



EASTERN LOS ANGELES REGIONAL CENTER
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**ELARC Board of Directors Meeting
Minutes of February 10, 2015**

Approved As Corrected March 10, 2015

Present:

Robert Hazard, President
Lida Chavez, Secretary
Terry Munoz, Treasurer
Theresa Chen
Diane Lasell
Felicitas Navera
Elias Fonseca
Armando Villegas, VAC Representative

Staff Present:

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

Absent:

Deborah Gallardo (excused)
Roman Castro, CAC Representative (excused)
Anthony De La Rosa, Vice-Chairperson (excused)
Tony Borrego (excused)

Guests:

Refer to Sign In Sheet

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I Welcome & Roll Call

The ELARC Board of Directors meeting was called to order at 6:02 P.M. by Robert Hazard, President. A quorum was present to conduct necessary business.

II Introductions & Opening Round

The Board and guests were introduced.

III Community Input

There was no community input.

IV Approval of Board of Directors Meeting Minutes

A. Minutes of February 10, 2015

Correction on Page 7: Minor typographical errors were noted.

M/S/C (Lida Chavez/Felicitas Navera) To approve the Minutes of January 13, 2015 as edited. Unanimous.

V. Executive Director's Report

A. Grassroots Day: April 15, 2015

The budget hearings will begin in March and in May the Governor will release the May Budget Revise.

The plan of action is to launch an aggressive campaign to educate ELARC legislators. To this end ELARC will be working with our community in recruiting participants willing to meet with their legislators at the local level and the Capitol (Sacramento). The one day event in Sacramento is coordinated by the Association of Regional Center Agencies (ARCA). The Grassroots Day event in Sacramento is scheduled for April 15, 2015. All regional centers are being asked to develop a local delegation to attend the day long event plus also attend a preparation meeting on April 14, 2015. Delegations are to represent a unified position as follows:

(1) A 10% restoration of past reductions to service providers and to regional center operations.

(2) Every subsequent fiscal year after 2015-16 there is to be a 5% continuous annual adjustment to service providers and regional center operations until such time as there is a completed assessment resulting in needed funding reforms to adequately fund the regional center system.

The intent behind the aggressive campaign at the local level is to extend ongoing support to the eight (8) legislators that undersigned the letter to Governor Brown on October 27, 2014 asking for a restoration of funds to the regional center system. These eight legislators will need the support of their constituency to convince other legislators of the crisis in our system and the necessity to act decisively and vote for action in the upcoming March 2015 budget hearings.

ELARC Community Services Division is organizing and planning all the details surrounding Grass Root Day in Sacramento and local visits. The two primary staff conducting activities for ELARC will be Roxy Ortiz and Liz Harrell. Ms. Ortiz will be the point of contact for scheduling and conducting the legislative workshops. Ms. Ortiz presented at the VAC meeting last month.

Legislative Workshops:

The remaining legislative workshops are scheduled for 2/18, 3/25 and 4/8 in Alhambra. The first workshop was held on January 29, 2015. If the four dates are not feasible, contact Ms. Ortiz and she will schedule a personal appointment. Training will consist of how to write your personal story (a one page profile) and details of what to expect at the visit. Legislative workshops are open to the public.

Terry Munoz and Theresa Chen, board members reported they attended the first Legislative Workshop and they both found it be very informative, it was comprehensive and were provided with samples of letters.

ELARC staff that have family members served by regional center will also be participating in Grass Roots Day and will be teaming up with other parents/consumers as part of the ELARC delegation.

Local visits will also be scheduled with state representatives or their aides. These visits are more relaxed, normally will get more time to visit with their aides. Terry Munoz, Diane Lasell, and Tony Borrego will be meeting with Senator Lu's staff on Friday, February 13, 2015.

As a reminder, since the majority of Board members have expressed an interest and have committed to being part of the Grass Roots Day in Sacramento, the April 14, 2015 board meeting will be cancelled. Information regarding the cancellation of the April Board Meeting will be posted and placed on the ELARC website and information will be shared at the advisory committees meetings.

