



EASTERN LOS ANGELES REGIONAL CENTER
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ELARC Board of Directors Meeting Minutes
May 14, 2019
Approved as Recorded July 9, 2019

Board Members Present:

Richard Helgeson, Vice-Chair
Joe Utar, Secretary
Diane Lasell, Treasurer
Yougeng Sun
Lida Chavez
Anthony De La Rosa
Nestor Nieves
Devora Reed
Virgilio Orlina, CAC Representative
Bryan Chacon, VAC Representative

Staff Present:

Gloria Wong, Executive Director
Felipe Hernandez, Chief of Consumer Svs.
Frances Jacobs, Manager, Community Svs.
Rosalie Estrada, Executive Secretary

Guests:

Refer to Sign-In Sheet

Absent:

Tony Borrego (excused)
Elias Fonseca (excused)

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I Welcome & Roll Call

The meeting was called to order at 6:00 P.M. by Richard Helgeson, Vice-Chair, as Tony Borrego, Board President was unable to attend the meeting. A quorum was present in order to conduct necessary business.

II Board & Community Introductions/Opening Round:

The Board and audience introduced themselves.

IV. Community Input

Josefina Nieves, parent, thanked Anthony De La Rosa, for inviting her and her son, Nestor Nieves, board member, to the "Ride for Autism" event. She indicated this was the first time attending and they both enjoyed the event.

Anthony De La Rosa indicated it was a record high event, 102 plates were served at the restaurant. The down side is there were not many high end auction items and therefore the funds raised were lower than previous years, nevertheless, the increased attendance made it a great event.

Richard Helgeson, Vice-Chair, thanked all present for attending the meeting this evening.

IV. Approval of Board of Directors Meeting Minutes

A. Minutes of Board of Directors Meeting of April 9, 2019

M/S/C (Lida Chavez/Anthony De La Rosa) To approve the Board of Directors Meeting Minutes of April 9, 2019 as recorded. Unanimous.

VI. Executive Director’s Report – Gloria Wong

A. Public Meeting: 2019 Caseload Ratio Survey & Results

Ms. Wong opened by giving background information on the purpose of the formal public meeting to review the results of the 2019 caseload ratio survey results. Ms. Wong indicated that based on Welfare & Institutions Code (WIC) Section 4640.6(c) regional centers are required to meet specified caseload ratios in six categories. The analysis is conducted on an annual basis with the results submitted by March 1st to the Department of Developmental Services (DDS).

Ms. Wong referenced Attachment #2 in the Board packet, the public notice which was posted on the agency website and circulated to the community. The deadline for public input was May 6, 2019 and no input or comments were received. The meeting included a comprehensive review of the following table which identifies the six categories analyzed for caseload ratio compliance.

	Medicaid Waiver	36 mos. and Under	Moved from DC Since 4/14/93 in Community > 24 months	Moved from DC Since 4/93 Placed in Community Between 12-24 Months	Moved from DC Within Last 12 Months	All Others
Actual Ratio	68.5	64.7	50.3	36.1	30.2	74.3
Required Ratio	62	62	62	62	45	66

Ms. Wong reviewed the caseload ratio comparison of the last three fiscal years to the current caseload ratio.

In reviewing the above results Ms. Wong noted that ELARC met only three of the six required ratios. The categories not met are shaded in grey and included the following caseloads:

- Medicaid Waiver
- 36 Months and Under (Early Start)
- All Others

Ms. Wong cited significant statewide improvement in caseload ratios in Fiscal Year 2016-'17. This was the fiscal year that Senate Bill (SB) 826 was enacted to fund and improve caseload ratio compliance. The Bill's primary emphasis was placed on the "Medicaid Waiver" cases in order to protect federal funding for these cases. Federal funding constitutes approximately 48% of the \$6 billion allocation to regional centers. The share of funding to ELARC as a result of SB 826 was \$619,948 which was allocated around September 2016. The funds were to be exclusively used for the hiring of additional service coordinators and had to be spent in Fiscal Year 2016-'17 or the balance would revert to DDS. Throughout Fiscal Year 2016-'17 ELARC conducted staggered hiring practices, ultimately recruiting 26 new service coordinators. The effect over the next two fiscal years saw a significant improvement in caseload ratio compliance as noted in the following survey results:

