

EASTERN LOS ANGELES REGIONAL CENTER

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Minutes ELARC Board of Directors Meeting February 12, 2013 *Approved March 12, 2013*

Present:

Terry Munoz, President
Pat Gomez, Vice-Chairperson
Robert Hazard, Treasurer
Deborah Gallardo
Theresa Chen
Marvin Brown
Felicitas Navera
Roman Castro, CAC Representative

Staff Present:

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

Absent:

Elton Lui (excused)
Jiang Guo (excused)
Armando Villegas, VAC Representative

Guests:

Please refer to sign-in sheet

I. Welcome & Roll Call

The meeting was called to order at 6:15 P.M. by Terry Munoz, President. A quorum was present in order to conduct necessary business.

II. Introductions &

III. Opening Round

The board members introduced themselves and asked to share a positive experience.

Terry Munoz announced the South Pasadena Local School District is sponsoring a free conference scheduled for March 2, 2013. The conference is for administrators, teachers, parents and consumers. There will be a special needs panel and Joey Travolta will be their keynote speaker who was at one time a special education teacher. He is also the brother of John Travolta. Joey Travolta trains individuals with special needs on film making with the hope of finding them work. The conference has been posted on the ELARC website. Members of the community and various organizations

have made donations to carry the full cost of the conference. Terry invited all to attend. Vendors are encouraged to attend. Information on the conference can be found on the ELARC website.

Felicitas Navera indicated she was unable to attend the January board meeting and wished all a very happy new year. She stated she is beginning her second year on the Board of Directors and expressed her support of the board and its purpose. Fely also indicated how important it is to reach our families and be able to assist them. She also hopes all will attempt to expand their knowledge and continue to be a good board member.

Theresa Chen shared his son had a seizure on Sunday morning after being seizure free for approximately one year. She indicated she was there and was able to catch him. She reported she called the doctor and he adjusted his medication dosage to allow for his growth. Once the seizure was over her son indicated he still wanted to attend church. She stated is was very happy that she was there to help him during this episode.

Bob Hazard reported his sister who is currently living at the Lanterman Developmental Center will be moving to the Halifax home in Temple City. He reported he spoke to her about a half hour ago and she was at the home along with three other roommates and will be spending three nights at the Halifax Home as a trial basis. Bob is optimistic that all will go well and she will be moving to the home permanently.

Roman Castro, consumer and CAC representative, reported his being nominated by the ELARC Board of Directors last month was a positive experience for him.

IV Community Input

The audience introduced themselves.

Elias Fonseca, consumer, indicated he was the president of the Latino Coalition. Mr. Fonseca has expressed an interest in becoming a board member.

Dr. Jonathan Chien reported SEEK continues to conduct training on ABA (Applied Behavior Analysis) in China and now the Department of Rehabilitation in China is requesting on-going ABA training to physicians and nurses. Dr. Chien indicated he is in the process of organizing the training and hopes to have it in place within the next couple of months.

Gong Fong, parent, reported his son is a consumer of ELARC and is getting along with his therapist.

V. Approval of Board of Directors Meeting Minutes

A. Minutes of January 8, 2013

M/S/C (Robert Hazard/Felicitas Navera) To approve the Minutes of January 8, 2013 as recorded. Unanimous.

VI Executive Director's Report

A. Budget Update

1. FY 2013-14: Governor's Proposed Budget

Gloria Wong shared with the Board a copy of the Governor's Proposed Budget which was released on January 10, 2013 for the fiscal year 2013-14. As a system, the Regional Center's have not been affected by additional cuts in the proposed budget. There was a slight increase of \$121 million over the current fiscal year. The 1 ¼% reduction is still in effect and has been in effect for approximately two years, and is not mentioned in the Governor's Proposed Budget. The 1 1/4% reduction has a sunset date of June 30, 2013. Gloria reported there is a pending lawsuit, ARC vs. Douglas, which is a joint lawsuit with a major provider, United Cerebral Palsy and ARC. The lawsuit was filed November 2012 requesting there be an injunction to stop the 1 ¼% cut. The likelihood is that July 1st will come before the court makes a decision, so it is anticipated the Governor and the Legislature will sustain the sunsetting of the 1 ¼% reduction by June 30, 2013.

A highlight of the of the Governor's Proposed Budget is a bill which was passed in the current fiscal year, SB 946 which calls for health insurance providers to be required to provide behavioral services. The bill went into effect January 1, 2013. There have been major issues on co-pay which can be substantial for families but SB 946 did not address the issue. Overall at this time the majority of the regional centers are paying the co-pay, although some regional centers are applying hardship formulas before they decide to approve the co-pay, and there are some regional centers paying only a percentage of the co-pay. The Governor's Proposed Budget includes how SB 946 should be handled by the regional centers: (1) Regional Centers will pay for the co-pay but will need to apply a hardship formula; (2) Regional Centers will be prohibited from funding deductibles.

