



EASTERN LOS ANGELES REGIONAL CENTER

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**Minutes of Board of Directors Meeting
January 10, 2012
Approved February 14, 2012**

Present:

Olga Sarabia, President
Terry Munoz, Treasurer
Felicitas Navera, Secretary
Jiang Guo
Robert Hazard
Deborah Gallardo
Tammy Bachrach, Vendor Rep.
Joe Utar
Miguel Lugo, CAC Rep.

Staff Present:

Gloria Wong, Executive Director
Felipe Hernandez, Chief of
Consumer Services
Rosalie Estrada, Executive Assistant

Absent:

Theresa Chen (excused)
Elton Lui (excused)
Pat Gomez, (excused)
Marvin Brown (excused)

Guests:

Joyce Miramontes, Community Svs.
Specialist

Olga Sarabia, President, called the meeting to order at 6:10 P.M.

I Welcome and Roll Call

Olga Sarabia, President, welcomed all present. Roll call was taken and a quorum was not present in order to conduct business.

Olga Sarabia addressed the audience. She acknowledged the large number of parents present who wish to address the Board and informed them, as is done in most public meetings, they would only be given 5 minutes to address the Board and the Community Input of the meeting would end at 6:30 P.M. She stated that over the last eight months there have been three sessions in which the Board deferred their full business in order to accommodate all public input. As noted on the Minutes of the November Board Meeting the majority of items on the agenda were deferred. She informed parents there are other avenues available to them, and hopes they consider attending the Family Advisory Committee (FAC), which meets once a month and it is there where

they can share their concerns/issues. The FAC is an Advisory Committee of the Board of Directors, and there is a Board representative attending these sessions and reporting back to the Board. Olga commented that the Board is mainly composed of working parents, who are volunteering their services, and it is their obligation to conduct agency business within the confines of the allotted time. As a result time constraints will need to be enforced as it applies to the public comment period.

Olga Sarabia translated the above in Spanish for the monolingual parents in the audience.

II Introductions

The Board members and the audience were introduced.

III Community Input

At the start of the Community Input, a quorum was present at 6:15 P.M.

Michelle Sepulveda, parent, addressed the Board and indicated she supports the Request for the AB 637/1543/1106 Waiver being presented this evening and stated that she understands it is difficult for some children to be placed out of the home. She indicated in her son's case it was a place where her son would receive the support and services which he needed and in turn she could get the support and rest she needs. She added there was a very thorough presentation and discussion at the last Family Advisory Committee Meeting on this subject matter.

Another parent indicated the email she received about the Public Hearing on the Waiver Request was very vague. She stated she knows personally out of home placement for her child would be detrimental but also understands other families may need this service. She indicated she decided to attend the meeting this evening to learn more about the Waiver request on the agenda. Gloria Wong, Executive Directors indicated there was a very thorough presentation about the Waiver Request at the Family Advisory Meeting and at which Felicitas Navera, Board member, Martin Cogan, Community Services, Felipe Hernandez, Chief of Consumer Services were all present. The parent requested if it would be possible to repeat the presentation provided at the FAC Meeting. Olga Sarabia informed the parent it would be impossible to repeat the information as presented at the FAC, which lasted for over an hour. Parent indicated she has attended FAC meetings but was unable to attend the last one, but stated it was her intent to come to the board meeting to give input.

Gloria Wong responded in November the agenda was deferred to accommodate everyone in the audience. It is not possible for the Board to repeatedly defer its business to accommodate solely public input. There are numerous venues available to

the community to discuss such items, such as the Board Family Advisory Committee which meets monthly for a two hour meeting.

The waiver being presented for consideration and approval by the Board is a standard protocol under the law. In the past years there have been other waiver approvals brought to the Board for approval. The current waiver proposal will be creating a temporary out-of-home respite option for parents that choose this arrangement to be the best option for their family.