- Fiscal Year 2016-'17: One category not met: All Others
- Fiscal Year 2017-'18: One category not met: All Others

In the current reporting cycle for Fiscal Year 2018-'19 the progress gained was reversed, resulting in three categories not met as compared to the previous two fiscal years noted above. The cause for this turnabout is the ongoing insufficient funding in the operations budget. The original allocation in Fiscal Year 2016-'17 has remained stagnant over the last three fiscal years. There has been no adjustment or consideration to the growing costs associated with service coordinators hired three years ago, i.e. salary increased and benefits. As a result there is a cumulative erosion of the original allocation, what originally funded 26 service coordinators now only funds 12 service coordinator positions. That difference in cost is absorbed by the general core staffing allocation formula, which has not been updated since the 1990's. The end result is an operations budget under tremendous strain which critically limits the ability to comply with required caseload ratios and the countless other critical staff resources needed to support quality services. Ms. Wong illustrated the significant shortfalls in the core staffing formula by comparing the service coordinator funded salaries versus actual costs.

- ✓ Core staffing service coordinator salary: \$34,032
- ✓ ELARC average salary per service coordinator: \$58,005
- ✓ Core staffing benefits: 23.7%
- ✓ ELARC actual benefits: 28%

In Fiscal Year 2017-'18 with the passage of SB 826 the allocation was based on an updated formula for new service coordinator and benefits as follows:

- Service Coordinator salary: \$48,000
- Benefits: 34%

The above figures apply only to the \$619,948 which was allocated with SB 826 funds. The end result is a gaping disparity in the funding for the same position, service coordinators, and the ever increasing shortage of operation funds.

ELARC Caseload Ratio Plan of Correction: Insufficient operations funding has not allowed for the hiring of an additional seventeen (17) service coordinator positions needed to meet the caseload ratio requirements. The Association of Regional Center Agencies (ARCA) is pursuing increased funding for the hiring of additional service coordinator in Fiscal Year 2019-'20 in an effort to reduce ratios.

B. Association of Regional Center Agencies (ARCA): 2019 Statewide Caseload Ratio Analysis

The DDS Service Coordinator Statewide survey was reviewed. There were 20 regional centers that did not meet the caseload ratio requirements. Total service coordinators needed statewide are 691. Ms. Wong reviewed the graphs which shows the statewide results for: overall caseload ratio, the caseload ratio for Medi-Caid Waiver, Early Start and the All Others categories.

The Association of Regional Centers (ARCA) is requesting an 8% restoration to the regional center operations budget. As noted above, ELARC's "Plan of Correction" to comply with the required caseload ratios is that operations funding must be made available to reverse the current and future trends of non-compliance.

M/S/C (Anthony De La Rosa/Joe Utar) To approve the Caseload Ratio Plan of Correction stating that the hiring additional seventeen (17) service coordinators will hinge on approval of additional OPS funding. Unanimous.

C. Community Placement Plan (CPP) FY 2018-'19

Frances Jacobs, Manager, Community Services Division, presented on the Community Placement Plan (CPP) allocation received from the Department of Developmental Services for purposes of creating community placement resources for ELARC's remaining developmental center (DC) consumers. ELARC has eight consumers with highly specialized needs, such as intense medical and behavioral needs. Every fiscal year the regional center submits to DDS the Community Placement Plan which outlines the community resources to be developed and the necessary funding. Approval of the CPP is typically received by the Regional Center in September/October. The approval triggers ELARC's posting a "Request for Proposal" (RFP)

