



EASTERN LOS ANGELES REGIONAL CENTER
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ELARC Board of Directors
Meeting Minutes
February 11, 2020
Approved March 10, 2020

Board Members Present:

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

Staff Present:

Gloria Wong, Executive Director
Felipe Hernandez, Chief of Consumer Svcs.
Edith Hernandez, Associate Chief of
Consumer Services
Johnny Trombley, IT Supervisor
Jacob Romero, Fair Hearing &
HIPAA Coordinator
Rosalie Estrada, Executive Secretary

Guests:

Refer to Sign-In Sheets

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I Welcome & Roll Call

The meeting was called to order at 6:03 P.M. by Tony Borrego, Board President. Mr. Borrego welcomed all to the Eastern Los Angeles Regional Center Board of Directors Meeting. A quorum was established in order to conduct necessary business.

II Board & Community Introductions/Opening Round:

The Board and audience introduced themselves.

III. Community Input (3 minutes per person)

Mary Hosokawa, parent, congratulated ELARC in the rehiring of former employee, Liz Harrell. Ms. Hosokawa was delighted to have Ms. Harrell return to ELARC as the Manager of the Community Services Division. She stated Liz is an exceptional person and ELARC will surely benefit from her many talents.

Gloria Wong, Executive Director, reported that Frances Jacobs, Manager of the Community Services Division, is retiring effective March 31st after 42 years of dedicated service to ELARC.

Ms. Wong concurred with Ms. Hosokawa's comments about Ms. Harrell's valuable contribution to the agency over her many years of employment at ELARC. Ms. Harrell left over a year ago to work for the Department of Developmental Services (DDS). ELARC is fortunate that personal circumstances changed allowing Liz to return to her professional home-base of twenty-two years. Ms. Wong shared that she will have Ms. Jacobs and Ms. Harrell join the March Board meeting to discuss transition plans and offer an update on critical projects.

Mary Hosokawa, parent thanked Virgilio Orlina, CAC Chair, for his very thorough and concise reports to the Board. Ms. Hosokawa also complimented Virgilio on his "Radio" announcer voice.

Chala Jitpatima, parent, expressed her appreciation to Mr. Helgeson, Board member, for speaking to her after the January meeting and advise for continuing to speak out. She indicated she really appreciated his support and it will give her more courage to speak up. She stated she has been through many situations because of her limited English speaking. She shared that there are people who want to understand her and others who don't want to understand what she is trying to convey. She stated she is a single mom with a child with special needs, alone in this country, and feels she was fortunate to be born in a "blue blood" family. Her father was the Chief of Police in her hometown in Thailand.

Ms. Jitpatima stated since this is Valentines Week she would like to share her love with all and presented everyone with home baked cookies.

Mr. Helgeson stated the Board always encourages everyone to be part of the public Board meetings as it exists for the benefit of consumers and families. The Board welcomes the public comments from the community it serves.

Ms. Wong thanked Chala and noted that ELARC's Board composition exceeds the statutory minimum requirement of parent/consumer participation, by having 100% board representatives who are parents/family members and consumers. ELARC's Board mirrors the community it serves as such their personal experience enhances their understanding of the issues raised by community they serve.

Ms. Wong extended her appreciation to all Board members who volunteer and share their expertise and valuable time in the operation of ELARC.

Jodi Chen, parent, provided an update on the issue she raised at the January Board meeting regarding "reimbursement". She thanked Ms. Wong and staff that assisted her in getting her reimbursement vendorization completed after three months, which is why she took this matter to the board. She added that this was not the only occurrence for her and others. Ms. Chen suggested that there be a review of current practices to determine a way of streamlining the process and to complete within a month.

