



ASTERN LOS ANGELES REGIONAL CENTER
 1000 S. Fremont Ave. • P.O. Box 7916 • Alhambra, CA 91802-7916
 (626) 299-4700 • FAX (626) 281-0730

ELARC Board of Directors Meeting
May 8, 2018
Approved June 12, 2018

Board Members Present:

Richard Helgeson, Vice-Chair
 Diane Lasell, Secretary
 Joe Utar, Treasurer
 Yougeng Sun
 Nestor Nieves
 Lida Chavez
 Devora N. Reed
 Virgilio Orlina, CAC Representative
 Elias Fonseca
 Brian Chacon, VAC (for Jose Reyes)

Staff Present:

Gloria Wong, Executive Director
 Felipe Hernandez, Chief of Consumer Svcs.
 Rosalie Estrada, Executive Assistant

Absent:

Anthony De La Rosa (Excused)
 Tony Borrego, President (Excused)

Guests:

Refer to Sign-In sheet



I Welcome & Roll Call

The meeting was called at to order at 6:05 pm by Richard Helgeson, Vice Chair, as Tony Borrego, President was unable to attend meeting. A quorum was present in order to conduct necessary business.

II Introductions/Opening Round: Board of Directors and Audience

Introductions of the Board of Directors and of the audience were conducted.

III Community Input

Julie Eby-McKenzie, State Council on Developmental Disabilities (SCDD), announced there is a special education conference, Wrightslaw Conference, in Los Angeles. Conference registration forms were made available. There is an early bird special if registered before June 30, 2018. Julie also indicated there is scholarship money available and expect to have a vendor number through Lanterman Regional Center. Conference will help parents be good advocates for their children in special education.

Julie also reported the SCDD office is fully staffed, Sofia Cervantes has been hired and is bilingual. One of the things they are currently working on is the State Plan. The SCDD is doing some strategic planning in the areas of education, housing, employment, self-advocacy, self-

determination and health safety. The SCDD would welcome ideas and input from the public. Julie extended an invitation to attend one of their Regional Advisory Committee Meetings, dates are posted on the SCDD website.

There were no other comments from the community.

IV. Approval of Board of Directors Meeting

A. Minutes of Board of Directors Meeting of April 10, 2018

M/S/C (Lida Chavez/Diane Lasell) To approve the Minutes of April 10, 2018 as recorded. Unanimous.

V. Executive Director's Report – Gloria Wong

Gloria Wong, Executive Director, introduced policies and procedures to be updated based on Trailer Bill Language (TBL).

Policies were presented for review and approval by the BOD. The policies were posted on the ELARC website and comments were to be submitted to Elizabeth Harrell, Supervisor, Information and Training. Two separate comments were received and correspondence was shared with the Board for consideration.

A. Proposed Draft Revisions: Purchase of Services (POS) Policies

Health Services Early Start (0-3) Policy

Mr. Hernandez, Chief of Consumer Services, reported the criteria section was moved to the definition section. Additionally language was added on page 3 added which reinforces the planning team role on the IFSP. If medical services are identified on the IFSP and it is not available through the family's private health insurance policy or health care service plan ELARC will fund the service to ensure compliance with the timely provision of service requirements contained in the Code of Federal Regulations, Title 34, Part 303, commencing with Section 303.1.

M/S/C (Diane Lasell/Virgilio Orlina) To approve the Health Services Early Start (0-3) Policy as presented. Unanimous.

Medical Supplies Policy & Medical Equipment Policy

Mr. Felipe Hernandez, Chief of Consumer Services, reported one letter was from a parent who has a child registered with ELARC. She expressed concern about the policy related to medical equipment and supplies, attachments # 6 & 7. She expressed concerns regarding the statement in both policies which relates to 400% of the poverty level. She indicated the regional center should not have language and policies that would require financial income screening. Mr. Hernandez explained that regional centers are required to use citations directly from the Lanterman Act which indicates the family must have an annual gross income that does not exceed 400 percent of the federal poverty level. Families must also meet other criteria such as applications for Medi-Cal and using private insurance when appropriate. Proof of denial is required.

