



EASTERN LOS ANGELES REGIONAL CENTER
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ELARC Board of Directors Meeting
Minutes of July 8, 2014
Approved as Edited September 16, 2014

Present:

Robert Hazard, President
Lida Chavez, Secretary
Terry Munoz, Treasurer
Deborah Gallardo
Theresa Chen
Felicitas Navera (FAC Representative)
Diane Lasell
Tony Borrego
Elias Fonseca

Staff Present:

Gloria Wong,
Executive Director
Rosalie Estrada,
Executive Secretary

Absent:

Roman Castro (excused)
Anthony De La Rosa, Vice-Chair
Armando Villegas (VAC Representative)

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I Welcome & Roll Call

The ELARC Board of Directors meeting was called to order at 6:05 P.M. by Robert Hazard, President. A quorum was present to conduct necessary business.

II Introductions & Opening Round

Guests in the audience were introduced.

III Community Input

Chala Jitpatima, parent, shared she spoke to the Special Education Director and invited him and staff to visit the Lift Program at Alhambra High School in September when the new school year starts. This will be the 3rd class for adult transition. Chala also invited the ELARC board members to visit the class.

She also shared she had the opportunity to attend a yoga retreat training in Espinola, New Mexico for 10 days. The Master (from the yoga retreat in New Mexico) asked those present to share information on the technique with others. She indicated she would like to do a free workshop. Gloria Wong suggested Chala host an event and circulate information/flyer to promote her personal event. Felicitas invited Chala to share her experience at a FAC meeting.

Bob Hazard shared there was an article in the Daily News on June 24th about autism and whether the exposure to pesticides can be linked to autism. Terry Munoz had shared with Bob she was from Santa Maria and when she was a child her family would be working in the fields and the crop dusters would fly over the workers spraying pesticides. Bob shared Terry's son has autism and her daughter's two children have autism. Bob distributed copies of the article to the board.

A reminder the next Board of Directors meeting will be on **September 16th** due to the holiday on September 9th, California Admission Day.

IV Approval of Board of Directors Meeting Minutes

A. June 10, 2014

Terry Munoz noted a couple typographical errors in the minutes.

M/S/C (Terry Munoz/Lida Chavez) To approve the Minutes of June 10, 2014 as corrected. Unanimous.

V. Executive Director's Report

A. Budget Update

1. Fiscal Year 2013-'14

(a) The fiscal year ended June 30, 2014. The monthly Purchase of Services (POS) budget report was reviewed. There is a current deficit of \$3.5 million. Gloria reported the expectation is that ELARC POS budget will eventually be made whole. The dilemma is "when" will the allocation be released by DDS. The result of this delay will potentially impact cash-flow.

(b) All 21 regional centers ended the fiscal year in a deficit which in total ranges from \$101 to \$108 million.

(c) Cash Flow Update: Refer to Preliminary Allocation report below.

(d) Budget Performance Report – Operations: Currently there is a surplus of \$135,919 in Operations which will be used for supplies and other business related expenses before the close of the fiscal year. The surplus of \$44,969 on the Clinical Team budget line item is an exclusive allocation and cannot be transferred to general operations funds.

2. Fiscal Year 2014-'15

The new fiscal year began July 1, 2014. The Governor signed the new budget on time. Highlights include: (1) To restore Early Start eligibility requirements to pre- 2009 levels. In Fiscal year 2009-'10 deep budgetary cuts resulted in severely diminishing the eligibility criteria for the early start population (0 to 3 years). Persistent efforts on the part of the Association of Regional Center Agencies (ARCA) and numerous advocates resulted in the reversal of the action

taken in 2009-'10 Fiscal Year. As of January 1, 2015 the eligibility criteria will be restored to pre 2009 standards. Unfortunately the 5% restoration initiative to service providers and regional center operations was rejected. The ultimate plan by the Governor was to reconvene the "Task Force on Developmental Centers" and assign it with the task of assessing the impact of the cuts to the regional center system and providing recommendations as the next steps. The committee will once again be chaired by Secretary Dooley.

