



ASTERN LOS ANGELES REGIONAL CENTER
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ELARC Board of Directors
Meeting Minutes
July 14, 2020
Approved as corrected September 08, 2020

Board Members Present:

Richard Helgeson, President
Devora Reed, Vice-Chair
Joe Utar, Treasurer
Pat Gomez
Nestor Nieves
Tony Borrego
Marisol Guerrero
Virgilio Orlina, CAC Representative

Staff Present:

Gloria Wong, Executive Director
Edith Hernandez, Associate Chief of
Consumer Services
Elizabeth Harrell, Manager, Community
Services Division
Johnny Trombley, IT Supervisor
Rosalie Estrada, Executive Secretary
Angie Salas, Executive Secretary

Absent:

Yougeng Sun
Bryan Chacon
Diane Lasell

Guests: Refer to Sign In Sheet

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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 Zoom Conference/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.

Gloria Wong addressed the Board regarding and sharing that Rosalie Estrada will be Retiring as of July 29th, 2020 after 46 years of service. Retirement news has been shared before and it is hard to believe. But, we are very fortunate that we do have an internal person that she wants to introduce you to that will be taking over Rosie's position on her departure and that's Angie Salas. Gloria Wong introduced Angie Salas as the replacement for Rosalie Estrada, Executive Secretary. Stated that Angie Salas will be with the Eastern Los Angeles Regional Center 20 years come November 1, 2020. Angie Salas worked under the Supervision of Jesse Valdez, Federal Programs Manager as the Transfer Coordinator and lead of the Medicaid Waiver Program. We confident that she will do a marvelous job.

Angie Salas thanked Gloria Wong for the introduction and her kind words. Angie Salas is happy and excited to stat her roll as the Executive Secretary. She is looking forward to working with everyone to provide her assistance and support.

Rosalie Estrada expressed what a pleasure it has been working for everyone and how great it was having such a great Board Members to work with. She will miss them all.

Gloria Wong stated that many changes and retirements will be happening at the Regional Center and that she will keep everyone informed and updated.

III. Community Input:

Lia Cervantes, parent has a son who is 1 year old and is a Consumer of ELARC. She is also a Developmental Therapist - ELARC Vendor as well. She announced that is also a facilitator to a Support Group as well. She introduced a group made through Modern Support Services that uses a platform called Support Group Central. A Spanish Support Group is available for any family members, parents, or loved ones of those who have a developmental and intellectual disabilities. The Support Group meets every 2nd and 4th Thursday of each month in Spanish and it's available online at no cost. Also, every 2nd and 4th Tuesday of each month it's available in Armenian language. More information including a link can be provided. It's free and open to the community. This has already been posted by other Regional Centers and Lia is now asking that ELARC put on available on their website to make available to the family members. Ms. Harrell asked Lia to email her all of the information so that ELARC Information & Training Department can look over and review. If it's a resourceful we can definitely do that. Ms. Harrell provided her email address to Lia. Liz thanked Lia for the resource.

Patricia - Foothill Family Services is enrolling children from birth to 3 years old as well as pregnant mothers as we provide home based services as well as center based services and family child care home services. Nancy can provide contact phone number.

There were no other announcements or comments.

IV. Approval of Board of Directors Meeting Minutes – Attachment #1

Correction on the announcement and agenda for June 09, 2020. Reporting that Lida Chavez was present at the Board Meeting. Last Board Meeting she attended was in May of 2020. Ms. Wong confirming that the last time Lida Chavez was in fact May of 2020. Lida Chavez is showing present in the June meeting and that needs to get corrected.

V. Executive Director’s Report

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

Ms. Wong addresses everyone sharing that it’s quite unusual from the last time we met there has been an unfortunate set back on the COVID numbers and seems that we are back to square one and all I can hope is that you are all doing well. ELARC continues to be closed we had hoped that in July we would have been in a better place to maybe start to gradually bring people back. ELARC has about 16% of our total staff which is about 40+ staff working here as the rest are working remotely with a mixed schedule so that they can come in and pick up things but by in large they are working remotely. Unfortunately with these turn of events we are a ways before we can consider just returning back to a level of brining in additional staff. Ms. Wong can only hope that you and all of yours are staying well and safe. It is a very risky time. Hard to believe that we should have been turning the corner and we just stepped back quite a bit. Recognizing all the challenges that we are all facing today.

