

ELARC Board of Directors Meeting Minutes June 9, 2020 Approved as corrected July 14, 2020

Board Members Present:

Richard Helgeson, President
Devora Reed, Vice-Chair
Joe Utar, Treasurer
Yougeng Sun, Secretary
Nestor Nieves
Diane Lasell
Tony Borrego
Marisol Guerrero
Virgilio Orlina, CAC Representative
Bryan Chacon, VAC Representative

Staff Present:

Gloria Wong, Executive Director
Felipe Hernandez, Chief of Consumer Svs.
Edith Hernandez, Associate Chief of
Consumer Services
Elizabeth Harrell, Manager, Community
Services Division
Frances Jacobs, Retiring Manager,
Community Services Division
Johnny Trombley, IT Supervisor

Absent: Guests: Refer to Sign In Sheet

DUE TO THE CURRENT HEALTH CRISIS THE BOARD MEETING WAS HELD BY REMOTE

PARTICIPATION ONLY

I. Welcome & Roll Call

The meeting was called to order at 6:04 P.M. by Richard Helgeson, Board President. Due to the Covid-19 pandemic and the "stay-at-home" order the Board meeting was held remotely. The arrangement consisted of a teleconference line and material was displayed on agency website and available to all visitor participants with a link from the agency website. Mr. Helgeson welcomed all to the Eastern Los Angeles Regional Center Teleconference Board of Directors Meeting.

Roll call was conducted. A quorum was established in order to conduct necessary business.

II Community Introductions/Opening Round:

The Board members and guests were asked to introduce themselves and were noted on the "Sign-In" sheet.

III. Community Input

Mr. Norman Fulco, parent, updated the Board on a resident who resides at the ARFPSHN home in Temple City and had tested positive with Covair-19. Since that time she was tested and found to be negative. He indicated this situation was reported to the Health Department and they came into the home and checked all the residents in the home and the staff in the home, everyone was found to be negative.

Mary Hosokawa, parent, inquired if there were any timelines for when vendors will be opening for business and asked what type of guidance and technical assistance vendors will be receiving from ELARC.

Ms. Wong indicated that the response would be covered under agenda item "Day Closure Report".

IV. Nominating Committee

Richard Helgeson and Tony Borrego, Board members, interviewed Pat Gomez as a prospective Board member. Mr. Helgeson stated the interview was held on June 2nd via teleconference. He stated Pat is a "Home Visiting Nurse" and was a former ELARC board member between 2006 and 2012. She has a 23 year old daughter registered with ELARC. Tony Borrego recommended that Pat Gomez be nominated to the Board of Directors.

M/S/C (Joe Utar/Diane Lasell) To approve the nomination of Pat Gomez to the Eastern Los Angeles Regional Center Board of Directors. Unanimous.

The Board members and Gloria Wong, Executive Director, welcomed Pat to the Board of Directors.

V Approval of Board of Directors Meeting Minutes

Correction on the announcement and agenda re: the instructions for joining the meeting, Item number 2, correction noted.

A. Minutes of Board of Directors Meeting of May 12, 2020.

M/C/S (Diane Lasell/Tony Borrego) To approve the Minutes of the General Board Meeting of May 12, 2020 as recorded. Unanimous.

VI. Executive Director's Report

Ms. Wong asked the Board if they would agree to changing the agenda sequence by moving the last agenda item, "H", Fiscal Year 2019-'20 Community Placement (CPP) Resource Development Contract, to ensure there is a quorum for the required vote. The item is tied to the current fiscal year which ends June 30, 2020 and must be approved at the June Board meeting. This business must be taken of this June and not in July. Refer to Item "H".

Richard Helgeson, Board President and the Board approved this action.

IV. Executive Director's Report

A. DDS Directives & Guidelines Department of Developmental Services (DDS)

Ms. Wong stated the DDS Directives and Guidelines are issued on a periodic basis. DDS includes the Board Presidents on the directives and the expectation is that information be shared with the full board as well as the community. The following are directives/guidelines issued since the May Board meeting.

1. Extension of Waivers, Modifications and Directives Due to COVID-19

This notice authorizes any waivers, modifications or directives to be extended an additional 30 days from the current expiration date.