Regional Centers may deny a request if a family indicates they do not want to go through their medical insurance or Medi-Cal, based on the law. Parent is requesting that this language be deleted.

Reference was made to Pages 2 which speaks to the 400 percent poverty level and page 3 which references an exception for individuals to access support from regional center. If there is an existence of a catastrophic loss that temporarily limits the ability to pay by the parent, guardian or caregiver, or adult consumer with a health care service plan or health insurance policy and creates a direct economic impact on the family or adult consumer, the regional center may support the family.

Mr. Hernandez referenced W&I Code Section 4659 and recommends the language remains as presented based on regulations. G. Wong requested that Mr. Hernandez or designated staff contact parent who submitted comments of action taken.

M/S/C (Diane Lasell/Joe Utar) To approve the Medical Supplies Policy and the Medical Equipment Policy as presented. Unanimous.

Adult Day Programs Policy

Policy was last revised September 17, 2017. The language added to the policy is the Home and Community-Based Services (HCBS) Final Rule on page 1 which relates to community integration, opportunities to work and spend time with non-disabled peers in line with Federal law.

M/S/C (Diane Lasell/Brian Chacon) To approve the Adult Day Program Policy as presented. Unanimous.

Assistive Technology Policy

Policy was last revised March 23, 2018. Examples of assistive technology are computers, specifically adapted devices such as eating utensils, reaching devices, electric door openers, and electronic speech enhancers. Language added that all possible sources of funding be exhausted per WIC Section 4659.

M/S/C (Lida Chavez/Joe Utar) To approve the Assistive Technology Policy as presented. Unanimous.

Independent Living Services (ILS)

Ms. Wong reported comments were received from the Law Office of Chad Carlock on May 4, 2018 for the Independent Living Services Policy. A copy of the letter was shared with the Board of Directors.

Ms. Wong noted on Page 2 of the letter Mr. Carlock indicates he strongly endorses the policy and recommends some proposed changes be adopted.

Mr. Hernandez reviewed the policy changes. Language was added from SB 1093 which states ILS training focuses on teaching functional skills to adult consumers who generally have acquired basic self-help skills or who have attendant care and require additional skills to maintain themselves in their chosen living arrangement. Training areas may include, but are not limited to: cooking, cleaning, menu planning, meal preparation, shopping, money management, homemaking skills, community inclusion training, community/emergency resource awareness.

Also for approximately the last three or four years ELARC has not followed the policy as written due to TBL change but have followed a memorandum from DDS on the subject. Language was struck under Criteria which was more restrictive than it should have been. The maximum of 15 hours per month of training was deleted. The 40 hours per month was deleted. Added was an exception which may be granted based on need and mutually agreed upon by the IPP Planning team. Additionally the time limited language was also deleted.

The letter expressed concerns on how the revised policy read. ELARC agreed to the letter but just have not yet made the necessary changes. Additionally training of the Consumer Services staff was provided in 2014 advising them there was no longer a restriction of ILS hours (40 hours), that it was an ID Team decision as to how many ILS hours would be provided and how long the services would be provided. Unfortunately, policy was not revised to reflect the regulations.

Mr. Hernandez asked if there would be any consideration to the language being suggested in the correspondence from Mr. Carlock. He indicated the proposed language enhances the definition of what ILS services are and is not inconsistent with the ILS Policy. (Page 1, paragraph 4)

Ms. Diane Lasell, board member indicated she likes the language as it explains a little more and easier to understand.

M/S/C (Virgilio Orlina/Brian Chacon) To approve the Independent Living Services Revision Policy as amended, with the amendment as noted in the correspondence from the Law Offices of Chad Carlock. Unanimous.