A. Conflict Of Interest Reporting Statement

1. DDS Notice Conflict of Interest Reporting Statements for Board Members and Executive Directors – Attachment #2 and #3

Standard form that needs to be completed on an annual basis by Board Members and Staff that needs to be submitted to the Department of Developmental Services and the State Council by the August 1st, 2020. Asking the Board Members to submit these forms by Monday, July 20th, 2020 or earlier is possible.

2. Welfare and Institutions Code § 4625.5 and 4646 – Attachment #4

Conflict of Interest Statement provided as attachment #2 and attachment #3 is the directive from the Department that provides the details of why it's so critical under Title 17 W&I Code decydes why this form must be completed in order for us to be in compliance. Attachment #4 is the W&I Code 4626 in Title 17 legality to this request.

Nestor stated that has questions regarding the Conflict of Interest, who may he contact? Ms. Wong directs Nestor to Rosalie Estrada for assistance.

B. DDS Directives & Guidelines

1. Department Directive 01-061520: Extension of Early Start Services – Attachment #5

School districts are struggling in providing services. This gives the Regional Center's the authority to provide services for children who are turning past 3 and that should be provided services through the public school districts. Issued on June 15th, 2020 by the Department of Developmental Services.

2. Additional Guidance on Payments for Nonresidential Services During the State of Emergency – Attachment #6

Issued on June 18th, 2020 by the Department of Developmental Services. Additional guidance on payments for non residential services during the State of Emergency. Authorizing payments for non Residential providers for absences through July 31st, 2020. Allowing providers to bill with absences from Consumers. Department working through a Task Force with a wide network of Community Service Providers focusing on how should this return to operating again the Day Programs look like and with the focus is on safety as that is critical. When these Programs are ready to open it will be a hybrid of a Program as they will not look like they did before March. It will not be 5 days a week. Rates and staff ratios will change as they no longer apply.

Ms. Harrell – Issue around the application for alternate funding including the example paycheck protection program loan if that's a loan if that gets turned into a grant if that's forgiven then working with the Regional Center. We ask for the people to keep very good records , and to work with us as we review case by case vendor by vendor in regards to absence billing and if paycheck protection was used to pay for staffing and so on. ELARC is thankful for the vendors providing services everyday to our clients as we do not want to lose one provider. We want to get through this together.

3. Department Directive 01-062220: Criminal Background Checks for Self-Determination Program and Family Home Agencies – Attachment #7

Criminal background check for Self Determination and Family Home Agency - recognizing the shortage of the available fingerprint services. Suspending through July 31st, 2020.

4. COVID-19 Directive to Regional Centers – Attachment #8

Mrs. Wong sharing that we had hoped to bring ELARC staff back gradually and unfortunately the circumstances will now allow that and I'm not sure how long that will last. ELARC remains closed to the Public but we are making contact with all of our families.

Edith Hernandez – we are continuing efforts to keep connected with the Community we continue with check-in's where our Service Coordinators are contacting our families to make sure that they are doing okay that they are doing fine if there are any needs that need to be met that they are addressing those needs. These contacts are via email, zoom, face time, whatever preference of the individual is. Service Coordinators are contacting the Service Providers to make sure that the Service Provider are keeping the individuals engaged that the remote services being provided are meaningful to the individual.

Resource City Emergency Renters Assistance Subsidy opened July 13th, 2020 available through Service Coordinators and on the ELARC website . Offered for the City of Los Angeles Only. Food Drives available through Cal Fresh. ELARC Vivian Lau with Information & Training coordinating to support families.

Care packages (face mask, sanitizer, gloves, etc.) available through Service Providers, State Council, and provided by Fiesta Educativa you can contact your Service Coordinator to provide you connection.

FCRS and So Cal Gas Company have teamed up to provide durable backpacks containing (sanitizers, gloves, etc.) to students K-12 these are posted as well and free.

HANDOUT #1

Department Directive 01-071020: Extension of Waivers, Modifications and Directives Due to COVID-19

This notice authorizes any waivers, modifications or directives to be extended through August 9th, 2020 having to do with High Risk for Serious Illness for Day Services and Directives on Requirements Waived due to COVID-19.

C. Regional Center Reporting Requirements Update

Eastern Los Angeles Regional Center COVID-19 Surveillance Tracker Attachment #9 – ELARC Consumers

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. It's a report that speaks to the results of tests, positive results, negative results, pending results on COVID-19 and ultimately did we have any deaths for Regional Center Consumers.