2. California Department of Social Services Licensed Facilities Fingerprint Clearance and Exemption Transfers

This notice supersedes the March 20, 2020 correspondence. The California Department of Social Services (CDSS) has established an expedited process to transfer a CDSS background clearance or exemption from one licensed facility to another. The purpose of providing an expedited process is to assist CDSS licensed facilities (homes, day programs, etc.) in obtaining staff during the current COVID-19 outbreak.

3. Amended Requirements for Reporting Special Incidents Related To COVID-19 in SANDIS

Directive amends the requirements in the DDS Directive of March 25, 2020, regarding reporting of special incidents related to COVID-19. As a standard practice regional centers must submit special incidents report (SIR) on incidents that occur at a residential facility or day programs within a given period of time. The directive expands the required reporting mechanism specifically as it relates to COVID-19. Effective immediately regional centers and providers must complete an SIR for:

- An individual tests positive for COVID-19
- An individual receives medical attention at a hospital, emergency Room, or urgent care clinic due to COVID-19 symptoms; or
- An individual's death is related to COVID-19, either by confirmed COVID-19 positive testing or by medical diagnosis unconfirmed by testing.

Regional Centers and Providers should only report COVID-19 related incidents that meet these requirements.

Ms. Wong noted subsequent to the mailing of the Board Meeting packet there were two additional directives issued. These reports are being reviewed as "Handouts" to distinguish from "Attachments" which were included in the original packets and in the posting of material on the website.

HANDOUT #3

Department Directive 01:060820: Extension and Rescission of Waivers,

Modifications and Directives Due to COVID-19 – Issued June 8, 2020

There are six previously issued directives that were extended ranging from July 10, 2020 to July 28, 2020. The extension of time for these directives continues to be necessary to protect public health or safety and to ensure delivery of services. Additionally, the directive on "Placement in Licensed Residential Settings" was rescinded with the issuance of the directive of June 8, 2020.

HANDOUT #4 Availability of Personal Protective Equipment (PPE)

The notice requests regional centers' assistance coordinating outreach regarding availability of personal protective equipment and distribution to individuals and families served by the regional centers, their support staff, service providers and community-based organizations. DDS is working to secure surgical masks and hand sanitizer for community based organizations and families. The correspondence from DDS was received June 8, 2020 and ELARC is working on a distribution protocol of PPE. The distribution plan is being coordinated through the Community Services Division.

Liz Harrell reported Roxy Ortiz, Supervisor of Information and Training is overseeing the management and distribution of the PPE in partnership with Consumer Services. Dr. Figueroa and the clinical team are advising as to the prioritizing of distribution of equipment. Currently ELARC has a limited amount of N-95 masks for individuals who are providing direct care to consumers. ELARC has a good supply of surgical masks and face shields for those individuals who cannot tolerate the masks, additionally ELARC has gloves and sanitizers in their inventory.

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Virgilio Orlina requested information on how consumers can request masks. Liz indicated they can contact their service coordinator.

B. Regional Center Reporting Requirements Update

Ms. Wong reported there are on-going reports which must be completed and sent to the Department of Developmental Services on a periodic basis. The following summary was presented on each submitted report.

1. Surveillance Report

The report is submitted daily to the Department of Developmental Services (DDS). It identifies consumers who have tested positive for COVID-19 or that have passed away. The report includes information on regional center and service provider staff. Roxy Ortiz prepares the report daily and submits to DDS.

Edith Hernandez, Associate Chief of Consumer Services, reported the Surveillance Report was revised to only report those individuals who have tested positive for COVID-19. Prior to this regional centers were reporting individuals who have symptoms and or were exposed. There were approximately 90 entries, but since the revision of the report there are 31 entries who have tested positive. Another change made to the surveillance report is that we are including service providers who have employees that have tested positive. There have been two deaths to date.

2. Surge Capacity Report

Elizabeth Harrell reported this is an ongoing effort with DDS to discuss the surge capacity for ELARC. Ms. Harrell shared that arrangements that have been made with local hotels for individuals who are displaced as a result of COVID-19. ELARC does have a provider who has responded to a "Request for Proposal" (RFP) to develop a direct service registry for individuals to work with persons who are COVID-19. There is another provider who is willing to work as a homemaker service for persons who are COVID-19 positive needing to be in isolation, quarantined or cannot remain in their normal living arrangement. Ms. Harrell also reported ELARC is exploring the potential of developing a surge site home with some isolation beds. She reported she has also been in consultation with DDS in regards to long-term planning for medical crisis homes possibly through the Community Placement Plan (CPP) in order to acquire start-up funds for the development of two medical crisis homes. COVID-19 may not be the only health issue in the future and there maybe families with a medical crisis requiring isolation that could benefit from this resource.