Ms. Wong asked Edith Hernandez, Associate Chief, to work with Ms. Chen to resolve the complaint. Ms. Hernandez offered general background information on “purchase reimbursement”. She stated that it is a unique service code option that requires exchange of information and verification before the release of payment which contributes to the lengthy process. Examples of “purchase reimbursement” were shared by Ms. Hernandez, such as, when the provider of choice by family/consumer declines to become vendored for direct payment of a desired service. The alternative in this instance is for family/consumer to become vendored and receive direct payment. Additionally, “purchase reimbursement” can be used when insurance coverage must be used as first source of funding but there are “co-insurance”, “deductibles”, and/or “co-payments” which regional center can provide coverage. Contributing to the lengthy process is awaiting verification from insurance companies of family/consumer on the share of cost which regional center can consider funding and on payments for other direct services from a non-vendored program there is the need to ensure verification that a service was rendered before regional center can release payment. Ms. Hernandez stated she will be working with new incoming “Community Services Manager”, Liz Harrell, on providing an update on this matter and reviewing the current procedure to identify measures that can streamline and expedite the current “purchase reimbursement” approval procedure.

Ms. Chen stated she appreciated the explanation by Ms. Hernandez but in her personal situation she submitted all requested information and it took three months to obtain a response and final payment.

Lia Cervantes, parent, addressed the Board regarding her frustration in the handling of her sons’ case by an Early Start service coordinator. She shared her son’s case was transferred from another regional center since relocating to ELARC’s service area. Ms. Cervantes stated that her assigned service coordinator failed to return her calls to discuss needed services. She would later learn from her son’s service provider that the service coordinator was going to retire. Ms. Cervantes stated she never received a call back from the service coordinator nor a formal notice about her retirement. Subsequently, Ms. Cervantes contacted the supervisor who promptly re-assigned her case and the new service coordinator acted quickly to act on all open issues. Ms. Cervantes stated she wanted to share with the Board her frustration with her initially assigned service coordinator. Additionally, she also wanted to learn more about the role of the Board.

Gabi Avila, parent, shared that her son’s case has been with ELARC since 2008. She wanted to share with the Board her dissatisfaction with her service coordinator whom she feels readily dismisses her requested services with denials. She shared she’s learned from other parents about available services instead of through her service coordinator, who she feels has not had her sons’ best interest. Ms. Avila contacted the supervisor for her sons’ case and requested she be assigned a new coordinator.

Ms. Wong requested Edith Hernandez, Associate Chief, to privately speak to Ms. Avila to determine if any further follow-up was needed to address her concerns.

Jeff Rickel, parent shared that he is currently enrolled in the new “Self-Determination Program” (SDP) and wanted to personally thank the Board and acknowledge ELARC staff for the smooth transition in rolling out the new SDP at ELARC.

Ms. Wong thanked Mr. Rickel for his appreciation and recognition of staff efforts.

Additionally, Mr. Rickel, announced an upcoming event “Autism Walk” on April 19, 2020. The event is sponsored by “Autism Speaks” and it’s a great opportunity for the community and service providers to come together and support this worthy cause.

IV. Approval of Board of Directors Meeting Minutes of February 14, 2020

M/C/S/ (Richard Helgeson/Joe Utar) To approve the Minutes of January 14, 2020 as recorded. Unanimous.

V. Executive Director’s Report

A. Draft Slate of Officers

On March 10, 2020 the Board will vote on a new slate of Executive Officers as follows:

Richard Helgeson, President

Devora N. Reed, Vice-Chair

Joe Utar, Treasurer

Yougeng Sun, Secretary

B. Data Breach Reporting Requirements

At the January 14th Board meeting Mary Hosokawa, parent, raised a concern over a letter from ELARC notifying family that in October 2019 two service coordinators computers were infected with a virus. Based on DDS’s protocol outlines in “Technical Bulletin #474” (Attachment #3 of the Board packet) ELARC notified the family/consumers being served by these two service coordinators.

In order to provide an in-depth presentation of the specifics of the incident, its consequences and data breach reporting requirements, Ms. Wong arranged for a special presentation by pertinent staff:

Johnny Trombley, IT Administrator
Jacob Romero, HIPAA and Fair Hearing Coordinator

On October 15, 2019 ELARC's electronic system contracted a virus (Grim Spider Virus) from an opened email. The virus is known as "ransomware" which affected regional center files and encrypted the files so that regional center staff did not have access to this electronic information. ELARC "Information/Technology" division intervened by shutting down the affected computers for one week to review and assess the impact of the "Virus". DDS staff worked with ELARC staff and determined that the files had been encrypted and there was no evidence that they were made available to an outside party. However, DDS and ELARC staff could not affirm that the virus may accessed personal and confidential information of 239 individuals and thus decided to notify families/consumers of the potential data breach.