HANDOUT #2 Updated Surveillance Report to Attachment #9

Edith Hernandez, Associate Chief of Consumer Services, reported that she will be working off of Handout #2. ELARC has 48 individuals who have been tested for COVID-19 and of those 35 have tested positive; 2 have tested negative; there are 7 pending results; and 4 deaths listed. 1 of those deaths was in Residential Services in addition 1 of those deaths was not related to COVID-19 so the actual count of deaths is 3 and that will be corrected with the Department of Developmental Services.

Also, if you look at these figures they are based on the 48 people that are tested but if we compare to the total number of Consumers that we serve 12,000+ the percentages are much lower. If we look at those individuals who have tested positive being at 35 in comparison to the number of individuals that we serve that reduces to 28%; the negative results would be at 0.1%; the pending results would be at 5%; and the total number of deaths would be at 3%.

Attachment #10: Service Providers and ELARC Employees

This graph depicts those individuals that have tested positive; the Service Providers and ELARC Staff. Service Providers as of 07/10/20 there have been 21 Service Providers who have tested positive for COVID-19 and 1 ELARC Staff.

2. **Surge Capacity Report**

Elizabeth Harrell reported that Surge Capacity is an ongoing project that we are working on. When we talk about building capacity we want to talk about having beds and having staffing primarily and then we are talking about individuals that are displaced as a result of COVID-19, or needing quarantine because they have been exposed to COVID-19, or pending test results, or individuals who have tested positive for COVID-19 and need to be placed on isolation. ELARC does have a good arrangement with Home Instead but we need to expand them. We are finalizing a contract with a Direct Service Provider Registry that is going to include RN; LVN; CNA level as well as behavioral support and just straight direct service to providers. This is an organization

that comes from back east but now they have a based office in L.A. and we are placing the final touches on the contract to be able to enlist them because we need them now. Issues with beds as ELARC does not have surge beds right now, we don't have sites right now with beds but what we do have are some hotels that are willing to take individuals who are displaced as a result of COVID-19. 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. We are working with housing development organizations right now that have bought property that are building and remodeling those homes as we don't know what the next crisis might be and we certainly value medical crisis beds. We are going to be putting in our Community Placement Plan (CPP) proposal within the next 2-3 weeks to a month to the Department as they have delayed on putting out the deadline on that. We are going to include the development of Surge sites. Specifically with the location of property with that because if it's not COVID-19 it's definitely a resource that we can use.

3. Day Program Closures

Ms. Harrell continued to speak about the Re-Entry Plan for Day Programs. Ms. Harrell reported back on Friday 13th, 2020 there was a wave of over 50 providers saying that they were going to close their doors for now and as the directives came and the ability for vendors to figure out how to do virtual support and remote work providers have become very creative in adapting to this world that we are in to provide services. We are up to over 150 providers that really have shared with us how they are providing those kinds of services. We do have one provider last week who did advise us that he will be closing the doors for his agency I am sorry to share that but we also did get some good news that there is another individual who is interested in figuring out how to sustain that we will be meeting with him tomorrow in regards to potentially figuring out how to keep that business going. We don't want to lose providers over this. The Department is working on the concept of re-entry and re-engaging through Developmental Services Task Force – but, internally meanwhile we have asked our providers we are not requesting re-entry plans we are asking our providers to certify that as they think about re-engaging, re-opening what that would that look like that they meet certain standards as outlined by the Public Guidelines and that they engage with their community. ELARC will not approve plans as ELARC did not shut down the programs it was this circumstances that did it it was the Public Guidelines that did under these orders and directives it was this crisis that did. ELARC wants to support our providers and we do appreciate you sending in your plans and we may ask to see plans as well as we begin to gear up for re-opening in the future. We have put together a Re-Entry Plan Review Committee and we are going to meet every week for a full day that consists of Consumer Services, Community Services and Clinical to start looking at those plans so that we can give feedback to our providers. We will also be looking at Residential Plans specifically in regards to their risk and mitigation and their COVID-19 plans and giving them feedback. 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. The Department does have a provider form that they will be requiring unless things change Providers to fill out and submit to the Regional Center when that rolls out and we don't know when we will work with our Providers to ensure that those get in. We need to be hand in hand to support re-entry plan and rate structure for Transportation due to changes on providing that service. Community Resource Development Plan (CRDP) is asking the State for funding to develop resources 7 L.A. County Regional Centers are all going in on one project that we are going to be asking the Department for which is the funding for a contracted agency to purchase and provide laptops to underserved people in our community so that they may be able to participate fully in remote services that would include data plans and technical assistance. We anticipate that this would be something that will be approved by the Department.