(a) Preliminary Allocation: ELARC received the first installment of the 25% preliminary allocation which was received in June after the passage of the budget on June 20, 2014. The balance will be issued in two additional payments to be sent in July and August. ELARC's allocation is approximately \$11.5 million with each installment allocation. Initially DDS advised regional centers that the second installment would be received by July 9, 2014 but later rescinded and stated deposits would not be made until July 14, 2014. ELARC has a scheduled payment run on July 11, 2014. The allocation delay will result in a cash-flow problem that may require the agency to tap its line of credit. The processing of electronic payments will be delayed until July 14, 2014, when allocation is expected, in order to avert tapping the line of credit.

(b) Regional Center Contract: The Regional Center contract for FY 2014-'15 was received and signed by Bob Hazard, President. A full copy of the Contract was shared with the Board.

B. Correspondence to DDS re: Caseload ratio Survey

Gloria Wong stated on June 10, 2014, as part of the Board of Directors meeting, the ELARC Caseload Ratio Plan of Correction was reviewed. The cause for non-compliance with the 66:1 ratio is due to insufficient funds allocated to the Operations budget. A proposal promoted by the Lanterman Coalition to adjust operations funding by a 5% increase in the 2014-'15 fiscal year budget is needed to hire the necessary staff to meet the caseload ratio requirement. There was no public input received in writing or at the Public Meeting. .

C. Performance Contract Meeting

The Performance Contract Meeting is scheduled for Wednesday, August 6th and there will be two sessions: Alhambra from 10:00 A.M. to 11:30 A.M., and Whittier at Palm Park from 6:30 P.M. to 8:00 P.M. The meeting will focus on the development of the 2015 plan and a progress review of the 2014 plan. A copy of the flyer was distributed.

The Performance Contract is based on a calendar year, versus a fiscal year. A mid-year report on 2014 objectives was issued by DDS and shared with the Board. The draft 2015 Performance Contract objectives will be posted on the ELARC website by July 25, 2014.

Terry Munoz noted ELARC is the highest percentage of adults residing with their parents.

D. Self-Determination Update

A reminder was shared that DDS has posted a “Self-Determination” section on their website. It will serve as a source to keep the community up to date on the latest self-determination activities and actions. The ELARC website has a direct link to the DDS website.

Currently DDS is working on the completion of a 1915(c) application to be submitted to CMS (Center for Medicaid and Medicare Services) for federal funding approval. This will be the initial step in the process before the self-determination project can be launched. Securing federal funds is a top priority as outlined in Senate Bill 468. DDS is hopeful that the application to CMS will be ready for submittal by September 29, 2014.

There is concern that the new CMS regulations for the Home & Community Based Program may have a serious impact on existing services utilized by regional centers which may be in conflict with the CMS standards. The regulations appear to be more stringent on the types of services that will be eligible for federal funding. New applications submitted to CMS must comply with the new standards. The concern is that this may prolong the application process as clarifications are obtained and potential subsequent numerous resubmissions of the application may be requested by CMS.

DDS has an active “Self-Determination Advisory Committee” composed of various stakeholders, (i.e.) parent groups, advocacy and the Association of Regional Center Agencies (ARC). Ms. Wong is a member of the Advisory Committee. The committee meets periodically to provide input to DDS. The detail work is being conducted through sub-committees that are addressing issues around training, services and background checks.

Elements of the Self-Determination Program (SDP) includes limiting the number of participants to 2,500 (statewide) for the first three years. ELARC anticipates expanding its current SDP of twenty-six consumers by an additional eighty participants. After the initial three year period of operation, the SDP will no longer have a cap thereby allowing anyone who chooses to participate to join the SDP. Budgets will be based on previous 12 months of historical expenditures, with the potential of adjusting the IPP based on changing needs and transitional considerations. Nevertheless, SB 468 intent is that the overall Purchase of Services (POS) cost will be cost neutral for all participants. Additionally, all participants will be required to hire a “Fiscal Management Agency” to oversee each individual budget and to ensure adherence to personnel laws/regulations. The cost for this service must be absorbed within the current budget, no augmentation is permitted by SB 468.

A Local Advisory Committee (LAC) is to be developed at each regional center for the purpose of overseeing the implementation of SDP. The LAC is to be developed in partnership with the local area board (Area Board X for ELARC). Each entity will have the ability to elect 50% of committee participants. It is expected that the LAC will be convened once the federal application is submitted and approved. As the LAC is

responsible for monitoring the implementation phase and its related aspects, it is critical that all elements of the application such as required training, types of services approved and specifics of the background checks are fully understood before conducting public educational meetings with the intent of recruiting participants for the SDP.