which identifies the resources to be developed for the fiscal year. ELARC's RFP was posted and the result did not produce a broad list of qualified applicants that could meet the high demands of a very rigid development timeline for resources needed to relocate consumers from the developmental centers, which are slated for full-closure next fiscal year (2019-'20). In order to protect the allocated funds in current fiscal year ELARC requested DDS's approval to roll-over the funding and to allow for a sole-selection process in light of the very limited response to the original RFP. DDS granted the roll-over of authorized funds in current year for use in the 2019-'20 fiscal year. The proposed project was presented to the Board for approval as the policy indicates any funding exceeding the \$250,000 threshold must be approved by the Board based on existing policy and procedures.

There was only one applicant who attended ELARC's orientation session on November 1, 2018. The funding approval for the project was not received until January 16, 2019, but due to the limited timeline pressures to allocate the funds by June 30, 2019, ELARC conducted the orientation session in advance of formal DDS approval with the caveat that funding was still pending.

Due to extenuating current circumstances with the single applicant attending the orientation and due to current strained business relationship on a recent project ELARC determined that the crucial standards of cooperation and collaboration were unfortunately compromised and as such opted to go the route of sole selection. This process requires identifying a candidate with the necessary track record and expertise to ensure that the development of resources would be on a fast track by working in a collaborative and cooperative manner over the next fiscal year. In consultation with the DDS housing team we jointly opted to approach "Brilliant Corners" which has a long standing history of developing housing options statewide. DDS has been actively involved in the monitoring of the various projects being developed statewide by "Brilliant Corners" and ensured ELARC that they would play an active partnership role in the timely establishment of needed resources for ELARC's developmental consumers. DDS shared that "Brilliant Corners" has the necessary depth of staffing experts to ensure meeting the timelines of this critical resource for ELARC.

Ms. Jacobs reviewed the next steps in the process of securing a home to be purchased and renovated to meet the needs of the specific consumers targeted for placement into the community from the developmental centers. In summary:

Phase I: Acquisition and development of the property.

Phase II: Identify a service provider who can be vendored and operation the homes.

Ms. Jacobs reported that ELARC was still finalizing some changes to the draft contract which was included in the Board packet mailed on April 29, 2019. Ms. Jacobs noted three (3) changes were made to the draft since its mailing to the Board.

1. Term Agreement (page 1): Subject to the terms of Section 9 hereof, the term of this Agreement shall commence on May 15, 2019 and continue through a date prior to or no later than March 31, 2020. Brilliant Corners has asked to change the date to **March 31, 2021**.

Ms. Jacobs stated in March DDS asked ELARC to give an account on whether or not a project would be completed or will there be money to return back. ELARC is willing to extend the date to March 31, 2021, if approved by the Board.

2. Scope of Work (page 2): Brilliant Corners has asked if ELARC could change some of the wording in the second paragraph. Contractor shall also with the Regional Center Housing Specialist and/or Project Coordinator on securing ongoing funding through a variety of resources for continued growth, viability and sustainability in addition to acquiring a single family home within the Regional Center catchment area.

It is the responsibility of Brilliant Corners to secure on-going funding for maintenance of these properties. ELARC will only assist with the start-up. Ms. Jacobs indicated what can happen at times with the start-up they may run short on the renovation and sometimes regional center will go back to DDS requesting more funding. She also shared that once renovations have been completed, the city weighs-in. Ms. Jacobs illustrated with a recent situation of a home where original plans were changed and the activities undertaken. In the cited situation ELARC went back to the DDS and asked for some ongoing funding to help with the defrayment of the costs to do the improvements required by the city.