Israel Ibañez with Inclusion Services has a question and a comment regarding his Day Program. Mr. Ibañez states that he appreciates Jessica Barba and Dora Ramirez helping them through this process continues to state that their frustration with the Day Program and the re-entry is that of them waiting for the Department for answers. The Eastern Los Angeles Regional Center is doing a great job in being supportive but the response time from getting an answer from the Department that's where the frustration lies. We are on the verge of maybe closing down our program and I know that it's something that we don't want to hear but also in listening that DDS is putting a lot of effort at least it sounds like they're putting a lot of effort in developing resources I don't see them putting any effort of them on retaining the current resources. Is that being discussed? The resources that we have now that discussion needs to be mention to the Department instead of trying to develop other stuff while we are losing what we currently have. Because we are going to become those providers if we don't get those answers from the Department sooner or later.

Ms. Harrell apologizes and is sorry to hear that. ELARC will want to do everything we can to keep that from happening. A couple of things when CPP is discussed that is separate pot of money linked to the closure of Developmental Centers for the development of new resources and this has always been in place for about 25 years. Also, Gloria Wong has addressed this with the Department that we do not want to lose providers and we need a rate structure that needs to be addressed immediately.

Gloria Wong addresses Israel recognizes and understands the frustration as its ELARC's frustration as well as we work with him as a resource for our families. It's a dilemma for all of us and for 12,000 consumers. We have joined with the California Disabilities Services Association a group of service providers we are co-signing on this letter that went to the Department on July 09, 2020 speaking to the issue that this is urgent we need to determine a sustainable funding system for our non-residential providers that can offer meaningful daily services we need this structure immediately we need flexibility in what it is that they are going to be approving it will not be the same program that you provided before we are stressing this to the Department they have the letter we are putting as much pressure as we can. I think as an individual/vendor advisory committee send letters to the Department talk to your Legislatures

use this letter which is in our handouts to articulate how the system of 21 Regional Centers along with the service providers need to have some answers.

Devora stated that she has a question – is there a CARES Act being allocated to Developmental Services? Ms. Harrell responded “yes” it was just posted and we will be putting out a notification on ELARC website but it’s also available in the DDS website as well. CARES Act does include that release funding you need to apply by July 20th, 2020. Regional Center’s have been enrolled as Medi-Cal providers so that funding can be tapped into so providers may also submit their revenue information to the Federal Provider Relief Funds portal that is a potential for providers that are recognized as Medi-Cal providers.

Mary Hosokawa attempted to ask a question but was having technical difficulties.

4. Expenditure Tracker

- Purchase of Services (POS)
- Operations

Ms. Wong reported the expenditure tracker is a report which is submitted to DDS. This is not submitted monthly. The last report was submitted on June 25th, 2020. The Department wants us to submit actual and projections both on purchase of services cost as well as operations for related COVID-19 expenses.

Operations (OPS): Fiscal year 19/20 through the end of June 30th, 2020. We did receive in the A-6 an allocation of about \$290,000.00 related to COVID-19. This was recorded previously the bulk of OPS costs are mainly related to technology, particularly the laptop computers that have been assigned to staff for working remotely. In the June 25th, 2020 report we are projecting that we will need an additional \$92,000.00 whether we will receive it or not we don’t know. This is all up to the Department and whether they can free up federal dollars. We do report on the Purchase of Services (POS)

POS projections are based on expenditure trends and the total projected for 19/20 through end of June 30th, 2020 is \$19 million dollars on related COVID-19 expenses.

Mary Hosokawa has a question – any stats on how many vendors have received funds through the paychecks protection program?

Ms. Harrell answered – No, Mary we don’t have those statistics yet as those are a case by case but we will get that information. If people get the loan then they don’t need to let us know that. But, if the loan is forgiven then we need to go over every detail.

D. Self Determination (SD) Update

Attachment #11 – Graph of Participants in the SD Program

Total Number of Active Participants in Programs (110). This graphs allows you to view the 6 different steps that you can be in and in various stages of progress.

