



EASTERN LOS ANGELES REGIONAL CENTER
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ELARC Board of Directors
Meeting Minutes - July 9, 2019
Approved October 8, 2019

Tony Borrego, President
Richard Helgeson, Vice-Chair
Anthony De La Rosa
Yougeng Sun
Nestor Nieves
Devora Reed
Virgilio Orlina, CAC
Bryan Chacon, VAC Representative

Gloria Wong, Executive Director
Felipe Hernandez, Chief of Consumer Svs.
Rosalie Estrada, Executive Secretary

Absent:

Diane Lasell (excused)
Joe Utar, Secretary (excused)
Lida Chavez (excused)
Elias Fonseca (excused)

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I Welcome & Roll Call

The meeting was called to order at 6:07 P.M. by Tony Borrego, Board President. A quorum was present in order to conduct necessary business.

II Board & Community Introductions/Opening Round:

The Board and audience introduced themselves.

III. Community Input

Mr. Fulco, parent, addressed the Board regarding the issue of disparities and indicated he was very troubled by the report last month about DDS and the lack of parity and spending based on race. He indicated this has been a long-standing problem that should not exist. He indicated DDS is to blame for this, it makes them look like they are racists when you have and allow this type of a situation to exist after 45 years. The problem of lack of spending for minorities and other ethnic groups should have been addressed long ago. He indicated the disparity report shows the White population gets all the services but yet they have the minority of numbers. He

is troubled by this and would like see the disparity issue worked out so that all consumers and their families can get the services needed.

Mr. Borrego, President, thanked Mr. Fulco for his comments and indicated all agree there is a lack of funding and support to implement broad solutions. The Association of Regional Centers (ARCA) is advocating for needed changes.

Julie Eby-McKenzie, State Council on Developmental Disabilities, shared information regarding the upcoming Self-Determination Facilitator Training scheduled for July 15th in Spanish and July 16 in English. Registration is required.

She also indicated one of the goals of the State Council is to educate and inform the public and individuals and their families with developmental disabilities about their rights and how to access the service system. She indicated she was really encouraged by the last Board meeting presentation on steps ELARC is taking to make sure people find employment. Julie shared some additional publications, "Why Work is Better" which describes the interplay of benefits and employment income and how to maximize them. One such way is the ABLE Act. Julie shared publications developed in both English and Spanish. Publications will provide information on how it is beneficial to working and non-working consumers by offering details on how they can now add additional money to their ABLE account.

Julie also shared flyers about California's Employment First Policy which has been in place since 2013: what it means, what it can mean to families, employers, regional center and how it is to be implemented. It is available in both English and Spanish. Julie also announced the State Council will also provide trainings on many topics at no charge. All publications are free of charge.

IV Approval of Board of Directors Meeting Minutes

- A. Minutes of Board of Directors Meeting of May 14, 2019

M/S/C (Richard Helegson/Virgilio Orlina) To approve the Minutes of May 14, 2019 as recorded. Unanimous.

- B. Minutes of Board of Directors Meeting of June 11, 2019

M/S/C (Anthony De La Rosa/Bryan Chacon) To approve the Minutes of June 11, 2019 as recorded. Unanimous.

VI. Executive Director's Report – Gloria Wong

Ms. Wong shared with the Board of Directors that Josefina Nieves, mother to Board member Nestor Nieves, was involved in a very serious accident which will require approximately three months of recovery. She sustained a broken leg and the other very serious injuries. She has undergone numerous surgeries and remains in intensive care.

A. Conflict of Interest Forms

Ms. Wong indicated the Conflict of Interest forms are due to DDS by August 1, 2019. Ms. Wong requested the Board complete the form and send to Rosalie Estrada. Extra copies were made available.

B. Budget Update

1. Fiscal Year 2018-'19

(a) PEP (Purchase of Services Expense Report)

The Purchase of Services Expense Report (PEP) for the current fiscal year was reviewed. There is a projected deficit ranging from a high of \$209,655 to a low of 57,241. Ms. Wong noted there is still an outstanding allocation of approximately \$743,468 for ELARC's Community Placement Plan (CPP).

(b) Budget Performance Report: Operations

Ms. Wong reported a modest surplus of \$126,578.

2. Fiscal Year 2019-'20 Update

(a) Contract Agreement Amendment

Ms. Wong reported ELARC received the contract agreement and Board President, Tony Borrego signed the contract agreement. This will then trigger the release of the first allocation which is allocated in three installments. The first allocation will be approximately \$60 million and should be received and deposited on Monday, July 15th. It is possible, if the allocation is not received on time, ELARC may need to borrow approximately \$1 million for approximately a day or two. ELARC will then continue to receive the incremental payments through the month of September.