VI Consumer Services Report

Felipe Hernandez, Chief of Consumer Services was unable to attend the board meeting, *there was no report.*

VII Committee Reports

A. Consumer Advisory Report

Roman Castro was unable to attend the meeting this evening, therefore there was no report.

B. Family Advisory Committee

Felicitas Navera reported the FAC met in 7/2/14 and there were only three parents in attendance. These parents were present after hearing from other parents about the FAC meetings. The parents were having problems with integrating their children in the school system. Mary Hosokawa, ELARC Education Specialist presented on working with the schools. The parents indicated they were enlightened by the presentation.

The next meeting is scheduled for August 6th.

C. Vendor Advisory Committee

Armando Villegas was unable to attend meeting this evening, therefore there was no report.

D. Finance/Personnel Committee

Terry Munoz reported on July 26, 2014 the Finance/Personnel Committee conducted a pre-audit conference call for the upcoming 2013-2014 fiscal year independent audit. Tony Arrow, Accountant with Lautze & Lautze joined in on the conference call. Board members present included Bob Hazard, President and Terry Munoz, Secretary. Staff present: Gloria Wong, Patricia Alvarez, Chief of Administrative Services and Sophia Tang-Hao, Controller. The Letter of Engagement with Lautze & Lautze will be signed by both Gloria Wong and Robert Hazard, Board President.

There was an Executive Session held with only the board members, Bob Hazard, President and Terry Munoz.

The Principal Plan review meeting has been changed to August 19, 2014.

VIII Miscellaneous Announcements

Reminder August is a dark month, so there will be no Board Meeting Scheduled. The next Board meeting is scheduled for September 16th.

✓ Bob Hazard reported last month he was in Washington D.C. leading a delegation of six from California. They met with every congressional and senate office and presented several points: Support mandatory national background checks for direct care workers at all Medicaid long-term care homes. The State of California has a statewide background check program but there is no nationwide background check. There is an effort to get individuals to write to the Department of Health and Human Services and the Department of Justice to have them focus and support nationwide background checks.

There is also a need to have the Developmental Disability Assistance Bill of Rights Act to be updated. It was last updated in 2007.

The Department of Medicaid and Medicare Services is proposing to redefine an "institution" as a four bed home. The reclassification will require service providers that exceed this new capacity limit to come into compliance with the proposed regulations or risk federal funding.

✓ Terry Munoz shared she has two grand-daughters who are autistic and were on national T.V. representing the UCLA program. The study raised the issue of stress, and people of color and different factors that contribute to a higher rate of autism. The program was televised in Spanish.

✓ Mr. Huynh, parent of three children who have autism addressed the Board. He reported the family speaks Vietnamese and his children have been registered with ELARC for approximately 10 years. He stated he has too many problems with their service coordinator. He indicated he has asked for information in Vietnamese and he finally received the Consumer Handbook in Vietnamese. He does not know what services are available for his children and needs help.

Gloria Wong responded to Mr. Huynh and indicated that he has communicated with Felipe Hernandez and Frances Jacobs, Manager of Community Services and recommended that Mr. Huynh contact his service coordinator or supervisor and then Felipe Hernandez if issues can not be resolved. She also indicated that Mr. Huynh wanted the Lanterman Act and Purchase of Services Guidelines translated into Vietnamese along with other documents but these items are beyond ELARC's ability to translate. These two items are only available in English.

There being no further business to discuss the general board meeting was adjourned at 7:05 P.M.

M/S/C (/Felicitas Navera/Terry Munoz) To adjourn the general board meeting at 7:05 P.M. Unanimous.

An Executive Session was called to order at 7:09 P.M. in order to discuss the Lease Contract for the Whittier Office.

There being no further business to discuss the Executive Session was adjourned at 7:30 P.M.

M/S/C (Terry Munoz/ Diane Lassel) to adjourn the Executive Session. Unanimous.

Respectfully Submitted:

Original Signed by Lida Chavez

***Lida Chavez, Secretary, Eastern Los Angeles Regional Center Board of Directors
Recorded By: Rosalie M. Estrada, Executive Assistant***