It was expected regional centers would save approximately \$80 million in POS (Purchase of Services) and seven months into the fiscal year regional centers the projected savings is at approximately \$20 million.

2. Current FY: 2012-13

→ Monthly SOAR Report (POS)

The SOAR (POS Expenditures Projection Summary) was distributed and reviewed. In November the Sufficiency of Allocation Report was submitted to DDS, which was a very extensive analysis of the POS budget. Reports are submitted monthly to DDS.

The SOAR report which takes into consideration actual expenditures through December 2012 reports ELARC is looking at deficit ranging from a high of \$14,701,366 and a low of \$13,853,824. Last month the deficit range was reported to be between \$14 to \$15 million which was slightly higher than the current report. With the exception of the first two months of the fiscal year there has been a very steady hold to the expenditures, even a slight drop. The Regional Centers are into the seventh month of the fiscal year and to date have only received two allocations. According to the contract with DDS, by January 5 the regional centers should have received the third allocation (D-2). Regional Centers are currently awaiting receipt of this delayed allocation.

Twenty of the twenty-one regional centers are in deficit and at this time it is unknown how much money DDS has available to allocate. Collectively there is a statewide deficit, as of last month, of \$333 million. DDS is dependent on the pending approval State Amendment Plan to contend with the outstanding deficit. Every effort has been made to expand revenue through the federal government by increasing Medi-Caid Waiver eligibility. The State Amendment Plan expands the number of services which regional centers can bill for. The contract with the federal government and DDS is renewed every two years but the contract expired and it has been over a year and the contract has not yet been renewed. DDS is working off an old contract which has been granted an extension but at this time there is no additional funds approved. The money will be allocated retroactively once the contract with the federal government is approved. Potentially this could result in a cash flow issue. DDS has indicated this will be resolved by April.

→ Budget Performance Report (OPS)

The Budget Performance Report for Operations was shared and reviewed.

→ Cash-Flow Update

As reported above, as it gets closer to the end of the fiscal year, especially the last quarter of the fiscal year, ELARC may have to use its open revolving line of credit of \$13 million with City National Bank if there is no new money be allocated.

→ **Grassroots Day: March 6, 2013**

FY 2013/14 Fiscal Year: As is done every fiscal year in March, the twenty-one regional centers address legislators as a way of informing them of the budget and whether there is general support or sections that are opposed. ELARC has opted over the last four years, to meet with local legislators which has been most effective. The visits will be scheduled the week of Grassroots Day, which is March 6th. Roxy Ortiz will be putting the delegation together and will be conducting a preparation session. Anyone interested can contact Roxy or Rosalie.

Felicitas Navera indicated she attended Grassroots Day in Sacramento in the past and last year participated at the local level. She felt the local level visits were more effective than the Sacramento visits.

B. Trailer Bill: AB 1472

1. Reporting Requirement

AB 1472 was enacted on June 27, 2012 and was spearheaded by a series of articles done by the Los Angeles Times approximately two years ago regarding services to individuals with autism and the variances of funding services based on ethnicity. The writer focused on the distinctions in terms of the average expenditures for given ethnic groups. The reporter found there was a large difference in terms of the amount of money being spent depending on the ethnicity. As a result of the articles a Senate Select Committee on Autism and Related Disorders was established. The Hearings began in April 2012 and they explored the issues of disparity and diversity in regional center services and they came up with recommendations, and as a result AB 1472 was enacted. The bill requires regional centers to do a full analysis of their expenditures with respect to consumer age, ethnicity, primary language and diagnosis. The age groups were broken done by age group from birth to 2 years, from 3 years to 21 years, then 22 years plus.

AB 1472 states that by March 31, 2013 every regional center will need to post on their website the results and breakdown the data according to the specifications in AB 1472. DDS is responsible for running the necessary data for every regional center.

ELARC is sorting the data information and developing a plan on how to present it to the community. Regional centers are required to conduct community meetings within three months after posting the information on the website (March 31, 2013).

The Senate Select Committee conducted stakeholder meetings. The result is approximately 150 recommendations. Gloria indicated it is her understanding there will be proposed legislation which will incorporate the recommendations.

There is no sunset date on SB 1472.

Gloria reported she will have a preliminary analysis ready for the Board review at the March 12th meeting.

2. “Equity and Diversity Taskforce”

Refer to report above re: AB 1472.

C. Lanterman Act and Related Laws: January 2013

A copy of the latest Lanterman Act was distributed to the Board. There was no summary of what changes were made.

VII Consumer Services Report

Felipe Hernandez reported the following:

→ The Early Start review by DDS was completed. The team was here the week of February 4th and focused on chart review to ensure compliance with the regulations. The final report should be received in approximately 1 to 2 months.

