



EASTERN LOS ANGELES REGIONAL CENTER
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ELARC Board of Directors Meeting
Minutes of November 12, 2013
Approved 1/14/2014

Present:

Terry Munoz, President
Felicitas Navera, Secretary
Lida Chavez
Elias Fonseca
Anthony De La Rosa
Roman Castro, CAC
Armando Villegas, VAC

Staff Present:

Gloria Wong, Executive Director
Felipe Hernandez, Chief of
Consumer Services
Eleanor Johns, Recruitment &
Benefits Coordinator
Frances Jacobs, Manager
Community Services
Jesse Valdez, Manager,
Residential/Federal Programs

Absent:

Jiang Guo, Excused
Theresa Chen, Excused
Robert Hazard, Excused
Deborah Gallardo, Excused
Tony Borrego, Excused

Guests:

Refer to Sign-In Sheet

I. Welcome & Roll Call

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

II Introductions & Opening Round

Board members and the audience were asked to introduce themselves.

Anthony De La Rosa asked all to please take a few moments of silence to reflect on the people that were directly affected by the strongest typhoon (Haiyan) to ever hit the Philippines. Approximately 10,000 people are suspected to have died. He has personally heard from a number of people in the Philippines who are witnessing the devastation, death and misery. Anthony asked to please keep the people of the Philippines in their thoughts.

Felicitas Navera shared she is a member of the American Red Cross and was ready to volunteer but due to her age and the conditions she was not permitted to volunteer.

III Community Input

Chala Jitpatima, Parent, will be meeting with the school board on Wednesday, November 13th to discuss acquiring additional technology for the LIFT program. She is in the process of scheduling a fundraising event with proceeds to go to the LIFT program. Any suggestions for a fundraiser would be greatly appreciated.

Chala also reported she attended a conference sponsored by Area Board 10 regarding employment.

IV Approval of Board of Directors Meeting Minutes

A. Minutes of October 8, 2013

M/S/C (Felicitas Navera/Anthony De La Rosa/Felicitas Navera) To approve the Minutes of September 9, 2013 as presented. Unanimous.

V. Executive Directors Report

A. Draft Proposed POS Policy Guidelines

1. Purchase of Services (POS) Revisions

- a. POS Statement
- b. 0-3 Health Services
- c. 0-3 Occupational Therapy, Speech Therapy & Physical Therapy
- d. Occupational Therapy
- e. Health/Medical/Dental Services
- f. Speech Therapy
- g. Prescription Drugs
- h. Behavioral Intervention Services
- i. Counseling

The revised policies were reviewed at the October 8th Board of Directors Meeting.

Suggestion: On page 3, line 10: Add Federal Poverty Level and in parenthesis add the acronym FPL. Minor typographical errors were also noted and will be corrected.

The process for approval on changes made to Purchase of Services policies and procedure is to present a draft to the Board for their review and final approval after the closing of the public comment period. Upon approval by the Board of the draft policies they will be sent to DDS for final approval.

M/S/C (Anthony De La Rosa/Tony Borrego/Felicitas Navera) To approve the Purchase of Services (POS) Revisions to the policies “a” through “i” as presented. Unanimous.

2. Operation Policy: Exceptions for Co-Payments and/or Co-Insurance

Gloria Wong reported at the October 8th meeting there was discussion regarding an operational definition of co-payment. Reference was made to attachment number 11, Exception to fund for Co-Payments and/or Insurance. The document is an operational protocol and therefore does not require Board approval. Additionally add an asterisk to the end of paragraph beginning with “Federal Emergency Management Agency (FEMA) (toward bottom of page) and add a dash to the start of the paragraph.

3. Operational Policy

a. Zero Tolerance

The California Legislature adopted various laws to protect all children, dependent adults, and elder adults from various types of abuse and neglect. Policy was developed as a requirement under Trailer Bill Language. The State wanted to ensure the service provider community develop a process for adhering to the “Zero Tolerance” outlined in the draft policy. Operational policies do not require board approval. But due to the importance and critical nature of the subject ELARC opted to bring this to the Board’s attention and to allow for a public input period. No comments were received.