(c) Developmental Services Trailer Bill

A copy of the Department of Developmental Services (DDS) Comparison of May Revision to Budget Act was distributed and reviewed. Highlights included:

Regional Centers in the May Revision were allocated \$7.7 billion and with the 2019 Budget Act was allocated \$7.8 billion a difference of approximately \$42,490.

DDS Headquarters: allocated approximately \$8.3 million for 504 employees

Consumers throughout the State of California: The budget is based on 350,161 consumers. Ms. Wong indicated that it has become standard practice to pass a budget bill attached to “Trailer Bill Language “ (TBL) which addresses non-budget issues but focuses on broad system changes. The TBL has added many additional responsibilities to regional centers. Highlights were presented to the Board, additionally it was noted that information can also be obtained on the DDS website.

Ms. Wong, Ms. Frances Jacobs, Manager of Community Services and Mr. Felipe Hernandez, Chief of Consumer Services provided highlights of the AB 81, TBL affecting regional centers.

Ms. Wong reviewed items which impact the Board of Directors.

#12: RC Boards must include financial and governance or management expertise.

Speaks to board composition as mandated. Ms. Wong noted the ELARC board does have representatives with financial background.

#13: RC boards not in compliance with composition requirements must submit plan.

ELARC is in compliance with Board composition requirements, based on 2018 review by DDS.

#14: RC board attorneys cannot be regional center staff.

#15: RC boards must meet with DDS upon request.

#16: RC boards must annually meet on Performance Contract (PC).

There was discussion regarding the performance contract and it was decided to have the Board use the September meeting exclusively for the 2020 Performance Contract. Ms. Wong indicated the actual Performance Contract plan must be submitted to DDS by November 1st. Notice regarding this change will be posted in ELARC’s website and circulated to interested parties.

Additionally, it was decided there would be a second PC meeting in the Whittier area to be covered by Regional Center staff only.

Feedback from the two community meetings will be taken into account in completing the final PC to be presented to the Board at the October meeting for approval and submission to DDS by November 1st.

M/S/C (Nestor Nieves/Anthony De La Rosa) To proceed with canceling the September Board Meeting and schedule the community meeting for Performance Contract in its place. Unanimous.

C. Department of Developmental Services (DDS) Audit Report:
Fiscal Years 2015-16 & 2016-'17

A copy of the audit performed by DDS for two years was shared with the Board. DDS conducts their audits every two years and the independent auditors conducts the audit on an annual basis.

There were two findings. The first is a provider who was over paid above the statewide median rate. This resulted in an overpayment totaling \$146,818.64 from July 2011 to June 2017. An agreement has been reached with the vendor to establish a five year repayment plan.

The second finding was money management disbursement by a residential provider to a consumer. The vendor initially could not provide supporting documentation for the disbursement of \$2,000, but ultimately provided needed documentation.

D. Self-Determination (SD)

There continues to be various trainings scheduled. There is a general information session scheduled for August 6th. Elizabeth Harrell has made herself available to the various regional centers and ELARC. Additionally there is a two day training on "Person Centered Thinking" training August 20 and 21st being offered by Liz Rodgers, ELARC employee.

Gloria Wong provided the following update on Self-Determination:

- Statewide there are 267 consumers that have opted out of self-determination.
- ELARC 19 individuals have opted out.
- 50 have completed their orientation.
- Six more are registered for the orientation on July 15th.
- There are 10 whose orientation scheduling is pending.

DDS is getting ready for the selection of new individuals to replace those who have opted-out.

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

Felipe Hernandez reported on the following:

✓ Meetings are being held with Par Eastside, a work activity center operated by Exceptional Children's Foundation. They are in the process of reconfiguring their work activity program in an attempt to make it a more community-based activity. The programs to be developed in the Whittier area: (1) a workshop/studio; (2) career support services for machinist skills, which is an apprenticeship program for individuals who are interested in becoming machinists and will all take place at the shop where they will be training, and will also be open to the general public.

Mr. Hernandez stated there were a number of individuals at PAR workshop who were earning a fairly substantial amount of money based on their contract. ECF felt that for a while they could continue to provide the support for these individuals during the transition but upon their review of the budget there were not going to be able to continue paying them what they were receiving. A meeting is being scheduled with PAR Eastside with the individuals and their parents to explain to them the situation and to provide them with other job alternatives where they may earn money that they would otherwise lose since PAR workshop will close effective August 1st.

✓ There is a Social Security Workshop scheduled in the boardroom on August 28, 2019 from 10:00 A.M. to 12:00 Noon. The workshop is open to families, service providers and staff. The training is being conducted by an individual who is affiliated with the Social Security office and has a contract to provide presentations to the general public. RSVP is required.