The language being proposed: ***If additional start-up funds become necessary for renovations or at a later time during operations contractor shall work with the Regional Center Housing Specialist to secure on-going funding through a variety of resources for continued growth, viability and sustainability***

3. Page 11: Signatures: Signature block, Brilliant Corners has advised ELARC William Picket, Executive Director will not be the signatory, but rather ***Sami Abdelatif, Director of Supportive Housing Development.***

M/S/C (Diane Lasell/Anthony De La Rosa) To approve the contract with Brilliant Corners and Eastern Los Angeles Regional Center as modified. Unanimous.

Ms. Frances Jacobs distributed a flyer regarding the community placement plan. The 2017 Budget Trailer Bill added legislation which allows DDS to provide funding for regional centers to develop resources to meet unmet needs in their communities with certain guidelines. These were the funds allocated for the community placement plan on an annual basis to all regional centers. Regional Centers will be able to develop much needed resources for consumers that are already in the community. Regional Centers are required by the guideline to submit information from our community about unmet needs. Service Coordinators on a regular basis let the Community Services Department know what resources are unavailable, this primarily takes place at the time of the IPP process. Efforts to identify unmet resource needs is ongoing

throughout the year and data is collected on unmet needs. This is the process Community Services uses to develop preliminary proposals.

ELARC will be proposing that funding be provided for the following unmet support and service needs:

- ✓ Home Health Services
- ✓ Out of Home Respite (Cultural and language specific to the Asian Community)
- ✓ In Home Therapy Services (Spanish, Cantonese and Mandarin Speaking)
- ✓ Competency Training (consumers who are judicially involved, may have assault from aggressive activity, individuals may have been injured from coming in contact with individuals being served by the regional center. These cases are usually involved in the court system and judges want to make sure individuals are competent to stand trial. If not competent they enter the regional center system and some are placed at Porterville and they are not going through the judicial system because they are found to be incompetent to stand trial. Regional Centers must find resources for their needs in hopes they will not be housed at Porterville for the rest of their lives. This is a challenging task, ensuring the community is safe and the individuals are getting the services they need which will help them maintain in the community.
- ✓ Residential Services for adults/children with high mental health, behavioral and medical needs
- ✓ Forensic Focused Residential Service

The above are much needed resources identified by ELARC service coordinators. The survey seeks the community input in confirming the needs identified by ELARC staff and/or to add their personal perspective on the gap in community services.

The survey was posted on ELARC's website on May 8, 2019. Additional distribution of the survey includes: service coordinators, the Family Resource Center, notices in the reception area and distribution to Vendor Advisory Committee (VAC) members. The deadline for community input is May 27, 2019. Regional Centers deadline in submitting proposals to DDS is June 14, 2019.

D. Self-Determination (SD)

The ELARC Self-Determination Update report was reviewed. The original pilot participants (23) attended their orientation May 14, 2019. Elizabeth Harrell, DDS, provided information to the participants.

A copy of the simple language Self-Determination Orientation was shared with the Board. It was created by the State Council along with special advocacy committee, made up of self-advocacy consumers. Maria Marquez, a former ELARC consumer, was the very first consumer who was part of the SD pilot and she was part of the committee who developed the orientation material.

Ms. Wong provided the following update on Self-Determination:

ELARC has a total of 107 cases that have been approved to be part of Self-Determination. Breakdown is as follows:

23 are part of the pilot. Participants attended their orientation May 14th.

84 new individuals were randomly selected by DDS. They are still going through the orientation phase before they can formally be accepted into SD.

- 45 of the 84 have registered for one of the orientation sessions
- 17 of the 45 have completed the sessions
- 29 of the 84, there has been no response. By the end of the week the families will receive personal calls from Liz Ornelas, Supervisor.
- 10 formal withdrawals from the SD list. Reasons cited: “not a good time”, “health reasons”, “maybe next cycle”. DDS will randomly select an additional 10 consumers.

A flyer with the upcoming orientation sessions was distributed to the Board.

The next Local Advisory Committee is scheduled for June 4, 2019.

