evictions** due to the COVID-19 pandemic.
- e. New directive from the Department of Developmental Services (DDS) allowing additional services to be **participant directed**, including personal assistance, independent living services, and supported employment.

3. **Federal Actions (Highlights)**

- a. Families First Coronavirus Response Act (FFCRA) signed into law March 19, 2020, which addresses food nutrition security, unemployment benefits, paid leave, free health testing, and more.

- b. Coronavirus Aid, Relief and Economic Security Act (CARES Act) signed into law March 27, 2020 is aimed at helping individuals directly as well as states and business that are suffering as a result of the pandemic.
 - c. Unemployment
 - Allows employers to reduce hours instead of laying off employees, while employees could claim partial unemployment benefits expanded for wage losses.
 - Adds \$600/week payment increase in unemployment benefits through the end of July 2020 and for those needing it an additional 13 week of benefits beyond what states typically allow.
 - Expansion of benefits set to expire at the end of 2020.
 - d. Paid Leave
 - CARES Act introduces a tax credit for certain employers that are subject to closure due to COVID-19.
 - FFCRA provides that employers with fewer than 500 employees (and all public sector employers) are required to provide paid sick leave of 2 weeks for full-time employees due to an isolation or quarantine order or advisory, or are experiencing symptoms, or caring for a family member or for a child whose school or care provider is closed due to public emergency.
 - Further, such employers are required to provide up to 12 weeks of job-protected leave to employees to care for a child whose school or care provider is closed. Employers would be required to pay two-thirds of the wages of these employees, not to exceed \$200 per day and \$10,000 in aggregate.
 - In order to fund these benefits, employers may claim a 100% refundable payroll tax credit on wages associated with paid sick and medical leave as required in the bill, as well as expenditures associated with additional health benefit contributions. Any additional wages paid due to the leave requirement will not be subject to the employer portion of the payroll tax. Although nonprofit organizations generally do not have income tax, they are able to apply this credit against their payroll taxes. The law has built in a waiver of penalties on anticipating the payroll tax credit for not making proper payroll tax deposits.
 - e. Food and Nutrition Services
 - FFCRA allocates \$1 billion in nutritious foods to various charitable classes served by nonprofits, including low-income pregnant women, mothers with young children, senior citizens, and food banks.
 - The provisions also bolster free and reduced lunch assistance to households with children who would normally receive free or reduced-price meals if not for their schools being closed due to coronavirus.
 - Finally, 25 million additional home-delivered and pre-packaged meals will be provided to low-income seniors who depend on the Senior Nutrition program.
4. **Authorization to pay for Absences under the State Of Emergency:** DDS authorization dated March 12, 2020; the authorization does not have a set expiration date.
- a. Billing and ability to receive payment.

- b. Documentation of absences/non-participation due to COVID-19.
- c. How long can service providers expect continued funding from DDS for absences.

5. Alternative Service Delivery Considerations

- a. Staff with Department of Justice (DOJ) background checks to provide direct services at residential facilities who are in need of additional staffing support – identify staff willing to serve COVID-19 positive consumers.
- b. Staff willing to provide direct services and support to consumers living with supported living services (SLS) setting to support SLS vendors with additional staffing support needs.
- c. Programs willing to use their site to either:
 - Isolate consumers who have tested positive for COVID-19.
 - Provide temporary shelter if a consumer is displaced from their current home,
 - Provide individualized childcare for direct care staff so that the direct care staff may provide services and supports to consumers living in a residential setting or SLS setting.
 - Provide respite for some family members
 - Make daily telephone calls to individuals living in SLS.
 - Make daily telephone calls to residential facilities.
- d. Staff to support consumers and families that need assistance with the delivery of groceries or the pick-up of pharmacy prescriptions.
- e. Direct care staff to regularly contact consumers and families to determine the status of their health and wellbeing and to ensure they have sufficient supplies; for individuals known to have been exposed to COVID-19, daily contact is needed.

6. Alternate Locations or Remote Electronic Communications: Services to consumers & families can be delivered in alternative locations or through electronic communications, including Skype, Facetime, video conference, or telephone conference for specific service types, see DDS directive.

7. Flexibility for Services/Alternative Service Delivery: DDS directive dated March 18, 2020; the directive is in effect for 30 days from March 18th or until April 17th.

- a. Complete self-certification survey.
- b. Keep documentation of service delivery provided (dates, times, staff performing service, method of service delivery, consumer name, UCI number).