Gloria reported the Zero Tolerance Policy for Consumer Abuse or Neglect was presented to the Vendor Advisory Committee. There were no formal comments at the meeting. Frances Jacobs reported the policy was well received by vendors and appreciated being given the opportunity to provide input. Armando Villegas, Chair of the Vendor Advisory Committee also reported the vendors had no objection to the policy.

M/S/C (Anthony De La Rosa/Roman Castro) To approve the Zero Tolerance Policy for Consumer Abuse or Neglect as presented. Unanimous.

B. Budget Status

1. Fiscal Year (FY) 2013-14

POS Allocation Update:

Gloria Wong reported a POS deficit ranging in the amount of \$7.1 million to \$8 million. The Budget Status Summary is provided to DDS on the 10th of every month. The Summary provides budget information for POS through the 2nd allocation.

Cash Flow Update: There has been no need to use the line of credit. The invoices sent to DDS are being processed on a timely basis and are being paid in full. DDS has committed they will continue this process through the end December.

Operations: The Budget Performance Report through the Month of September projects a deficit of \$761,285. ELARC has received most of the allocation with the exception of the Community Placement Plan (CPP) which is approximately \$1 million. Once the allocation is received an adjustment will be made to operations reflecting a slight surplus.

C. Regional Center Operation Analysis

1. Association of Regional Center Agencies (ARCA) Report (9/13/13) Under funding in the Regional Center Operations Budget

The report prepared by ARCA re: Funding the Work of California’s Regional Centers in September 2013 was shared with the Board of Directors. The types of cuts Regional Centers have experienced in Operations are long-standing. The reports provides a historical perspective of how much money has been cut and how much has not been restored. This report will be utilized during visits with the Legislators and will be shared with the Department of Developmental Services . A prime example of deep cuts requiring restoration is sufficient funds to meet the required caseload ratios and to cap the currently opened-ended caseload ratio to its original requirement under the law of

1:66. The caseload ratio was raised in order to get through during a difficult financial time. The economy is somewhat improved, there has been very little adjustments in restoring the necessary funding.

Over the years there have been numerous legislative and regulatory changes which have increased the workload to regional center staff without an adequate increase to the OPS budget. It has been twenty years that the regional centers have not received a cost of formal living adjustment (COLA). This has also impacted the vendor community.

Reference was made to page 11, specifically Chart 5 which breaks down the budget allocation by the percentage applied to Purchase of Services (POS) and Operations (OPS). Comparing 25 fiscal years (FY) in 1988-89 regional centers were allocated 29% of the total budget towards OPS. In 2012-13, 25 fiscal years later, 12.4% is allocated to OPS. This represents nearly a 17% funding erosion in over a 25 year period.

2. Frank D. Lanterman Regional Center Operations Report (10/13/08)

The Regional Center Operations: Unique Value Added Services report was published by the Frank D. Lanterman Regional Center in October of 2008. The report provides historical information as it relates to how things have been added to the operational side of the budget. The report continues to be a relevant historical account of the increasing obligations on regional centers with diminishing funding over many years.

D. Performance Contract 2014: Final Version

A copy of the final version of the 2014 Performance Contract forwarded to the Department of Developmental Services was shared with the Board of Directors. Once the approval is received from DDS the PC will be implemented January of 2014.

E. POS Disparity Report: 12/31/13 Posting

The POS Disparity Report dated December 31, 2013 will be posted on the ELARC website. Subsequently the report must be posted every December 31st. There are some changes being discussed between DDS and Disability Rights. Modifications to last fiscal year reporting format are expected. The report will be discussed at the January 14, 2014 board meeting.

F. Senate Bill 468

SB 468, Self-Determination Bill, has been signed by the Governor and is in effect as of January 1, 2014.