✓ ELARC has contracted with an individual who has previously been working with transitioning individuals from regional center funding for Applied Behavior Analysis (ABA) services to their insurance company or Medi-Cal funded services. This contract will now be assisting with the issue of co-payments for services such as physical therapy, speech therapy and medical services since regional centers cannot pay the copay. The contractor has been working with another regional center on assisting service coordinators on how to interpret the requirements on copayments and how to connect with the HMO's and private insurance to understand how their benefit package works and what information is needed for reimbursement.

VII Committee Reports

A. Consumer Advisory Committee (CAC): Virgilio Orlina

Virgilio Orlina, CAC Chair, reported the following:

The last meeting of the Consumer Advisory Committee was held on May 21, 2019 at the Alhambra headquarters and via video conference at the Whittier Office. The main topic of the meeting was Purchase of Services (POS) Disparity. The guest speaker was Ms. Carmen Castro Luna, Supervisor, ELARC Family Services and Support Unit. Ms. Luna provided information on the Reduced Caseloads and targeted supports. She also explained the Enhanced Service Coordinator Project which includes understanding the diagnosis, understanding the regional

center, the role of the service coordinator, the IPP process and how to access and supports. Ms. Wong also provided an update on the Self-Determination program and on the budget.

Jesse Padilla, Consumer Advocate, provided an update on the ARCA Consumer Advisory Committee meeting as well as the Statewide Self-Advocacy Conference he attended in Sacramento. Mr. Padilla also reported that both he and colleague Brendali Maldonado, made a presentation to “Goodwill” on Understanding the Regional Center. He also provided updates on the ACCESS Services he recently attended that discussed making improvements on “Where’s My App” which has information on shows and ACCESS Services online reservations.

Also on the CAC agenda was the debriefing of main topic and systems update to explain to the consumers the meaning of important terminologies and acronyms they heard during the meeting.

The CAC officers also had a CAC “Debriefing and Planning Meeting” on June 18, 2019. The purpose of the meeting was to learn from what worked and didn’t work during the May 21st meeting and to make all future meetings better.

The next CAC Meeting is scheduled for Tuesday, July 16th from 4:00 P.M. to 6:00 P.M. and will be held at the ELARC Boardroom and via video conference at the Whittier office. The topic will be “How to Survive an Emergency”. The guest speaker will be Los Angeles Police Department Officer Tony Salazar. The consumers will learn tips on interacting with first responders.

B. Vendor Advisory Committee (VAC): Bryan Chacon

Bryan Chacon, Chair, reported on the VAC meeting held on June 27, 2019 in the Boardroom and had videoconference in Whittier.

There were two presenters, Roxy Ortiz, Community Services Specialist, provided the VAC with a budget update; an update on Uniform Holiday Schedule which was placed on hold for two years; and an update on rate increases and service codes which will be receiving rate increases for two years effective January 1, 2020 through December 31, 2021, the increases range between 2.5% to 8.2%. The reason for the two year time limit is DDS and the legislators will begin to put together a plan for 2022.

The second part of the meeting was dedicated to Home & Community Bases Services (HCBS) compliance and the final rule series. Maribel Garcia, Community Services Coordinator, conducted breakout sessions. One group focused on residential facilities and the other group focused on community based programs. Each group discussed and identified areas of implementation of HCBS. Some of the topics and questions asked included what has worked, what service providers have tried, what they are concerned about, what they will try next and they will share what they have learned. A collective discussion was held on these topics and ideas will be shared with their respective companies with the possibility of coming up with ideas.

There is a lot of activity for nominations for the upcoming elections in November. There are three openings for leadership for Chair, Vice Chair and Secretary.

The next VAC meeting is scheduled for July 25, 2019 and the guest speaker will be the Assistant Director from the Offices of Emergency Management with Los Angeles County. The presentation will be on emergency preparedness "You are More Prepared than You Think".

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

There was no meeting of the Finance Committee.

VIII Miscellaneous Announcements

Anthony De La Rosa, board member, announced emergency preparedness is a hot topic right now in light of the seismic events over the Independence Day Holiday. He indicated that as the "Emergency Management Officer" at a hospital he wanted to share 3 points: make a kit, have a plan and stay informed. These are the 3 things you will need in any emergency and if you're prepared you will most likely survive.

Anthony announced the Ride for Autism is going to have a motorcycle Fundraiser on August 3rd at 9:00 A.M.. Flyers were provided.

IX Adjournment

There being no further business to discuss, the general session was adjourned at 7:31 P.M.

M/S/C (Anthony De La Rosa/Nestor Nieves) To adjourn the general Session and move into Executive Session. Unanimous.

Respectfully submitted,

Original signed by:

Joe Utar, Secretary
ELARC Board of Directors

Recorded by: Rosalie Estrada,
Executive Secretary