Day Program Closures

Ms. Harrell reported there were approximately 56 programs who indicated they would need to close down. Directives were subsequently giving providers the ability to use alternate locations for providing services. Since the last meeting ELARC issued self-certifications to day programs and providers to certify how they are providing services. There are 132 providers that have responded on the various ways they are providing services to consumers. Since the last board meeting in May ELARC hosted three focus groups: day services, residential and early start. Ms. Harrell indicated an agenda item with the day services focus group was their reopening plans. She also addressed in-home services, OT, PT, etc. as well as the site based programs. She indicated the regional centers are not in a position of approving plans for reopening. Regional Centers must ensure that the service providers are aware of the current federal, state and local public health guidelines and any potential future changes. All these sites have good information on reopening and safety requirements. Ms. Harrell indicated she has been working on developing a certification process in the form of a checklist by asking day service providers to use the checklist for developing a plan for a safe reopening. They will not need to turn in their plans for approval but the regional center may want to view their plans for approval at any given time. The plans for a safe reopening should include social distancing, testing, sanitizing, masks, and the communication process if someone tests positive. The plans will need to be a "living" plans as the public health requirements will change over time.

Ms. Harrell reported that there will be additional focus groups specifically on transportation in the later part of June.

Ms. Harrell also noted that a one page fact sheet for individuals and families is being developed to assist parents with questions to ask providers when programs reopen, such as what their rights are and questions to ask to ensure they feel comfortable about letting someone in the home or going back to a day program.

4. Expenditure Tracker

- Purchase of Services (POS)
- Operations

Ms. Wong reported the expenditure tracker is a report which is submitted to DDS on a monthly basis that analyzes the expenditures on COVID-19 related items, both on purchase of services and operations.

The last report submitted to DDS was on May 25, 2020. As regional centers pay 30 days in arrears the report accounts for expenditures through the month of April. Purchase of Services (POS) expenditures for COVID-19 related expenses has increased by \$7.2 million. Payments includes day program vendors, supported living services, and additional costs to residential providers as a result of day program closures. Costs also includes increased respite and personal assistance services as a result of school closures.

Ms. Wong indicated the report includes cost projections for May and June. POS projections are based on expenditure trends and the total projected for May and June is \$19.9 million on related COVID-19 expenses.

Operations (OPS): The initial report submitted to DDS for OPS was for \$157,000 through April. Projecting for May and June it reflects \$290,000 additional costs. Ms. Wong indicated it is expected that these funds will be received in a separate allocation, A-6. Ms. Wong stated the bulk of OPS costs are mainly related to technology, particularly the laptop computers that have been assigned to staff for working remotely.

C. Self-Determination

- 1. Enrollment Update
- 2. Local Advisory Committee (LAC) Meeting: June 23, 2020

Ms. Harrell indicated that a continuing challenge is the fingerprint clearances and the ability to connect with individuals to be hired for direct services.

As noted on the June 2020 Total Number of Active Participants in Programs (114) the majority of orientations have been completed. She reported the Local Advisory Committee Meeting is scheduled for June 23rd and will be conducted as a "Go-To-Meeting". One of the items to be reviewed with the Local Advisory Committee is the federal funding available to fund support projects. The LAC will be making decisions on the use of these funds by voting on draft concepts such as the development of workbooks, on-line information session, focus groups for independent facilitators and service coordinators as well as potentially some resource fairs, virtual fairs, and meet and greet activities.

It was noted by Ms. Harrell that there will be refresher training for management staff on Self-Determination.

D. Budget Update

1. Fiscal Year 2019-'20

Purchase of Services (Handout #1)

Reference was made to Handout #1, Purchase of Services Expenditure Projection Summary. Ms. Wong reported a current POS deficit of \$6.2 million through the month of April. Ms. Wong reported there were some regional centers reporting surpluses but due to COVID-19 related expenses this may no longer be the case.