Ms. Harrell going over the graph. With Self Determination we are excited to see it get going again. There was a delay on the fingerprinting clearance process as it was holding a lot of people back but hopefully we are continuing to offer orientation we will continue to provide information sessions. The Local Advisory Committee met on June 23rd, 2020 and much of the meeting was devoted to reviewing and refining a proposal for the use of funds for the implementation of the Self Determination project (**attachment #13**).

Proposed Use of Funding to Support Implementation of the Self Determination Program Attachment #14

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.

E. Performance Contract (PC)

5 year plans with Regional Centers - Talking about 3 calendar years

2019 Performance Contract (PC) year end report - **attachment #15**. Coming back in the September meeting with a full reporting of the year end report including the 2021 draft report. We will be having George De La Loza who is our Employment Specialist present at the September meeting to go over our efforts on the employment front and to go over the performance contract numbers and additionally we will focus on the purchase of services disparity question that is part of the performance contract Carmen Castro Luna will be there to present on how we speared over these few years

2020 Performance Contract (PC) year end report – **attachment 16**.

2021 Performance Contract (PC) Upcoming Meetings.

F. Budget Update

1. Fiscal Year 2019-'20

Attachment #17 – Contract Amendment (A6) \$270,451,926

Handout #4 – Purchase of Services Expenditure Projection (PEP) Summary
ELARC overspent by \$4.1 million dollars deficit in 19/20. This amount can fluctuate.

Handout #3 – Budget Performance Report 19/20

2. Fiscal Year 2020-'21

Attachment #18 - Budget passed – we were spared by the system. We did well.

3. Funding Policy Items

Attachment #19 – Trailer Bill Language

4. B-Preliminary Allocation

Attachment #20 – Contract signed off on. First allocation will be given.

Attachment #21 – Cash Advance Summary

Attachment #22 – Allocation Summary – Advances split into 3rds. July, August, and September.

Cash Flow Projection

VI. Committee Reports

A. Consumer Advisory Committee (Virgilio Orlina)

Next meeting is scheduled for Tuesday, July 21st, 2020 from 4pm-6pm meeting will be virtually via Go to Meeting due to the Public Guidelines the main topic is about navigating our services in Self Determination Program the presenter will be ELARC Information and Training Specialist Brendali Maldonado the Consumers will be able to learn on how to better plan for Regional Center Services and how to choose a vendor along with the Self Determination. Client's Rights Advocate Alexander Scarlese of the Office of Client's Rights Advocacy (OCRA) will also give his brief overview of the IPP rights during the Consumer Advocate Report part of the meeting. Consumer Rights Advocate Jesse Padilla and with the Specialist Bendali Maldonado did their co-conducted training understanding Regional Center for adult consumer as of June 29th, 2020 the training was done virtually and focused on the Lanterman Act on how the IPP works and receiving services. The virtual meeting was joined by adult Consumers, Advocates and accompanied by their support person and family members. The ELARC Consumer hangout continues every Thursday from 11am-12noon until further notice it is being conducted by conference call and the Consumer Advocate Jesse Padilla is doing the facilitation of the topic to start the conversation every week. There was a great number of consumers joining the call every Thursday. The CAC debriefing and planning meeting we did on June 16th, 2020 the purpose of the meeting was to discuss what worked and what didn't work during the last meeting to make all future meetings CAC better.

B. Vendor Advisory Committee (Bryan Chacon) – not present

C. Finance/Principal Group: Pension Plan Review Meeting July 7, 2020

Mr. Helgeson Committee did meet July 7th, 2020 with Principal on the subject of ELARC retirement plan. Principal did come up with a reduction in their fees of \$21,000.00 first time in the past 4 years that there was a reductions in their necessity in expenses for their record keeping. Principal did announce that they will be providing educational session for any ELARC Employee that might want or need an educational session on their retirement plan. They covered U.S. fiscal policy.

VII. Miscellaneous Announcements

A. No August Board Meeting; Next Meeting September 8, 2020.

VIII. Adjournment

M/S/C (Richard Helgeson/Virgilio Orlina) There being no further business to discuss the meeting was adjourned the meeting at 7:44 P.M. Unanimous

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'S' followed by a long horizontal stroke with a loop at the end.

Yougeng Sun,
Secretary, ELARC Board of Directors

Recorded by: Rosalie M. Estrada,
Executive Secretary