The intent of such an incident is for the "hackers" to contact the organization asking for a "ransom" fee in exchange for their created password so the agency can unlock the files. ELARC was not contacted by the "hackers" for ransom.

Mr. Trombley stated the virus was successful in copying but our security system prevented the virus from spreading with the exception of the two computers belonging to service coordinators. He further stated the main data base was not comprised only some minor data on the personal computer. The Information/Technology division determined the specific consumer caseload for the affected service coordinators over the last three years; this was the list of identified consumers that was notified regarding the data breach.

Mary Hosokawa requested information on the 239 individuals who were notified of the Data mBreach. Mr. Trombley indicated the two service coordinators had the data on the 239 individuals on their work stations which resulted in the "Locking" of the files but not the transfer of files. The attempt is not to steal the files/information but to hold it for ransom, thereby the name "Ransomware".

Ms. Wong indicted this was an incident which was caught early and minimized potential damage. Mr. Trombley added that DDS has scheduled a "security" training for ELARC staff and service providers in April.

Jacob Romero presented on his role in the event of a data breach. He reviewed a flow chart on data breach reporting requirements for regional centers. Additionally, a copy of the ELARC submitted report was shared and discussed with the Board. Mr. Romero advised that all electronic operations were suspended through October 18, 2019. ELARC reviewed the activity logs with DDS to determine the scope of the infection which resulted in identifying only two computers were infected. DDS and ELARC updated our firewall to recognize and block specific Malware. All ELARC staff was directed to change their computer passwords.

Mr. Romero indicated that Mr. Trombley implemented an alert on suspicious emails for ELARC staff.

Ms. Hosokawa, parent, complimented Mr. Trombley for his thorough work and excellent presentation. Ms. Wong also extended her appreciation for staffs participation and detailed report.

Gloria Wong thanked Johnny and Jacob and reemphasized Mary Hosokawa's comment. She is a

C. Budget Update

1. Fiscal Year 2019-'20

(a) PEP (Purchase of Services Expense Report)

Ms. Wong reported a current POS deficit of \$7,380,132 exists. Ms. Wong noted that it has been some time since ELARC has recorded such a large deficit. There are approximately ten regional centers affected by varying deficits. Ms. Wong shared that the A-4 contract amendment was recently signed by Mr. Borrego, President. The A-4 did not include a POS allocation, it was exclusively Operations. It is expected that A-5 contract amendment will shift funds from surplus to deficit regional centers to cover the funding gaps in POS.

(b) Budget Performance Report: Operations

The A-4 contract amendment was recently received and is therefore not reflected in this report. The DDS allocation breakdown was shared with the Board and it was noted that there was a one-time allocation of \$50,000 for regional centers that submitted their "Medi-Cal" application on a timely basis.

Ms. Wong reported a surplus of \$1,083,500 in Operations. The primary growth is related to Early Start expanding caseload. As a result the unit has been expanded to include a new unit and supervisor. Additionally, two new service coordinators have been hired to reduce the current high caseload ratio. Three new administrative assistants were hired to assist with the high volume of new incoming cases.

There are other numerous positions that we are currently filling, such as the reduced 1:25 caseload for complex case needs. Two service coordinators have been assigned to these positions.

2. Fiscal Year 2020-'21

(a) Governor's Budget Highlights: January 2020

Ms. Wong referenced the DDS Governor's Budget Highlights. The current fiscal year 2019-20, the twenty-one regional center budget is \$7.7 billion. The 2020-21 Governor's Budget includes

\$8.8 billion which is a net increase of \$1.0 billion. Ms. Wong noted the Governor's concern over this unprecedented growth and has therefore established a Developmental Services Task Force to assess POS "sustainability" at this level. as compared to the updated current year budget. Ms. Wong shared that the Governor's budget did not allocate funds for the hiring of additional service coordinators in order to meet caseload ratio requirements. System wide there is a need to hire 800 service coordinators in order to come into compliance. ELARC needs an additional 22 service coordinators to meet the required caseload ratios.