Budget Performance Report (Handout #2)

In Operations there is a current balance of \$300,990 through the month of April. As reported by Liz Harrell the draft self-determination concept proposals will be funded with approximately \$66,000 allocation in operations. These projects will reduce the current balance in operations and be reflected on the July report.

2. FY 2020-'21

• Line of Credit: Loan Agreement

Ms. Wong reported that a line of credit has been established with City National Bank. The line of credit is for \$40 million, a \$10 million dollar increase from previous year. The loan rate is at 3.25% minus one, so ELARC's rate would be at 2.25%. Ms. Wong shared that the line of credit ensures the timely processing of POS and OPS expenses in the event there is a delay in the passage of the budget or in the release of the "Preliminary" advances to regional centers.

Ms. Wong reported on the projected agency cash flow for FY 2020-'21. ELARC is projecting sufficient funds for the first payment run in July but may fall short between \$2 - \$4 million for the second payment in July. This would require borrowing on a time-limited basis which has historically been for one or two days until the cash-advances are issued by DDS.

• Governor's May Revision

The Governor's May Revision to the budget was not released until a few days after the May ELARC Board Meeting. Included in the June packet was the following material which was discussed.

Attachment #8, DDS 2020 May Revision Highlights, Highlights from DDS on the May Revisions.

Attachment #9, is more specific to the DDS system.

E. Association of Regional Center Agencies (ARCA) May Revision Response

Attachment #10: May 18 2020 correspondence from ARCA to Sen. Richard Pan, Chair, Senate Subcommittee #3 on Health & Human Services and to Assemblymember Joaquin Arambula, Chair, Assembly Committee on Budget, Subcommittee #1 on Health and Human Services. The letter outlines areas of opposition to the May Revise.

F. Lanterman Coalition Proposal:

Attachment #11: Proposal for Continuation of Consumer and Family support during the Transition. The Lanterman Coalition, includes service providers and the regional center system (ARCA). The proposal is a lobbying to minimize the major cuts to service providers which total \$230 million. The letter addresses alternate approaches to the cuts.

G. Proposed Reductions

Attachment #12: Ms. Wong shared the proposed payment reductions to specific service codes or service categories that are being targeted with substantial cuts.

Ms. Wong reported that since the release of the May Revise by the Governor the Senate and Assembly Budget Sub-Committees have been conducting hearings and diligently developing a counter budget proposal. As of June 9, 2020 the Senate has erased all the deep cuts to the regional center system.

Specifically, the Senate is reversing the \$230 million rate reduction to service providers. Additionally, they have added extra funding for Early Start, therapeutic services, independent living services, infant development services, and are reinstating the funds for the rate study. Furthermore the Senate has rejected reinstating the Uniform Holiday schedule. Additionally, the Senate recognized the differences of the minimum wage rates between state local counties and municipalities. As a result the Senate has set aside funds to increase the minimum wage to assist the service provider community.

The Governor proposed increasing family fees by \$2 million. This was soundly rejected by the Senate.

Additionally, the Governor proposed major cuts to social services in the IHSS and Medi-Cal programs. Cuts in these critical support programs would result in referrals to regional centers to fill the gap in services which would result in increasing POS expenditures. The Senate proposal is rejecting these critical cuts.

The Governor proposal included a \$40 million reduction to regional centers operations. The Senate is rejecting this proposal. The Assembly although not as generous is also in alignment with the Senate proposals and are rejecting many of the Governor's major cuts.

The Governor's May Revision is seeking federal funding due to COVID-19 unexpected costs to the State. If federal funding is not allocated it will trigger an additional \$70 million dollar reduction to the regional center system. The Senate rejects this proposal.

Clearly, the regional center system has the full support and backing of the Senate in proposing zero cuts to our system. It is therefore critical that a coordinated grassroots effort be launched to support the Senates version of the 2020-'21 budget proposal and to reject the draconian

measures proposed by the Governor's May Revision. To that end, Roxy Ortiz, Supervisor, Information and Training Unit, is coordinating a community campaign to voice our opposition to the cuts and to safeguard the funding for POS and OPS.