In-Home Respite Policy

Mr. Hernandez reported the Department of Developmental Services has been in contact with all the regional centers regarding the In-Home Respite Policy change. They wanted to ensure language was added to make it clear what had changed and how they can access respite hours. Reference was made to page 3 of the policy, statement added per request of DDS.

The service coordinator will remind the family/consumer that the 90 hours of respite per quarter has been lifted and that they may request an exception for more hours of respite if they disagree with the hours offered by the regional center as a result of completing the respite assessment guideline. The family/consumer can request the exception directly from the service coordinator or provide a written request for exception. Should the regional center not grant the exception, family/consumer may file for fair hearing.

DDS indicated that by adding above language the policy the Policy would be approved.

The request for respite may require additional documentation, such as updated Respite Needs Assessment, a behavioral assessment, a clinical review/and or medical assessment depending on the situation in order to substantiate the need. In all cases, the planning tem shall approve the request.

M/S/C (Lida Chavez/Brian Chacon) To approve the In-Home Respite Policy as presented. Unanimous.

Ms. Wong thanked the Board of Directors and indicated the revised Policies will be submitted to DDS for final approval.

B. Self-Determination Program (SDP) Update

1. Federal Application Status

Ms. Wong reported the Self-Determination (SD) Waiver application was submitted on March 13, 2018. This triggers the 90 day review process timeline and barring any required changes would result in an approval in June 2018.

2. Pilot Participants Meeting: April 24, 2018

Ms. Wong reported a meeting was held with the 24 pilot participants on April 24, 2018. Originally there were 32 participants in the pilot but with attrition over the years the total participant count has been reduced to 24.. The majority of families were present and were engaged in discussing the many changes from the original pilot. A power point presentation was provided along with the Proposed Budget categories. There are services that some of these families are utilizing which may not meet the criteria under the new SD regulations.. The service coordinator will be meeting with the families to go over the IPP and what services may not be eligible.

A copy of the power point presentation and the proposed budget categories was shared with the Board. Also shared with the Board was a copy of the Frequently Questions Asked.

ELARC will have 85 additional consumers added to Self-Determination.

Currently ELARC is scheduling public informational sessions. Sessions are scheduled for May 17th at Palm Park in Whittier, June 28th in the ELARC Board Room and July 25th also in the ELARC Board Room.

3. General Information Notice

The ELARC Self-Determination Update Notice was shared with the Board. Currently there are 222 names of individuals served by ELARC whose names have been submitted to the Department of Developmental Services (DDS). Individuals whose names have been submitted will receive a letter from DDS and can also verify being added by going to the DDS website.

4. Local Advisory Committee

The next Local Self-Determination meeting is scheduled for June 5, 2018 and is open to the public.

C. POS Equity Issues

1. Correspondence to DDS from ARCA

Correspondence from ARCA to Nancy Bargmann, Director of DDS re: ARCA Feedback on Tracking Progress in Reducing Service Disparities was shared with the Board. DDS has sought input from ARCA. As was discussed previously there are approximately nine additional measurements on disparity that DDS is working on. They would like to get it approved in the upcoming budget cycle. There are concerns about the direction of only measuring POS expenditures without assessing satisfaction of current service plan.

Ms. Wong reported Ms. Bargmann will be meeting with the Regional Center Directors sometime in August to continue this discussion..

2. Children’s Hospital Research Project

The ARCA Equity Study conducted by Children’s Hospital Los Angeles is getting started. Nine regional centers were selected, ELARC was not selected. There will be three components to the reach study: (1) Consumer focus groups; (2) Parent focus groups; and (3) Regional Center staff focus groups. The various groups will lend their unique perspective to the causes of disparity and how to balance POS expenditures.