Legislative Analysis of Governor's Preliminary Budget 2020-'21:

Ms. Wong indicated that the Legislative Analyst's Office (LAO) cited that regional centers are underfunded and that the Governor's January budget did not recognize this funding shortage. Of particular mention by the LAO report is a proposal to reduce caseload ratios for cases of children from 4-5 years of age. The rationale is the importance of a smooth transition from center to the public education system.

The LAO recognized that the concept has a lot of merit but there are insufficient funds allocated to meet this standard. The service coordinators are funded at the old core-staffing formula of \$38,000, when the average salary is \$59,000. ELARC has approximately 700 cases that meet the age proposal of 4-5 years. This would translate into the creation of two new units requiring two supervisors and for secretarial staff that were not included in the cost estimates.

ARCA will be testifying at the upcoming budget hearings of this unrecognized funding discrepancy.

The full LAO report is available on the DDS website.

D. Self-Determination (SD) Update

1. Local Advisory Committee (LAC)

The Self-Determination Local Advisory Committee met on January 28, 2020. The agenda for the meeting was included in the Board Meeting packets. Also included was the PowerPoint presented at this meeting. Additionally the notes from the November 5, 2019 SD Local Advisory Committee were included.

A 2020 calendar of the meetings of the Local Advisory Self-Determination Committee Meetings was shared. Also distributed was the flyer for the Self-Determinations Orientations scheduled through June 2020. The Person Centered Planning Workshop flyer was also distributed.

Edith Hernandez provided the following update on Self-Determination.

Originally there were 110 cases from the first selection in December and the new selection added 36 participants. 29 participants requested to be removed from SD, 3 of these cases

were transferred and 1 passed away. Currently there are 114 active participants of these 114 active participants in SD. The following statistics reflects the phases they've completed:

SD Orientations Completed:	87
Individual budgets certified:	27
Spending plans completed:	23
IPP completed and signed:	24
FMS obtained by participants:	28
Person Centered Plans Reimbursement Requests:	7 consumers

2. State Council on Developmental Disabilities (SCDD)

(a) Training: Digging Deeper into SD

The State Council on Developmental Disabilities is sponsoring a seminar entitled "Digging Deeper into Self-Determination". A flyer for this seminar was included in the Board Meeting packet. A free half-day seminar for self-advocates and family members is scheduled for February 10th in English from 9:00 A.M. to 1:00 P.M. in the ELARC Board Room and a Spanish seminar is scheduled for February 14th from 9:00 A.M. to 1:00 P.M.

(b) Independent Facilitators (IF) Roster

The State Council distributed a list of independent facilitators who have notified the SCDD that they can provide independent facilitation services in the Los Angeles County area.

3. Department of Developmental Services (DDS)

(a) 2019 Year in Review

Ms. Wong shared the report, *Self-Determination 2019: Year in Review* prepared by DDS. She indicated the author of this report, Liz Harrell, will be returning to ELARC in February as the Manager of the Community Services Division. The report provides a good perspective on Self-Determination.

Nestor Nieves, Board member, requested information about the process when a consumer gets transferred from one service coordinators.

Mr. Hernandez stated the law requires that regional center provide families something in writing informing them of the change in service coordinator. Following the mailing of the letter the new service coordinator, whether it be a phone call or an email, must contact the family. The letter also identifies the new supervisor. Mr. Hernandez also indicated that the officer of the day or week or the acting supervisor will step in and take calls from individuals if their

assigned supervisor is not available. The law indicates the letter informing of the change in service coordinator must go out as soon as the new service coordinator has been identified.

E. POS Disparity Meetings

Ms. Wong reported the Purchase of Services Disparity meetings have been scheduled. Flyers were included in the board meeting packets.

March 21st 10:00 A.M. to 12 Meeting with the Chinese Parents Association

March 23rd 9:00 A.M. – 12 Noon Meeting with the Fiesta Educative Parents

March 25th 10:00 A.M. – 12 Noon Meeting will be held in English

Ms. Wong reported the PowerPoint presentation is currently being developed which will contain the current data relating to POS authorization, utilization and expenditures.

F. Grassroots Day April 21, 2020

1. Legislative Workshops

The Legislative Workshops have been scheduled. Please review the flyer for the upcoming dates. The workshop will provide a basic understanding of critical key points so that individuals can become informed of process.