Annual Family Program Fee (AFPF):

ARCA is working with other Lanterman Coalition members for a 10% across the board rate increase for developmental service providers and regional centers. The AFPF which is often referred to as "the disability tax" does not affect all consumers and their families. Families are required to pay an annual fee to the state if they have a child who is 18 years of age or under and does not live at home and requires regional center services. Services include respite, camp and day care. The payment can be a barrier to services for some families because the cost of raising a child with developmental disabilities is very high. Last year approximately 10,000 were impacted by the AFPF. ARCA is requesting personal stories from families.

"On the Brink of Collapse":

Ms. Wong stated that ARCA is developing another document to be shared with legislators at upcoming visits. The report is still in draft form but should be finalized by the end of the week. The working title is "On the Brink of Collapse the Consequences of Underfunding Our System". The report focuses on residential homes, day and work program and supported employment. These are the services which are the most expensive services for consumers. There is emphasis on the limited increases that have resulted in program closures and a decrease in the quality of services. Case management, as it relates to caseload ratios, is also part of the report.

As soon as the final report is received Rosalie Estrada will send it to the Board via email.

B. Purchase of Services (POS) 2014--'15

POS Update:

The POS Projection Summary was distributed and reviewed. ELARC is reporting a deficit of approximately \$13,560,442 to a high of \$14,795,950. Statewide all regional centers are reporting a deficit totaling \$300 million. DDS has indicated there are insufficient funds to allocate to all the deficit centers. The contract for all regional centers requires a monthly POS report projecting annual expenditures and determining whether there is a deficit or surplus. When DDS determines that there are insufficient funds to meet the regional center projected deficits they are required to notify the Legislature of such a deficit. DDS has acted by submitting a "deficiency of allocation" letter to the Legislature. Expected response and action is not anticipated until June 15, 2015.

OPS Update:

The Budget Performance Report was reviewed. The balance in operations is \$624,185. Staff remains on a reduced work schedule due to cuts in operations. Currently staff work 78 hours versus 80 hours in a two week pay-period. Ms. Wong would like to reinstate the full 40 hour weekly schedule, funding permitting, during the last quarter of the fiscal year. To reinstate the additional two hours per pay period would cost approximately \$400,000 per year.

The Caseload Survey is due to DDS by March 1st. No regional center has met the required caseload ratios. A preliminary review of the ELARC caseload has been completed. ELARC is meeting the developmental center ratio which is 1:45. For Medi-Caid Waiver ratio will need to hire four service coordinators. Early Start is currently meeting the required ratio. Finally, the general caseload ratio requirement (1:66) is not being met and will necessitate hiring approximately ten (10) service coordinators. Based on OPS balance there are insufficient funds to meet the required ratios in two categories.

C. Purchase of Services Data Report FY 2013-'14

The POS Data Report will be on the agenda for the next few meetings so the Board was asked to please bring their copy of the report to future meetings.

Gloria Wong reviewed the ELARC Consumers by Diagnosis pie charts, Per Capita Authorization & Utilization graph and the Statewide Average Per Capita POS Expenditures by Ethnicity for FY 2013-14, Change from Prior Year.

ELARC Consumers by Ethnicity: Hispanic consumers: 69.6%; Asian is at 12.5%; White at 10.2%. There was a slight decrease in the Hispanic consumer base from 70% last year.

A comparison of the Per Capita Authorization (PCA) & Utilization (U) graph for FY 2013-14 and FY 2012-13 was reviewed. The following diagrams isolate the top three ethnic groups in the ELARC catchment area.

FY 2013-14	PCA	U (actually used)
Hispanic	\$13,358 per family	82.6%
Asian	\$14,318 per family	82.7%
White	\$31,202 per family	89.3%

FY 2012-13	PCA	U (actually used)
Hispanic	\$13,215 per family	82.2%
Asian	\$14,859 per family	81%
White	\$29,309 per family	89.1%

There has been very little change in the past two years. The Hispanic and Asian population are very close in the per capita average. The White Caucasian group is higher in both the per capita and utilization trend.

**State Aggregate (SA) vs. ELARC (E) FY 2013-14 Utilization &
State Aggregate (SA) vs. FY 2013-14 ELARC (E) PCA Utilization**

	(SA) State Aggregate	(E) ELARC	(UA) Utilization	UE Utilization by ELARC
Hispanic	\$13,632	\$13,358	76.2%	82.6%
Asian	\$16,677	\$14,318	78.9%	82.7%
White	\$25,677	\$31,202	82%	89.3%

On average the Hispanic population SA is \$13,632 per consumer and for ELARC it is \$13,358. The UA rate statewide is 76.2%, and the UE rate for ELARC is at 82.6%. For the White population the SA is \$25,677 and for ELARC it is \$31,202; UA for the White population is 82% vs. UA for ELARC at 89.3%.