D. Budget Update

1. Fiscal Year 2017-‘18

(a) PEP (Purchase of Services Expense Report)

Ms. Wong reported the deficit continues to decrease, projecting a deficit ranging from \$3.2 million to a low of \$2.8 million. There are about 50% of the regional centers experiencing deficits. Some regional centers reporting a surplus and it is anticipated that the deficits will be made whole by this surplus. Ms. Wong expects the transfer of money to be done sometime in June.

(b) Budget Performance Report: Operations

A modest surplus of \$92,513 remains available in the operations budget. Ms. Wong reiterated the reasons for this narrow balance, which is in large part due to the escalating costs of additional service coordinators hired with no future adjustments for increased costs over subsequent fiscal years.

Ms. Wong noted that the outdated operations funding formula, commonly referred to as the “core staffing” formula, is over twenty years old and funding levels are inconsistent with current salary scales and benefit costs.

2. Fiscal Year 2018-19

Gubernational Interview/Questions: The Lanterman Coalition will interview Gavin Newsom and Antonio Villaragosa. The interview will be limited to thirty minutes.

Overview of System: A copy of the paper developed by ARCA re: the Regional Center system was shared with the Board. The material will also serve as educational information on the regional center system to the candidates

3. Budget Hearings:

(a) Service Coordination Shortfall

A position paper developed by ARCA re: Service Coordinator Shortfall was shared with the Board.

(b) Bridge Funding to Meet Community & Individual Needs:

A position paper developed by ARCA re: Bridge Funding to Meet Community and Individual Needs was shared and reviewed with the Board.

VII Consumer Services Report: Felipe Hernandez, Chief of Consumer Services

Report deferred.

VIII Committee Reports

A. Consumer Advisory Committee (CAC)

Virgilio Orlina, CAC Chair, reported the CAC held its Debriefing and Planning Meeting on April 17, 2018. In attendance were Jesse Padilla and the newly elected CAC Vice Chair Marisol Guerrero. Mr. Padilla discussed with Ms. Guerrero the duties of the Vice Chair as stated in the CAC Bylaws. Also discussed was what worked and didn't work at the last CAC meeting held on March 20th. Ms. Guerrero shared the CAC meeting of March 20th was well attended and they were able to conduct the election for the Vice Chair. There was a guest speaker who spoke on the topic of Interacting with Law Enforcement.

Jesse Padilla, Consumer Advocate continues to outreach to consumers and has recently conducted presentations at CAPC, Ability First and Social Vocational Services. He also continues his case consultation for the benefits of consumers in the areas of transportation, peer advocacy and Access Services.

The next CAC Meeting is scheduled for May 15, 2018 from 4:00 p.m. to 6:00 p.m. in the ELARC Board room and via video conference at the Whittier Office. The main topic of the meeting will be "How to Find a Job". The guest speaker will be Mr. George De La Loza, ELARC Employment Specialist.

B. Vendor Advisory Committee

Brian Chacon, Vice Chair, Vendor Advisory Committee, reported the following:

The VAC met on April 26th (meets on the 4th Thursday of the month). Liz Harrell, Supervisor, Information and Training, provided information on Self-Determination training. There were also reports from Ron Rosen, Chair of the Networking Group, on the 2019 Community Resource Fair. Planning is underway, target date is April 2019. The slogan for the fair will be "Neighbor to Neighbor, Celebrating our Diversity in Community Resources and Family Passion". They will be targeting several areas within the ELARC's catchment area, one being at the Alhambra campus.

The Legislative group, Maria Moberg, reported on Grassroots Day.

The next VAC meeting is scheduled for May 24th, training will be on medical systems and health safety by ELARC's Dr. Figueroa, In-house Physician.

C. Finance/Personnel Committee

There were no meetings scheduled.

IX Miscellaneous Announcements

There were no announcements.

X. Adjournment

There being no further business to discuss the meeting was adjourned at 7:11 p.m.

Respectfully submitted by:

Diane Lasell, Secretary, ELARC Board of Directors

Recorded by: Rosalie M. Estrada, Executive Assistant