Ms. Wong reported Grassroots Day is scheduled for April 21st in Sacramento. Delegates will go up the night before for a debriefing and overview of the activities/schedules for day's events.

Board members who are interested in participating should contact Rosalie Estrada as soon as possible so that the necessary arrangements can be made.

2. 2020 Census

It is the year of the 2020 Census and there is a lot of activity from the Information and Training Division. Roxy Ortiz is providing information to the Consumer Advisory Committee and the Vendor Advisory Committee.

G. Association of Regional Center Agencies (ARCA) Statewide Board Training

Ms. Wong reported there are four board members, Tony Borrego, Diane Lasell, Yougeng Sun and Richard Helgeson will be participating in the board training in Sacramento on February 22nd. Registration is closed.

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

Felipe Hernandez, Chief of Consumer Services reporting on Person Centered Thinking (PCT) and ELARC implementation practices.

Mr. Hernandez reported Person-Centered Thinking (PCT) has been around for many years. It was put into the law in the late 90's in terms of the IPP (individual Program Plan) and DDS was providing instruction and training on Person-Centered Planning. Since that time the regional center was also involved with the Learning Center, Liz Rodgers, who is the Autism Specialist, was trained and certified as a mentor with the Learning Center. She has conducted training statewide in terms of person centered thinking, the individual program plan and also the techniques of person centered planning and how the staff, the community and vendors can interact in terms of having a centered discussion around the individual being served.

Ms. Rodgers is currently training two staff from the Information and Training Unit to be become certified Person Centered Thinking Trainers in an effort to expand the efforts to have more informed individuals to be trainers for staff, the community and vendors as well. The two staff being currently trained are assisting Ms. Rodgers with the implementation of the agency's PCT training effort with staff and vendors. Presently the two staff are attending workshops which are conducted monthly in 3 hr. increments or two day sessions. The vendors and community members and staff are welcome to attend these sessions. An effort is being made to ensure that families in Self-Determination are attending these sessions to assist them with the development plans that are person centered.

The PCT trainings are also linked to the requirements of the HCBS (Home and Community Based Services) Final Rule effort, where by the vendors and the community are to be working towards a very inclusive sort of activities and programs for individuals so that they are not isolated but rather are fully as possible in the community taking advantage of full quality life.

Mr. Hernandez indicated the idea being reinforced is the model which was set-up in the Lanterman Act in the late 90's to do person centered thinking within the individual program plan.

Mr. Hernandez noted that statewide there has been a wide variance how regional centers have implemented PCT. He indicated he feels that ELARC is one of the leaders in this area because the agency invested money with Liz Rodgers to become a certified mentor. She has been a model in terms of providing information and being out in the community providing informative and comprehensive training. Ms. Rogers generates enthusiasm and interest and she assists with getting information out to the community regarding her training sessions.

Ms. Rogers is currently making the rounds to the units for a more personal approach and will do additional trainings as needed. A one page profile has been developed and will be sent to families prior to the IPP meetings to help develop the conversation around person centered thinking.

At the state level, ARCA is developing a training model for PCT. DDS is also working with a consultant group, The Support Development Associates, who have conducted a focus group on PCT and have invited individuals from across the state to participate and share training tools, models on PCT so that they can create a more standardized approach to PCT and training for all regional centers.

Chala Jitpatima, parent, stated she highly recommends to everyone to use the one-page profile. She stated she has used it for her son and it is a valuable tool.

VII Committee Reports

A. Consumer Advisory Committee: Virgilio Orlina

Virgilio Orlina, Chairperson of the CAC, reported the CAC had their first meeting of the new year on January 21st at the ELARC Boardroom and video conference at the Whittier Office. A great number of consumers and their support staff attended the meeting. The main topic was In-Home Support Services. The guest speaker was Yael Hagen, Community Outreach Specialist of Personal Assistance Services. Ms. Hagen conducted a presentation on "How to Make the Most of Your IHSS". She discussed the strategies for better time management, tips and ideas for saving money and creating problem solving techniques that can help clients make the most out of their IHSS experience. The consumers participated actively in asking questions related to the topic.