H. Fiscal Year 2019-20 Community Placement Plan (CPP) Resource Development Contract (Motion Required)

Ms. Wong asked Liz Harrell, Manager Community Services Division, to present a proposal requiring Board approval. The proposal seeks to use Community Placement Plan (CPP) funds for Fiscal Year 2019-'20. The Board was provided with a copy of the Operational Policy and Procedure regarding resource development and Request for Proposal (RFP). The Board also was provided with a copy of the draft contract. Ms. Harrell provided an overview of the RFP.

ELARC is requesting funding for the acquisition and renovation of a single family home to be owned by a housing development organization (HDO) and lease to a service provider to provide residential services. Property ownership and management will be separate and distinct from the provision of services and supports. The Department of Developmental Services approved funding for project #6, which will fund a four bedroom home to be licensed as an Enhanced Behavioral Supports Home (EBSH), specifically for placement of individuals with mental health needs and the population currently residing in an IMD (Institutes of Mental Disease.

Ms. Harrell reported on the process which involved an orientation to see if any HDO's would be interested and there was one HDO who attended the RFP orientation but they did not wish to submit a notice of intent. As a result ELARC conducted an outreach to an HDO, Brilliant Corner to meet this pressing need. ELARC has been having quarterly meetings with DDS exploring strategy/options to address the lack of resources to move individuals from IMD facilities. In August 2019 DDS changed the quarterly meetings to monthly meetings with ELARC as there are currently 11 individuals in IMD settings with lengths of stay ranging from months to six years. In January 2020 Trailer Bill language was enacted which indicates individuals cannot stay in IMD's settings longer than 13 months. ELARC reached out to neighboring regional center. Regional Center of Orange County (RCOC) responded and is collaborating with ELARC. Ongoing project activity (FY 2018-'19) with Brilliant Corner and DDS has resulted in the identification of a property in the RCOC catchment area.

Ms. Harrell is requesting the Board of Directors approve the ELARC contract with Brilliant Corners to expedite the property selection and encumber the funds to move forward in acquiring this very needed resources.

Diane Lasell, Board Member, requested information on the cost of this project. Ms. Harrell reported the funding includes up to \$300,000 for the acquisition and up to \$450,000 for renovations necessary to meet licensure requirements and individual resident's needs. These amounts have been approved by DDS.

Richard Helgeson, Board President, requested Rosalie Estrada, Executive Secretary, take a roll call vote to ensure accuracy. All Board members were polled.

M/S/C (Joe Utar/Tony Borrego) To approve that ELARC enter into contract with Brilliant Corners for project #6 to expedite property selection and to encumber funds within the current fiscal year. Unanimous.

In the closing the Executive Director's report, Ms. Wong addressed the board regarding the possibility of using Zoom for board meetings. She indicated she is targeting the use of Zoom for the July Board Meeting. We are currently finalizing contract arrangements with "Zoom".

VII Consumer Services Report – Felipe Hernandez

Mr. Hernandez reported the following:

✓ Regional Centers received an advisement from the Department of Developmental Services that the regional centers are to keep all Medicaid waiver cases open and those that have been terminated to be reactivated. Those that did not qualify for Medi-Caid Waiver and were inactivated are being brought back on the waiver in effort to recoup as much of the federal funds possible which is a significant part of the funding received by the regional centers. Mr. Jesse Valdez, Manager, Federal Programs, is working with staff to ensure the cases are reactivated.

✓ ELARC is in the process of purging consumer files in an attempt to begin scanning files in the future. This will be a long term process, estimated completion, possible two years.

✓ AB 2083: Edith Hernandez, Associate Chief of Consumer Services, reported the effort is to support safety and well-being for foster youth. State, County and local partners are working collaboratively. Agencies involved include: the Department of Mental Health, Child Welfare, Department of Children and Family Services, Department of Rehabilitation, Probation, Department of Education and regional centers. All are working collaboratively on updating the memorandum of Understanding (MOU) and are meeting on a weekly basis via tele-conference. The effort is to review MOU's that have been developed in the past and to ensure the fiscal and system challenges and issues of confidentiality. There has been discussion regarding foster children who move from one home to another frequently due to the catchment area they move from one regional center to another making it difficult to track. The committee is looking at tracking mechanisms to identify youth, see what system they are in whether it be with Probation, DCFS or with regional center to better support these individuals. The target date to complete the MOU has been delayed due to COVID-19 challenges but have extended these efforts to the following fiscal year.