The Family Advisory Committee meets on the first Wednesday of every month, alternating times between 10:00 A.M to 12 Noon or 4:00 P.M to 6:00 P.M. A schedule of all meetings for the entire year is posted at the front reception area in both English and Spanish.

A parent in the audience requested a Spanish-speaking interpreter. Gloria Wong responded that advance notice is required to arrange for interpreter services.

Another parent stated she has no information as to when the board meeting is held. Olga Sarabia responded to the parent indicating the board meeting has been scheduled on the second Tuesday of the month for many years. The yearly calendar is posted on the ELARC's website and in the reception area.

There being no further comments from the community the board meeting with the items on the agenda.

IV Approval of Board of Directors Meeting Minutes

A. Minutes of November 8, 2011

M/S/C (Robert Hazard/Terry Munoz) To approve the Minutes of November 8, 2011 as recorded. Unanimous.

V. Executive Director's Report

A. AB 637/1543/1106 Waiver Request

Gloria Wong, Executive Director, as reported earlier the proposed waiver was presented to the Family Advisory Committee at their last meeting on January 4, 2012. She reported the reason for the series of numbers is a result in the many changes in law over years. The intent of a waiver is to request an exemption to the vendor regulations, in order to fill a gap in services. The waiver request must be first approved by the Board which is then submitted to the Department of Developmental Services (DDS) for final approval.

A copy of the Notice of Public Hearing for a Request for AB 637/1543/1106 Waiver was circulated and posted, utilizing the Board Meeting for the final public review of an out-of-home respite service in a Certified Family Home Agency in lieu of a licensed residential facility.

Gloria Wong introduced Joyce Miramontes, Community Services Staff, present to provide information regarding the option of out-of-home respite services in a family agency home for consumers 18 years of age or older who does not require continuous skilled nursing care.

Joyce Miramontes reported a certified family home is a home approved by a family home agency to provide services and support to one or two consumers over the age of 18 years who will reside in the home on a temporary basis. This waiver is for the family home agency (FHA) California Mentor. A certified home would provide consumer(s) with a more home-like environment rather than placement in a residential facility. Placement can be from 1 day to not more than 21 days. This is an additional service option for families. Out of home respite may be used as a support option should family members have planned activities which preclude the participation of the consumer in functions such as vacations, or for unanticipated family emergencies. It is proposed that this waiver be made effective for five years.

California Mentor is the only agency offering this service for adults.

Deborah Gallardo, Board Member, stated she has an extra bedroom in her home and would like to make her home part of this program.

M/S/C (Deborah Gallardo/Joe Utar) To approve the Request for AB 637/1543/1106 Waiver for California Mentor as presented for a period of five years. Unanimous.

B. Budget Status

1. Fiscal Year (FY) 2010-11 Purchase of Services (POS)

Gloria Wong reported ELARC is reporting a decrease in the POS deficit from \$1.7 million to \$1.5 million as of December 10, 2011. Currently we are seven months into the new fiscal year (2011-12) and there is no word from DDS on how they will handle the statewide deficit.

2. FY 2011-12

(a) POS

Regional Centers received their first allocation from DDS and based on this allocation ELARC is projecting a POS deficit ranging from a low of \$21,653,496 to a high of \$23,527,079 for ELARC in its seventh month in the new fiscal year. Statewide there is an approximate \$300 million deficit being reported by twenty-one regional centers. DDS is holding in reserve approximately \$100 million to \$130 million, there is no information from DDS when to expect an allocation. DDS's general message to deficit regional centers is to contain POS expenses at the local level. DDS has stated that unless the system can contain escalating POS costs that it places "entitlement" under further jeopardy. There remains funds to be allocated by DDS for the current fiscal year but the amount to be allocated for regional center is unknown, with five months remaining in the fiscal year.

(b) Budget Performance Report (Operations)

For OPS there was a deficit of \$302,176 as of October 26, 2011, and as of December 21, 2011 the total deficit has decreased to \$258,551. There is some additional money to be allocated but the amount is not known. Positions have been frozen in an effort to try and balance the OPS budget.