Jesse Padilla, ELARC Consumer Advocate, updated the consumers on the ARCA-CAC meeting he attended recently that focused on the Legislative Self-Advocacy Training and about the Subcommittee in the ARCA CAC of ARCA-CAC working on giving awareness and education to the public on the role of regional centers to individuals with developmental disabilities. Mr. Padilla also reminded the consumers that the Consumer Advocate continues to be available for consultations in the areas of Peer Advocacy, Transportation and ACCESS services. He encourages the consumers to contact their service coordinator if they need consultation on the three areas referenced. The Service Coordinator will send a referral to the Consumer Advocate.

During the systems update of the CAC meeting, Gloria Wong, ELARC Executive Director updated the consumers about the budget.

The next CAC meeting will be on March 17, 2020 from 4:00 P.M. to 6:00 P.M. at the ELARC Boardroom and video conference at the Whittier Office. The main topic will be Self-Determination. The guest speakers will be Julie Eby-McKenzie from the State Council Los Angeles office and Maria Marquez.

B. Vendor Advisory Committee: Bryan Chacon

Bryan Chacon reported the last VAC meeting was held on January 23rd in the boardroom and via video conference in Whittier location. The was a full agenda, there were two great presenters, one was Roxy Ortiz who presented on Governor’s Budget Overview for FY 20-’21. Highlights included the Governor’s focus and how it affected Health and Human Services and DDS. The presentation was well received and there were a lot of questions and may have her come back at the February meeting since there were a lot of questions but little time to cover all. The other presentation was from Marissa Pham, CIWP, which oversees CRP (Crisis Response Project) from Southern California. Ms. Pham explained how CIWP works for the regional center, and how CIWP services can be accessed by vendors. She discussed on the DD world and the mental health world collide and what it looks like and what to look out for and how to manage in regards to interventions that can be put into place. She covered mental health and diagnoses such as PTSD, schizophrenia, bi-polar. There were a lot of questions and the presentation was well received.

The HCBS Final Ruling topic was “What is Heightened Scrutiny”. The vendors were reminded that the HCBS essential components are choices, rights, opportunities and integration. Next month was slated to be the special elections for the Chair position, but since there is no candidate at the time the elections will be pushing it back a month. Bryan reported he will be the interim chair for the time being, there are a couple of candidates who are interested. The next VAC meeting with be on February 27th and Maribel Garcia will be conducting a HCBS breakout.

C. Finance/Personnel Committee: Joe Utar/Richard Helgeson

1. Windes Independent Auditor’s Report

Mr. Helgeson reported the final report on the independent audit report was received and shared with the Board. Both Joe Utar and Richard Helgeson reviewed the report with Windes. A copy was included in the Board Meeting packet. The draft report was discussed at the January 2020 meeting.

2. Miller Kaplan: Money Accumulation Pension Plan
Independent Auditor’s Report

Mr. Helgeson also reported the final report from Miller Kaplan re: the Money Accumulation Plan for Employees was received and included in the board meeting packet. Both Joe Utar and

Richard Helgeson met with Miller Kaplan at the Finance Committee Meeting in January and the report was discussed at the January 2020 board meeting.

M/S/C (Richard Helgeson/Joe Utar) To approve the final audit report from Windes for the period June 30, 2019 and 2018. Unanimous

M/S/C (Richard Helgeson/Joe Utar) To approve the final report submitted by Miller Kaplan on the Money Accumulation Pension Plan for Employees of the Eastern Los Angeles Regional Center for the period of June 30, 2019 and 2018. Unanimous.

Ms. Wong reported DDS has completed their audit for the FY 2017-'18 and 2018-'19. The draft report has been received, there were only two findings on the FCPP (Family Cost Participation Program), and corrections have been implemented. As soon as the final report is received it will be shared with the Board.

VIII Miscellaneous

There being no further business to discuss the general board meeting was adjourned at 7:35 P.M.

IX Executive Session

The Executive Session was called to order by Mr. Tony Borrego, Board President at 7:40 P.M. A quorum was present in order to conduct the necessary business.

The personnel matter was discussed.

X Adjournment

There being no further business to discuss the Executive Session was adjourned at 8:05 P.M.

Respectfully submitted by:

Joe Utar

Joe Utar, Secretary
ELARC Board of Directors

Recorded by: Rosalie Estrada, Executive Secretary