Nestor Nieves, Board member, inquired on the recent protest and how it affected the development of the MOU.

Ms. Hernandez reported the protest has affected children, but the collaborative effort is moving forward in an effort to support the children and are providing services as needed. Every effort is being made to keep track of these children.

Mr. Hernandez indicated there is a term "Continuity of Care." The Continuity of Care in terms of foster children means that everyone works together to ensure there is a safety net for children, not only while in foster care but when they transition out as well. At question is who will monitor their progress and offer living arrangements when they turn 18 years old. There is a large network of providers who are trying to work together to come up with systems to ensure a good safety net foster children.

VIII Committee Reports

A. Consumer Advisory Committee

Virgilio Orlina, CAC Chair reported the CAC meeting was held virtually via Go-To-Meeting on May 19, 2020 from 4:00 P.M. to 6:00 P.M.. A very timely topic on "How to make Friends", as most of the consumers are staying home because of the health crisis. The guest speaker was Wesley Witherspoon, Consumer Advocate for the USC University Center for Excellence in Developmental Disabilities (UCEDD). Mr. Witherspoon entitled his presentation "Making Friends and Building Closer Friendships". He discussed how to be friendly, personal boundaries, limitations and how to develop closer friendships.

Jesse Padilla, Consumer Advocate updated the consumers on the ACCESS Services temporary same day service for the duration of the pandemic. Mr. Padilla also gave updates on the Consumer Advocate efforts to facilitate conference check in calls for the CAC members. The check in calls includes different topics such as how the pandemic affected the consumers and how are they coping with the stay at home orders. The first call was conducted May 21st from 11:00 A.M. to 12:00 Noon. The call ins will be weekly until further notice.

Gloria Wong, Executive Director updated the consumers during the CAC meeting on the systems budget and the possible impact of the COVID 19 pandemic on the service system budget.

The next CAC meeting will be on July 21st 2020 from 4:00 P.M. to 6:00 P.M. The topic will be Planning Your Regional Center Services and Self-Determination Program.

B. Vendor Advisory Committee

Bryan Chacon, Chair VAC, reported the vendors met on May 28th. DDS Directives as it relates to COVID-19 were reviewed. The May 7th Directive regarding the payment for nonresidential services in a State of Emergencies, was presented and the vendors had a lot of questions regarding the directive. It could involve the potential repayment of loans which could turn into

grants. Liz Harrell and Jessica Barba, Supervisor, Community Services, indicated they would obtain clarification on the directive. Following the COVID-19 update and discussion Liz Harrell, Manager, Community Services Division, presented on re-visioning or post-COVID-19. Liz provided a summary of the three focus groups, three focus groups: day services, residential and early start.

Bryan reported Roxy Ortiz was invited to the VAC in order to provide a breakdown on the May Revise. He indicated as always, Roxy is very accommodating with a last minute request, and they thanked her. She provided a PowerPoint presentation and provided information on to advocate legislatively.

The next meeting will be held on June 25th. Maribel Garcia will be conducting a break-out surrounding Person Centered Training (PCT) and a discussion where providers are in PCT.

C. Finance/Personnel Committee

There was no meeting of the Board Finance/Personnel Committee. A meeting is scheduled for July 7, 2020 with the Principal Group to review the pension plan.

IX. Miscellaneous Announcements

Gloria Wong addressed the Board with the announcement that Rosalie Estrada, Executive Secretary will be retiring with an anticipated last day of July 17th although she has graciously offered to be flexible on the date if needed. Her last Board meeting will be July 14th, after 46 ½ years of loyal and dedicated service to ELARC. Ms. Wong stated she has earned the right to leave but it is a bitter sweet moment for ELARC as she will be deeply missed. She has earned the right to no more alarm clocks, no more deadlines, no late meetings unless they are all self-imposed! It will be a great void for the entire agency but particularly for the Executive team. Count down has started and it will be difficult for one and all.

Board members thanked Rosalie for her many years of service and wished her the very best.

M/S/C (Richard Helgeson/Virgilio Orlina) There being no further business to discuss the meeting was adjourned the meeting at 7:34 P.M. Unanimous

Respectfully Submitted by:

Original signed by:

Yougeng Sun, Secretary, ELARC Board of Directors

Recorded by: Rosalie M. Estrada,

Executive Secretary