→The Medi-Caid Waiver Review for the federal programs will be conducted beginning the week of February 25th. The team from DDS will conduct the review which will take one week. The federal programs to be reviewed include Medi-Caid Waiver, Title 19, Nursing Home Reform and the Special Incident Reporting data. The auditors will also visit homes, will interview service coordinators and will be reviewing records.

→ Felipe reported there are monthly training sessions at the Regional Center of Orange County (RCOC). He reported he has attended a few of their sessions and they have been well attended. The sessions are held from 3:00 P.M. to 8:00 P.M. on the 4th week of the month every three months. RCOC collaborates with the local school district in the planning of the training sessions for staff and also for providers. The next conference, “Improving Quality of Life Outcomes across the Lifespan for Individuals on the Autism Spectrums” will be provided by Dr. Peter Gerhardt and Dr. Holding who are both well known and respected individuals in ABA services and philosophy. This presentation will discuss an overview of effective transition programming at any age – with the ultimate goal being a life of dignity, competence, happiness, and quality. An overview of transition planning, community based instruction, social competence, sexuality and sexual safety, and quality of life concerns will also be discussed. It will be a 5 hr. presentation and will include a box meal and will take place at the Regional Center of Orange County.

VIII Committee Reports

A. Nominating Committee

Terry Munoz presented the slate of officers for nomination at the March 12, 2013 Board meeting.

B. Finance/Personnel Committee

Gloria Wong reported Terry Munoz, Robert Hazard and Joe Utar were present at the Finance/Personnel Committee meeting held on January 23, 2013. A copy of the draft documents discussed at the meeting were included in the Board meeting packets.

As per the contract with the Department of Developmental Services, regional centers must have an independent audit of the previous fiscal year and the final report is submitted to DDS. This is the first year ELARC is dealing with a new auditing firm, Lautze & Lautze which is located in San Francisco. They do have experience working with other regional centers. They attended the meeting of the Finance/Personnel Committee meeting January 23rd and made a presentation on their findings to the Board committee. The IRS Form 990 was also reviewed by the committee.

Terry Munoz reported the auditors were very complimentary and very thorough. The adjustments they requested were very minor and insignificant. The auditors shared they currently have contracts with seven of the regional centers. Bob Hazard shared the audit went very smoothly and the auditors indicated they were very impressed with staff and existing accounting practices and protocols. Bob stated that Gloria has a wonderful accounting staff. Gloria responded she has a wonderful staff across the board and that the accounting staff is indispensable. ***Kudos to the accounting staff!***

Gloria reported the Finance Committee took a motion to approve the draft documents which were reviewed by them and presented to the full board. The final reports were distributed at the board meeting. There was only one change made to the final version which was a sentence added to Page 19 of the audit report, under the section entitled "Basis of Presentation" which reads "The accompanying schedule of expenditure of federal awards includes the federal grant activity of the Center and is presented on the accrual basis of accounting".

M/S/C (Marvin Brown/Theresa Chen) To approve the final reports of the Financial Statement Audit Report for Fiscal Year 2011-12 and the IRS 990 form as presented. Unanimous.

C. Consumer Advisory Committee

Roman Castro, CAC representative, reported the next CAC meeting is scheduled for February 19 from 4:00 P.M. to 6:00 P.M. in the Board room. The main topic of the meeting will be "How to Talk to your Service Coordinator". Also to be discussed will be future training re: "personal space". The CAC also continues to discuss ideas for outreach activities, for example a social media campaign and Roman going to the vendor meetings.

D. Family Advisory Committee

Felicitas Navera reported there was no meeting held in January but the FAC met on February 6th. The committee is revising their agenda for future meetings. There will be a session which will offer a systems update by Gloria Wong, and the following month there will be a presentation by ELARC staff on a subject matter which is of interest to the families. The first presentation will be on Autism in April. Fely reported there was also discussion about Grassroots Day. She also reported the Family Resource Center will be going to Sacramento for the Family Voice Summit and they will be representing families with extreme health care needs.

Felicitas also reported the CAC, headed by Roman Castro, will conduct a very important training educating consumers on "How to Articulate or Communicate their needs to Service Providers".

E. Vendor Advisory Committee

Armando Villegas, VAC representative, was not present this evening therefore there was no report provided.

IX Miscellaneous Announcements

There was no announcements.

X Adjournment

M/S/C (Deborah Gallardo/Pat Gomez) To adjourn the General Board Meeting and go into Executive Session. Unanimous.

The General Board Meeting was adjourned at 7:07 P.M.

XI Executive Session

Terry Munoz called the Executive Session to order at 7:10 P.M. to discuss a personnel matter and was adjourned at 7:25 P.M.

Respectfully Submitted by:

Felicitas Navera, Secretary
ELARC Board of Directors

Recorded by: Rosalie M. Estrada, Executive Session.