3. Budget Trigger January 1, 2012: \$100 Million Reduction

(a) 2011-12 State Budget Update

When the budget was passed for the current year there was an expectation that revenues would be increasing over the fiscal year and thus such an assumption minimized the cuts at the time of the budget passage. The budget was passed with a "Trigger Bill" in place, in essence a back-up action plan, which was to be effectuated if revenues were not realized. On December 15, 2011 the Department of Finance completed their assessment and determined that the "Trigger Bill" would need to be enacted in order to deal with the budget shortfall. The impact to the regional center system has resulted in an additional \$100 million reduction which went into effect as of January 1, 2012. At this juncture how the \$100 million will impact individual centers is uncertain. ELARC's share of any additional reduction is separate and apart from the current POS deficit (\$21 - \$23 million). Despite this massive deficit ELARC continues to provide uninterrupted services to its consumers.

At the close of the fiscal year, June 30, 2011, there were six regional centers in a deficit, with ELARC reporting the largest deficit. There is a reported surplus in the system of approximately \$30 million to \$35 million for last fiscal year (2010-11) and it is unknown how or when this will be allocated in order to balance the budget.

After the first allocation of the fiscal year a comprehensive financial assessment, referred to as the Sufficiency of Allocation Report (SOAR), is conducted by regional centers.

The analysis consists of assessing historical expenditure patterns over the previous fiscal year and projecting growth expenses for new and existing consumers. The SOAR report was submitted to DDS in November 2011 with a projected \$21 - \$23 million POS deficit.

4. Governor's Preliminary Budget Report 2012-13

A copy of the 2012-13 Governor's Budget Highlights was shared with the Board. The preliminary budget for fiscal year 2012-13 was released by the Governor earlier than anticipated on January 5, 2012.

For the new fiscal year, 2012-13, there is a projected deficit of \$9.2 billion through June 2013. The Governor has indicated he needs to ensure there are sufficient revenues to meet budget expenses. The Governor is once again introducing a ballot measure to increase sales tax as well as income tax in November of 2012. He is asking the voters to approve a temporary sales tax and income tax increase. If this measure is not passed by the voters, the deficit will increase. The Governor made it clear when he activated the Trigger Bill that the \$100 million reduction will be annualized in the 2012-13 budget, thereby doubling the regional center reduction to \$200 million.

On the positive side the Governor's 2012-13 preliminary budget proposes an overall increase of \$218 million due to caseload growth and the restoration of the 4.25% reduction to vendors and regional center operations.

DDS will be conducting stakeholder/community meetings over the next three or four weeks. They will be conducted in Northern and Southern California. At these meetings DDS will seek input on how to deal with a \$200 million reduction as a result of the "Trigger Bill".

5. Southern California Regional Center Directors/Board Presidents Meeting January 12, 2012: "Way Forward"

The second meeting with the regional center directors and its board presidents is scheduled for Thursday, January 12th. Board will be updated at the board meeting in February.

C. Board Special Session: December 13, 2011 **1. Update/Outcome**

Gloria Wong thanked the board members for making themselves available year around and at times even more than once a month, to work on issues as they arise. In December it is typically a dark month.

2. Next Steps on Adaptive Skills Training (AST) Draft Policy

The Board had a special session on December 13th as a follow-up to the November 10th Board meeting where there was a lot of input from the community re: Adaptive Skills Training Draft Policy. The Board of Directors decided to defer action on the policy. Gloria Wong and Felipe Hernandez will be holding individualized meetings with various vendors. Until such time action on the policy will be deferred.

D. Board Meeting Off-Site Access Update

The Regional Center looked at a couple of options for conducting a teleconference board meeting in the Whittier office but unfortunately they did not work out. ELARC is exploring other alternatives.

E. October 2012 Board Meeting

Gloria Wong requested the October 9, 2012 board meeting be rescheduled to October 2nd as she will be on vacation beginning the week of October 9th.