E. Budget Update

1. Fiscal Year 2018-'19

- ✓ PEP (Purchase of Services Expense Report)

The Purchase of Services Expense Report (PEP) for the current fiscal year was reviewed. There is a projected surplus of \$1,029,510. Ms. Wong noted there is still an outstanding allocation of approximately \$990,160 for ELARC's Community Placement Plan (CPP).

- ✓ Budget Performance Report: Operations

Ms. Wong reported a modest surplus of \$174,164.

2. Fiscal Year 2019-'20 Update

Ms. Wong reported on the May Revise. Highlights are as follows:

- (1) RC operations increased by \$1.6 million for 21 positions for RC oversight, monitoring and anticipated expansion of the Family Home Agency model. No mention as to an increase for service coordination.

- (2) POS increase of \$1 million annual to pay copayments, coinsurance, and deductibles for Early Start in compliance with federal law.
- (3) \$1.6 million annually for RC Operations, for two years, 15 positions statewide for RC local implementation of trauma services to multi-family agencies.
- (4) Provider rate increases of \$163.7 million in FY 2019/20 (January 1 through June 30) for rate augmentations. Funding begins in January 2020 and is scheduled to sunset at the end of December 2021. To be done by setting a minimum payment rate with no reductions.
- (5) Annual increase in RC operations of \$4.5 million to carry out the rate augmentations and for the increased workload related to RC transparency measures.

Major Proposed Revisions:

- (1) Uniform Holiday Schedule will be suspended until the end of December 2021
- (2) Best Buddies specific line item in the Budget is proposed to increase from \$1.5 to \$2 million.
- (3) Also noted that consistent with concerns raised by RC/s, the annual budgeted salary for the RC behaviorist to monitor specialized facilities was increased from \$74,000 to \$85,000.

Additional information on the May Revise can be found in the DDS website. The complete report is 256 pages but information regarding the regional center system can be found on pages 34-35. Ms. Wong will continue to keep the Board informed.

She also reported on the Operations side, regional centers have indicated the need for a restoring \$39.2 million in the general fund for additional staffing and other operations expenses. Since 2016 there has been 8% increase in the consumer price index and a 12% increase in California wage index. While there are efforts underway to identify strategies for adjusting regional center funding model, there is a need for long term sustainability. Regional Centers are asking for additional service coordinators to address the shortfall in service coordinators. Reference made to the portions of the core staffing formula specific to service coordination which is significantly out of step with actual salaries.

ARCA is requesting \$117.5 million for the general fund to update assumed employment costs for service coordinators. The estimated costs for each position is \$55,000, currently being funded at \$38,000 annually. Currently statewide there is a need 691 service coordinators

statewide. Consideration has to be given to the impact of adding service coordinators, units will need to be created, office assistants, and supervisors to manage new unit, etc., all having a fiscal impact in the operations budget.

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

Felipe Hernandez reported on the following:

✓ Targeted Case Management Rate Study: Service Coordinators submit their daily tally sheets on how they are using their day by documenting TCM units in fifteen minute increments. They are required to document how they spent their day, whether it is case-management related or administrative activities which is not billable. There are billable services and non-billable services. The quality assurance review is done on a yearly basis in May. The report is forwarded to DDS who reviews to see that it is being accurately. It is federal money that comes from the state and it is way for the supervisors to make sure the coordinators are documenting their activities. Sometimes service coordinators get confused on what to bill for a particular type of activity, and if there is an error it is corrected.

✓ There was a meeting of the Southern California Chief Counselors last week and the group is working on updating the Memorandum of Understanding (MOU) with Probation, Department of Children and Family Services and the Regional Centers in Los Angeles County. The MOU has been in place since the mid 90's and has not been updated regularly. An effort is being made to update the MOU and to make it responsive to the current trends since it has been over 20 years since it was first created.