For the Asian population, the SA is \$16,677 and for ELARC it is \$14,318. The UA rate is 78.9% vs. 82.7% for ELARC.

78% of ELARC total staff (250) speaks Spanish; 14% of ELARC speak Chinese; 4% of staff speaks Vietnamese. Spanish-speaking management staff totals 57%; Asian-speaking management staff is 15%.

The other area the Legislature is interested in is the No Purchase by Ethnicity. These are consumers who have active cases but the regional center is not purchasing services. Consumer may be school age where the primary services is being rendered by a generic source at no cost to regional center. Case remains active for advocacy purposes.

	A (statewide)	E (ELARC)
Hispanic	22.7%	13.7%
Asian	21.1%	16%
White	16.5%	12.3%

POS Equity Committee:

The Association of Regional Centers Agencies (ARCA) has agreed to identify obstacles that limit access to utilization of services by ethnic groups on services provided by regional centers. Two potential entities have been identified to conduct the study, Children’s Hospital of Los Angeles (CHLA) and the University of San Diego. CHLA has indicated they have the ability to secure independent funding. They will pursue potential donors to obtain 100% funding for the research.

As reported at the January Board Meeting, ELARC is holding four public meetings to review the POS data with our community. The first session is scheduled for February 25th, from 10:00 A.M. to Noon at Headquarters and at 5:30 P.M. in Whittier at Palm Park. There is another meeting scheduled in partnership with Fiesta Educativa on March 7th from 10:00 A.M. to 12:00 P.M. at the ELARCA Auditorium. For the fourth session ELARC will partner with the Chinese Parents Association on March 21st from 12:30 P.M. to 2:30 P.M. at the Asian Youth Center in San Gabriel. Case management supervisors will be part of the community meetings.

D. Lanterman Act

The Lanterman Act has been revised. The revised version is available on-line at: http://www.dds.ca.gov/Statues_Home.cfm. The booklet will be available in March 2015.

E. Senate Rules Committee Confirmation Hearing: DDS Director: Santi Rogers

Ms. Wong reported Santi Rogers was appointed by Governor Brown as the DDS Director. The Senate & Rules Committee Confirmation hearing took place on February 3, 2015 and they are endorsing the appointment. A vote needs to be taken by the full Senate in approximately two weeks. It is expected that his confirmation will not be challenged.

D. Self-Determination(SD)

The stakeholder meetings with the Department of Developmental Services continues even though the application was submitted by DDS to the Center for Medicaid and

Medicare (CMS) on December 31, 2014. Ms. Wong indicated she is part of the group that will be meeting again on February 23, 2015.

CMS has 90 days from the date submitted in which to respond. There are three potential outcomes: (1) approval; (2) denial; (3) request modifications to the submitted application which could restart the 90 day clock.

Despite the submittal of the application the DDS committee on SD continues to meet and work on outstanding issues such as: training and orientation material, development of fiscal management agencies, consumer selection criteria and process, and the establishment of the local advisory committees. A copy of the Self-Determination Program Responsibilities Chart was shared with the Board.

The project is limited to 2,500 SD participants statewide in the first three years. Regional Centers must develop an "interested list". DDS will ultimately decide on participants based on a random selection process by using the "interest" list developed by regional centers. ELARC will have approximately 100 participants. ELARC currently has 26 consumers in the original pilot. Therefore ELARC will add only 74 additional participants. Once the interest list is developed by regional centers DDS will then select randomly from the list. Notices will go out once meetings are scheduled. Interested parents/consumers must attend an orientation session.

Consumer Characteristics by Statewide Data: The Statewide Ethnicity was distributed and reviewed. The ethnicity for the Hispanic population statewide is 35.9% and the Asian population at 6.48%. ELARC demographics far exceeds the statewide average count for the Asian and Hispanic population.