Gloria Wong reported before Self-Determination is implemented fiscal funding must be secured. The Department of Developmental Services has until December 31, 2014 to complete the necessary application. DDS may provide some directives to regional centers while waiting for the approval, but there will be no implementation until federal dollars are secured.

G. New Website Launch

On October 29th ELARC had a new look to its website. As with anything new there are glitches and Gloria asked for the publics patience during this period. Gloria invited the Board to take a look at the website at www.elarc.org.

H. Department of Developmental Services Leadership Change

Gloria reported Terry Delgadillo, the Director of DDS is resigning as of December 31, 2013. To date there is no word from the Governor on his appointment to this position.

I Holiday Calendar Adjustment

Gloria proposed a change to the currently approved agency holiday schedule.

Sometime back there were two State approved holidays in February, Lincoln's Birthday and Washington's Birthday. ELARC has maintained the holidays. At one point the two were consolidated into one holiday known as "President's Day". The proposal presented is to cancel the February 12th holiday (Lincoln's Birthday) and replace it with the March 31st Caesar Chavez holiday, which is a state approved holiday.

M/S/C (Lida Chavez/Roman Castro) To swap holidays, canceling Lincoln Birthday Holiday on February 12th and add the Cesar Chavez Holiday on March 31st . Unanimous.

Personnel Manual will be updated to reflect the change.

Holidays for 2014 – Conflict with Board Meetings

Veteran's Day in 2014 falls on the second Tuesday of the Month, November 11th. Gloria suggested moving the board meeting to the third Tuesday, November 18th. Advance notice will be issued to the general public by posting this change on the agency website immediately. Future reminders will be added to subsequent Board meeting agendas.

Additionally, the September 9th Board meeting is in conflict with the California Admissions Day holiday. Gloria suggested moving the board meeting to the 3rd Tuesday, September 16th. The notice will be placed on the website and added to future agenda's as a reminder.

M/S/C (Anthony De La Rosa/Felicitas Navera) To approve the recommended change in the scheduling of the board meetings due to holidays. Unanimous.

VI Consumer Services Report – Felipe Hernandez

Felipe Hernandez reported the following:

✓ Reported a training was held for consumer services in November on the MOU with the Department of Children and Family services and the afternoon session was a presentation from Dr. Ballmaier, Consulting Psychologist, regarding the new DSM V (Diagnostic & Statistical Manual of Mental Disorders). The previous DSM IV was over 20 years old.

Felipe provided an update to clarify and reduce confusion on diagnoses made by licensed individuals. There are no longer separate diagnoses for autism, Asperger's, PPD-NOS, and Rhett's. There is now an autism spectrum instead. More credence will be given to clinical observation. Criteria to diagnosis was modified to be more reflective of social and behavior features. There is also a change from use of the diagnosis of "mental retardation" to "intellectual disability". Additionally the IQ score can go to the low 70's now and borderline intellectual functioning will remain the same. ELARC will not go back and change diagnoses but the exception is the testing psychologists will implement the new diagnoses and terminology. Substantial handicap will continue to be required for eligibility in California.

VII Committee Reports

A. Vendor Advisory Committee (VAC) (Armando Villegas)

Armando Villegas, Chair of the VAC, reported the VAC had their elections, and the same officers were voted in for another year.

The CAC will continue their series on relationships and on employment. There has been additional discussion regarding the ethic policy and will continue its discussion via teleconference on Wednesday, November 13th.

Armando also reported VAC continues to coordinate a meeting with vendor representatives from Redlands.

The VAC also will be discussing the required fiscal audit for vendors.

The next VAC meeting is scheduled for November 21st. There will be no meeting in December.

B. Consumer Advisory Committee (CAC) (Roman Castro)

Roman Castro, Chair of the CAC, reported the CAC has a number of successful trainings and workshops. Outreach efforts continue.

The next CAC is scheduled for November 19th fro 4:00 P.M. to 6:00 P.M.

C. Family Advisory Committee

Felicitas Navera reported the VAC, CAC and the FAC finally met. The interest is once again employment outreach. The committees will be meeting again at a later date next year. There are more parents attending the FAC meetings. Parents are expressing their strong desire to prepare their sons/daughters for employment.