The Board of Directors approved the request. The change will be posted on the ELARC website, and notices will be provided to the advisory committees.

F. Board Training Project Update: Preview Meeting November 30, 2011

Deferred. Item will be placed on the February board meeting agenda.

VI Consumer Services Report

Felipe Hernandez reported on the following policies:

A. Day Care Services Policy

A statement regarding Financial Management Service (FMS) was added to the Day Care Services policy under section "D". The statement was added in order to come into compliance. This would affect family members who are vouchered or vendored to provide day care services. The Trailer Bill language is requiring regional centers to implement FMS. The primary function of the FMS is to manage all financial paperwork including workman's compensation, and to ensure proper tax documents are being filed.

Additionally on page 2, line 1 the citation from Title 17 was corrected.

Page 2 correction: 2nd and 3rd paragraph, change exhaust to “exhausted”.

M/S/C (Jiang Guo/Felicitas Navera) To approve the Day Care Services Policy as corrected. Unanimous.

B. In-Home Respite Policy

A statement regarding Financial Management Service (FMS) was added to the In-Home Respite Policy. The statement was added in order to come into compliance. This would affect family members who are vouchered or vendored to provide day care services. The Trailer Bill language is requiring regional centers to implement FMS. The primary function of the FMS is to manage all financial paperwork including workman’s compensation, and to ensure proper tax documents are being filed.

M/S/C (Terry Munoz/Jiang Guo) To approve the In-Home Respite Policy as presented. Unanimous.

C. Transportation Policy

A statement regarding Financial Management Service (FMS) was added to the Transportation Policy. The statement was added in order to come into compliance. This would affect family members who are vouchered or vendored to provide day care services. The Trailer Bill language is requiring regional centers to implement FMS. The primary function of the FMS is to manage all financial paperwork including workman’s compensation, and to ensure proper tax documents are being filed.

M/S/C (Jiang Guo/Joe Utar) To approve the Transportation Policy as presented. Unanimous.

VII Committee Reports

A. Vendor Advisory Committee

Tammy Bachrach, Vendor Representative, reported there was no Vendor Advisory Committee in December. A subcommittee met to work on ethics to develop a training session for service providers.

B. Consumer Advisory Committee

Miguel Lugo, Consumer Advisory Committee Representative, reported there was no Consumer Advisory Committee in December. An internal meeting was held in December in preparation for the elections in June.

C. Family Advisory Committee

Felicitas Navera reported the FAC met on January 6th. Meetings are scheduled on the first Wednesday of the month. Feli encouraged parents to attend meetings. Parents in Whittier joined the conference via teleconference and was well attended, though the Alhambra attendance was low.

The AB 637/1543/1106 Waiver Request was presented by Regional Center staff. It was clarified that the service was is an option to families as they consider the most appropriate choice from an array of services.

D. Finance Committee

1. Meeting Agenda

- Independent Auditor's Report, Financial Statements for FY 2010/11
- Tax Deferred Annuity: MOA Financial Statements
- Money Accumulation Pension Plan
- IRS: Form 990
- Committee: Update/Recommendations

Terry Munoz reported all reports were reviewed by the Finance Committee Meeting on January 4, 2012. The agenda included the review of the audit reports. There was also a presentation by Windes & McClaughry on the result of the Financial Statement audit for 2010-11 and a review of the draft IRS 990 form.

All reports will be posted on the ELARC website.

M/S/C (Joe Utar/Jiang Guo) To approve the financial statements as reported and to proceed with filing the 990. Unanimous.

VIII Misc. Announcements

There were no announcements.

IX Adjournment

There being no further business to discuss the general board meeting was adjourned at 7:55 P.M.

X Executive Session

An Executive Session was called to order at 8:00 P.M. to discuss a personnel matter.

There being no further business to discuss the meeting was adjourned at 8:20 P.M.

Respectfully submitted by:

Felicitas Navera, Secretary
ELARC Board of Directors

Recorded by: Rosalie M. Estrada, Executive Assistant