All training discussion and development of material has been assigned to a sub-group of the full stakeholder group. Two components being addressed by the group are: outreach and general training. The local advisory committee development is imminent as the first two critical tasks are undertaken: outreach sessions and the establishment of an interested list to be used in the participant selection process.

It was noted that after three years the SD will not have a cap. All interested parties will be allowed to enroll on a voluntary basis.

VI Consumer Services Report

Felipe Hernandez, Chief of Consumer Services reported on the following:

- (1) There is some concern among regional centers regarding the increase of judicial orders. There is a large number of individuals coming through the court system who are found eligible for regional center services. Porterville is the only locked

facility in our system who takes individuals found eligible for regional center services. Many of these have a mental health issues and spend much time in the jails before they are admitted into Porterville.

The Dept. 95 Mental Health Court judge has been active in making very specific orders for consumers such as ordering Supported Living Services (SLS) in many

of these cases. There are no viable community residential options due to the gravity of the charges against the individual. Use of SLS in such cases is in the view of most centers not only as inappropriate but places the community at risk as well as increases the regional center's liability due to problems of adequate security and supervision.

There is presently an ARCA Ad Hoc Committee of Chief Counselors working on some recommendations to reduce the inappropriate use of SLS for forensic solutions.

- (2) Motor Voter: Federal Government is concerned that there are not enough consumers registered to vote. ELARC has been a leader in this effort along with North L.A. County Regional Center in Los Angeles County for registrations and documentation of the requirement to show proof of offering the opportunity to register to vote.

There are concerns from advocacy groups that Motor Voter agencies are not making sufficient efforts to register eligible persons.

VIII Committee Reports

A. Consumer Advisory Report

There was no CAC report as Roman Castro was not present.

B. Family Advisory Committee

Felicitas Navera reported the FAC has been experienced a diminished attendance at the last FAC meetings held on February 4, 2015. It is speculated that perhaps the parents attended the recent ELARC U sessions and therefore could not be available for the FAC meeting. The FAC has decided to be more aggressive by emailing the parents and informing them of the March 4th presentation requested by the FAC members on Multi-Faith & Spirituality.

The next meeting is scheduled for March 4th from 10:00 A.M. to 12 Noon.

C. Vendor Advisory Committee

Armando Villegas, VAC Representative, reported Roxy Ortiz attended the January 22nd and reported on the Grassroots activities.

Mr. Villegas indicated nominations were to be held on the January 22nd meeting but attendance was low. Nominations were left open and may be done via email.

Dora Ramirez, Resource Specialist shared there will be an emergency preparedness workshop on April 28 in the boardroom. She also reminded the regional center vendors of the requirement to have policies in place for Zero Tolerance and Whistleblower.

The VAC meets on the 4th Thursday of the month, there is no meeting in August or December.

D. Finance/Personnel Committee

The audit on the pension plans for the agency is conducted by Miller Kaplan Arase on an annual basis. A copy of the letter from the agency to the Board of Directors dated January 20, 2015 was shared with the full Board. The two plans audited were: Principal Money Accumulation Plan, 401 (a), agency contributes 9% to the employee's account; Mutual of America, 403 (b), a tax deferred plan which is a voluntary plan.

There are two reports available for review, Money Accumulation Pension Plan and the Tax Deferred Plan. There were no findings or recommendations.

E. Nominating Committee

The Nominating Committee presented the following slate of officers for nomination at the March Board Meeting:

Robert Hazard, President
Anthony De La Rosa, Vice-Chairperson
Terry Munoz, Treasurer
Lida Chavez, Secretary

VIII Miscellaneous Announcements

Robert Hazard, President would like to discuss the board training/orientation. Gloria suggested placing this on the March meeting agenda for further discussion.

IX Adjournment

There being no further business to discuss the general board meeting was adjourned at 7:56 P.M.

M/S/C (Terry Munoz/Elias Fonseca) To adjourn the General Board Meeting at 7:56 p.m. Unanimous.

X Executive Session

An Executive Session was called to order at 8:05 p.m. to discuss a personnel matter.

There being no further business to discuss the Executive Session was adjourned at 8:20 p.m.

Respectfully submitted by:

Original Signed by Lida Chavez

Lida Chavez, ELARC Board of Directors Secretary

Recorded by: Rosalie Estrada, Executive Assistant

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