8. Surge Capacity

- a. Actions taken by NLACRC (meeting with day programs, transportation, independent and supported living services, personal assistance, respite.
- b. Staff registry of DOJ cleared staff.
- c. Alternate site locations for serving individuals testing positive for COVID-19.
- d. Survey monkey

9. NLACRC Activities Information: NLACRC updated it's website to make it easier to navigate and find information.

10. DDS Directives

- a. Additional Participant-Directed Services (March 30, 2020)
- b. Non-Discrimination in Medical Treatment for COVID-19 (March 30, 2020)
- c. Admissions and Discharges from State-Operated Facilities (March 25, 2020)
- d. Eligibility, In-Home Respite Workers and Family Fees (March 25, 2020)
- e. Reporting Incidents Related to COVID-19 (March 25, 2020)
- f. Immediate Risk Management Strategies for ARFPSHN and ICF/DD-CN (March 23, 2020)
- g. Regional Center Requests for Placements into Licensed Residential Settings (March 20, 2020)
- h. Fingerprint Clearance and Exemption Transfers (March 20, 2020)
- i. Flexibility in Provision of Services and Supports for Consumers and Providers (March 18, 2020)
- j. Regional Center Monitoring Staff and Activities (March 18, 2020)
- k. Consumers in a Day Program at High Risk for Serious Illness to Stay Home (March 12, 2020)
- l. Waiving Requirements for In-Person Early Start Eligibility, Services, or In-Person Individual Program Plan Meetings, Remote Electronic Delivery of Early Start Services, and Authority for Regional Centers to Approve Health & Safety Waiver Exemptions (March 12, 2020)

Through all of this, it was noted that although service provider facilities are closed, the programs remain open, they are just operating in an alternative manner. Any providers who have billing questions should contact Ed Gonzalez in our accounting department: EGonzalez@nlacrc.org.

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

- A. Tracking COVID-19 Related Expenses: DDS has asked regional centers to track all of their expenses related to COVID-19 and report that information to them.
- B. Financial Report: The center's operations budget for FY 2019-20 is currently \$55,978,293 and the purchase of service (POS) budget is \$498,952,961 for a total budget of \$554,931,254. We are projecting a deficit in our POS budget of \$2,594,414, which will be resolved by future allocations from DDS. Statewide, 11 of the 21 regional centers are projecting POS deficits at this time (NLACRC is reporting the lowest deficit).
- C. Audited Financial Statement: The center had another excellent audit, which was accepted by the Board of Trustees last month, and has since been posted on our website.
- D. NLACRC's Tax Return: The center's CPA will present NLACRC's IRS form 990 tax return at next week's board meeting. The return was quite similar to last year's and had no "red flags."

- E. Transparency and Public Information Policy: This board policy was updated and the changes were approved by the Board of Trustees. The updated policy can be found on our website.
- F. Additional Check Runs: Additional check runs will be held in April to help service providers who submit late bills.

VI. Chief of Program Services Report (Jesse Weller)

- A. Unrecognized Callers: We have been experiencing issues with consumers and families not recognizing NLACRC staff contacting them because they don't recognize the number. We are working to fix this problem.
- B. Barriers in Contacting Staff: If providers have any problem contacting staff, please contact Jesse directly: JWeller@nlacrc.org.
- C. SANDIS Enhancement: SANDIS now has the capability to approve POS retro authorizations electronically which will help prevent delays.

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

- A. Residential Service Orientations: Have been postponed along with all service provider trainings. Trainings provided via Zoom are being explored; more to come.
- B. Rate Letter Agreements: Most providers have submitted their rate letter agreements, but we still have 164 that are pending. The increases will be retroactive to January 1st.
- C. Surge Capacity: We have sent out a survey monkey to get information on providers' surge capacity.

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

- A. Legislative Changes due to COVID-19: Michelle had Jennifer K. forward her report to service providers yesterday. The report included an explanation of each DDS directive that has been released so far, links to various resources, and events that will be held virtually.
- B. Legislative Recess: The legislature is currently on recess with plans to reconvene on April 13th, but that could change depending on the status of the virus.
- C. Legislative Hearings: All legislative hearings have been canceled at this time.

IX. Committee Business

- A. Resignation of Deborah Cutter from the VAC
- B. Update on Employment Committee (Suad Bisogno/Erica Beall): Suad missed the last Employment Committee meeting because she was on maternity leave. Alona Yorkshire, from The Adult Skills Center, attended and reported that the committee is looking at different ways to support individuals transitioning from the paid internship program (PIP) to the Department of Rehabilitation. They have invited representatives from the DOR to come to

their future meetings. The committee is putting together the recommendations which they will present to the VAC. The next meeting is tentatively scheduled for April 18th via Zoom.

- C. Update on Developmental Services (DS) Task Force Meetings (Erica Beall): To maintain focus on the response to COVID-19, DDS is postponing all DS Task Force and Workgroup activities. This includes the upcoming video conference workgroup meetings scheduled for March 23 and 24, April 3 and April 7.

X. Agenda Items for the Next Board Meeting

The committee identified the following item for their section of the April 7th board meeting agenda:

- A. Minutes of the April 2nd VAC Meeting

XI. Announcements/Public Input

- A. It was reported that consumers at Jay Nolan Community Services have begun making masks!
- B. Next VAC Meeting: Thursday, May 7th, at 9:30 a.m. (via Zoom)

XII. Adjournment

Jenni adjourned the meeting at 11:23 a.m.

Submitted by,

Jennifer Kaiser

Jennifer Kaiser
Executive Assistant

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