On November 6th there was a successful informative meeting on Medi-Caid Waiver. Jesse Valdez presented and the meeting was well attended. Overall Fely reported parents were having good dialogue after the presentation. One parent suggested taping the presentation and placing it on U-Tube as it is difficult for some parents to physically attend the FAC meetings.

D. Finance/Personnel Committee

1. Meeting with Independent Auditors (Lautze & Lautze)

✓ Financial Statement Report: Fiscal Year 2012/2013 Report:

Gloria Wong reported Terry Munoz and Bob Hazard attended the Finance/Personnel Committee Meeting held on November 4, 2013 with two representatives from Lautze & Lautze. Regional Centers are required under contract to have an independent audit conducted. They audited the previous years financial statement (2012-2013). The auditors reviewed their findings with the Finance Committee and offered an unqualified opinion. There was only a recommendation on Targeted Case Management (TCM) Practices.

A copy of the Draft Financial Statement Report and the TCM Response was shared with the Board. These two documents were presented and discussed at the Finance/Personnel Committee meeting.

Based on the their review there was one recommendation regarding the Targeted Case Management (TCM) Allowable Costs. The TCM program generates federal funding to the Regional Center system. Service Coordinators are required to bill for certain allowable services. The auditors reviewed sample cases and found some to have included non-billable (not allowed) services. The response from ELARC to Lautze & Lautze was shared with the Board.

Jesse Valdez, Manager of Federal Programs reported services which are billable include completing the Individual Program Plan, talking to a parent or an individual regarding a specific topic that they are interested in such as scheduling meeting, going to meetings, making quarterly contacts with the consumer, and speaking to the psychologist as a collateral contact regarding the individuals disability, all of which are service coordination activities. The service coordinators at times may bill incorrectly for clerical function activities. Jesse reported at the next service coordinators meeting he will be providing specific examples from the audit findings.

Jesse reported at the last audit by DDS in February 2014 ELARC rated 80 to 90% accuracy on TCMs. Terry Munoz reported that data provided to the Finance Committee comparing ELARC to other Regional Centers and ELARC is more accurate than many of the other regional centers. Jesse reported the average for ELARC ranges from a low of 32,000 to a high of 39,000 units per month for 137 service coordinators.

The independent auditors requested twenty cases to review and the Department of Developmental Services requested twenty-seven which were randomly selected. There are approximately 9500 consumers registered with ELARC.

Terry Munoz shared the representatives from Lautze & Lautze were extremely complimentary of ELARC compared to the other seven regional centers already audited. He also complimented the Board of Directors in terms of the minutes and the accuracy of the minutes as compared to other regional centers.

✓ Draft IRS 990 Form

As a private non-profit organization, ELARC must file with the federal government the IRS 990 form. The form was reviewed at the Finance/Personnel Committee. The deadline for submitting the 990 is November 15th. The 990 will be posted on the ELARC website.

For the record, Terry Munoz also noted that the auditors offered the committee members an opportunity to conduct an executive session, independent of staff attendance, in order to discuss any issues/concerns by Board members.

M/S/C (Elias Fonseca/Anthony De La Rosa) To approve the Financial Statement Report for Fiscal Year 2012/2013 Report and the IRS 990 Form.

VIII Miscellaneous Announcements

Terry Munoz announced the South Pasadena PTA Special Needs Committee is in the process of planning a free conference on March 1, 2014. Details will be forthcoming.

There is no Board meeting in December. Gloria wished the Board a Happy Holiday Season.

X Adjournment

M/S/C (Elias Fonseca/Roman Castro) There being no further business to discuss the board of directors meeting was adjourned at 7:50 P.M. Unanimous.

Respectfully submitted by:

Felicitas Navera, Secretary

ELARC Board of Directors Secretary

**Recorded by: Eleanor Johns, Recruitment & Benefits Coordinator for
Rosalie M. Estrada, Executive Assistant**

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