✓ Mr. Hernandez reported he attended a meeting at a high school last week as part of the LPA Agreement with Los Angeles Unified School District (LAUSD). There were a couple of interesting speakers as part of the collaboration of LAUSD. There was a presentation from the one of the community colleges by Dr. Ryan Horner, on how community colleges are trying to get more individuals into the colleges. They are offering cost free enrollment, the only cost is the tuition and getting to the campus. There is on-site support from the college and students can attend school cost free under Title 9.

There was a career transition presentation by Nicole Douglas from the Perez Center. It is primarily an employment support which LAUSD has created in four different sites. Mr. Hernandez reported he has visited the program and it and indicated it was a good program in terms of teaching individuals work skills, soft skills (?) and independent living skills. They are placed out in the community whether they are internships, voluntary or paid positions. The school district is requesting that regional centers support the program more as they are having some resistance from parents supporting the centers. Some of the students do not want to be identified as going to a somewhat segregated campus, but would rather be part of the regular group.

✓ A meeting was held last week with supported living providers here at headquarters. There was a discussion at Vendor Advisory Committee regarding the concerns expressed by supported living vendors and regional center has as well in terms of how services are being delivered. A work group has been established to try and work through the issues.

VII Committee Reports

A. Consumer Advisory Committee: Virgilio Orlina

Virgilio Orlina reported an informational session on Purchase of Services Disparity will be the main topic at the Consumer Advisory Committee Meeting to be held on Tuesday, May 21st. 2019 in the ELARC Boardroom and via video conference at the Whittier Office. The guest speaker will be Carmen Castro Luna, ELARC Supervisor, Family Services and Support Unit. The consumers will learn how POS Disparity works, how it's broken down and how it could affect them.

During this meeting, ELARC Executive Director, Gloria Wong, will also be present and will provide an update on Self-Determination.

Jesse Padilla, Consumer Advocate, will provide an update on the meetings, events and other consumer advocacy presentations he attended including the Annual Statewide Self-Advocacy conference.

Jesse Padilla and CAC Vice-Chair, Marisol Guerrero, attended the "Strengthening Self-Advocacy" presentation at the State Council on Developmental Disabilities (SCDD) Los Angeles Regional Office in Glendale on April 26, 2019.

B. Vendor Advisory Committee (Bryan Chacon)

Mr. Chacon reported the VAC met on April 25 in the board room and a video conference in Whittier. There was no speaker or trainer as they are scheduling presentations every other month, trying to get a little more value in the speakers and possibly doing some breakout sessions on the off months. They discussed legislative updates, Grassroots briefing, update on the 8% increases for service providers and rate study update. Also discussed was GAP funding in the high cost areas. Efforts have been shifted to the nominating committee for the upcoming elections in November. They were able to identify six members of the VAC to be on the subcommittee to focus efforts on getting somebody the nominations for November. HCBS agenda was the one page profile developed by the Person-Centered Coordinators which is a way to describe the importance of the individual living in a residential setting, day program, school and any other settings. Some vendors have adopted this one page profile and it is available on the website.

Vendors are pushing for continued efforts, the May Revise was release May 9th and they are reaching out to service providers to continue advocacy efforts through June 15th.

The next meeting will be on May 23rd and a speaker from CalAble will be addressing the vendors.

C. Finance/Personnel Committee (Joe Utar/Richard Helgeson)

There were no meetings scheduled for the Finance/Personnel Committee Meetings.

VIII Miscellaneous Announcements

Josefina Nieves, parent, indicated she heard that adults that receive Social Security (SSI) can receive food stamps as of June 1st.

Felipe Hernandez indicated he has some emails relating to this topic and will forward them to Josefina. Information will be posted on the ELARC website.

IX Adjournment

M/S/C (Virgilio Orlina/Anthony De La Rosa) There being no further business to discuss the meeting was adjourned at 7:30 p.m. Unanimous.

Respectfully submitted,

Original Signed by:

Joe Utar, Secretary
ELARC Board of Directors

Recorded by: Rosalie Estrada,
Executive Secretary