

# ELARC Board of Directors Meeting July 11, 2017 Approved September 12, 2017

#### **Present:**

Anthony De La Rosa Terry Munoz Diane Lasell Nestor Nieves Lida Chavez Elias Fonseca Joe Utar Robert Hazard Virgilio Orlina Richard Helgeson

#### **Staff Present:**

Gloria Wong, Executive Director Felipe Hernandez, Chief of Consumer Services Elizabeth Harrell, Supervisor Community Services Rosalie Estrada, Executive Secretary

#### Absent:

Felicitas Navera (excused) Jose Reyes (excused) Tony Borrego (excused)

#### I Welcome & Roll Call

The ELARC Board of Directors meeting was called to order at 6:04 pm by Anthony De La Rosa, President. A quorum was present to conduct necessary business. .

#### II. Introduction/Opening Round

Introductions of the board members and of the audience were conducted.

#### III. Community Input

Josefina Nieves, parent, announced her son Nestor Nieves (board member) has started a training program as a pharmacy technician trainee. Ms. Nieves reported the Department of Rehabilitation is sponsoring the paid trainee position.

Julie Eby-McKenzie, State Council on Developmental Disabilities (SCDD), announced they are co-sponsoring a documentary entitled "Bottom Dollar" on July 31<sup>st</sup> at the California Endowment Center in Los Angeles. She announced a representative from Social Security Administration will be in attendance to answer questions about benefits.

Additionally, Julie reported Sherry Beamer, a very creative employment specialist will be on the panel after the viewing of the documentary "Bottom Dollars". Flyers were made available for anyone interested.

Gloria Wong asked Rachel Skewes from the Department of Developmental to provide the Board of the Directors with an update on the assignment of a DDS Liaison.

Ms. Skewes indicated she has two interviews on Monday, July 17 and hopes to be able to assign a new liaison to ELARC. Ms. Skewes stated she will serve as DDS liaison until there is an assignment made.

#### IV Approval of Board of Directors Meeting Minutes

A. Minutes of Board of Directors General Board Meeting of June 13, 2017

Minor corrections noted.

M/S/C (Terry Munoz/Lida Chavez) To approve the Board of Directors General Meeting Minutes of June 13, 2017 as corrected. Unanimous.

B. Minutes of Executive Session of the Board of Directors of June 13, 2017

M/S/C (Robert Hazard/Virgilio Orlina) To approve the Minutes of Executive Session of the Board of June 13, 2017 as recorded. Unanimous.

#### C. Nomination of New Board Members

Bob Hazard and Terry Munoz reported they interviewed two potential board members, Richard Helegeson and Devora N. Reed. They indicated they were both two excellent candidates for the Board of Directors.

M/S/C (Terry Munoz/Robert Hazard) To nominate Mr. Richard Helgeson as a member of the ELARC Board of Directors effective immediately. Unanimous.

M/S/C (Terry Munoz/Robert Hazard) To nominate Ms. Devora N. Reed as a member of the ELARC Board of Directors effective October 1, 2017. Unanimous

Ms. Wong welcomed Mr. Helgeson and Ms. Devora Reed to the ELARC Board of Directors.

Mr. Helgeson, an attorney, has often attended the board meetings and is very much involved in legislative process and has participated in the ELARC local legislature delegation in previous years. Mr. Helgeson stated he enjoys discussing legislative issues that affect the regional centers, outreaching to legislators and advocating on

behalf of the system. Mr. Helgeson stated that he was pleased to serve on the Board of Directors. He noted his past involvement with ELARC by attending Board meetings in the late 1990's and becoming acquainted with long-standing past Board member, Matthew Guglielmo.

#### V Executive Director's Report

#### A. Purchase of Services (POS) Data Report

Ms. Wong reported the final POS Data Report was submitted to DDS which was distributed and discussed. Ms. Wong provided background information on the process of gathering the data. The POS Data Report must be posted on the regional center website by December 31<sup>st</sup>. Regional Centers are required to conduct community meetings no later than March 31<sup>st</sup>. The purpose is to present and discuss the data report with the community on how regional centers are spending the purchase of services allocation by ethnicities. There were three public meetings held in March at which time there was a very thorough presentation with the use of a PowerPoint presentation.

A copy of the full report submitted to DDS was reviewed. Ms. Wong reported the Purchase of Services (POS) Data Report started five years ago in Fiscal Year 2011-2012 which became the baseline year for comparing future reports. As of June 2012 the Lanterman Act was amended requiring Department of Developmental Services (DDS) and regional centers to annually collaborate in the compilation of POS data. In 2013 regional centers were required to conduct community meetings to discuss the POS per capita average expenditures by the ethnic groups served by the regional center. Subsequently, reports have been produced annually, with the most current being for Fiscal Year 2015-'16.

Ms. Wong reported on the top three ethnic groups served by ELARC: Hispanic, Asian and White. A total of 12,650 consumers were served by ELARC in FY 2015-16. Nearly 71% of ELARC's population are of Hispanic origin. The Asian community, the second largest ethnic group comprises 12.3% of the population. The third largest group served are White Caucasian at 10.3%. The two predominant ethnicities served by ELARC are Hispanics and Asians, collectively these two ethnic groups represent 83% of all consumers served by ELARC.

There were three public meetings held in March. One meeting was held at ELARC's main office in Alhambra. The other two meetings were conducted in partnership with two long-established parent organizations in ELARC's service area, Fiesta Educativa and the Chinese Parent Association for the Disabled (CPAD). Both of these organizations represent the two largest ethnic groups served by ELARC.

The meeting format included a formal panel presentation which included Gloria Wong, Executive Director, Elizabeth Harrell, Supervisor, Information and Training, and Felipe Hernandez, Chief of Consumer Services. Additionally several ELARC Consumer

Services Supervisors participated on the panel. The panel presentation focused on ELARC's ABX2-1 funded projects for the purpose of reducing disparities in current fiscal year (2016-'17). The audience was well informed on the \$11 million allocated by the legislature to regional centers. There was a high level of interest by participants on the specifics of ELARC's projects.

As required, notes were taken at the three public meetings and submitted to DDS as part of the POS Data Report. The recommendations by the two parent group hosted meetings, Fiesta Educativa and CPAD, were very similar in theme. Comments included the following points:

- Strong desire for information in order to expand knowledge on available services.
- Need for an in-depth orientation at time of eligibility or through the intake process.
- Becoming acquainted with available materials in various languages.
- Wanting more detail information on the Person Centered Planning (PCP) process.
- Service providers need to recruit staff with multi-language skills and be culturally sensitive to the delivery and approach to services.
- How to determine how much POS is spent on individual consumers.
- Desire to understand the reasons for "No Purchase of Services (POS)" figures.

There was a considerable amount of time dedicated to discussing the above comments.

Response highlights raised by the regional center panel included:

- Individual POS expenditures can be determined by the "Annual Statement" letter sent to all active cases with POS expenditures, detailing the services purchased and the specific amount spent on each service.
- Regarding active cases with "No POS", ELARC is conducting a review of these cases, as part of a "specialized" caseload created with ABX2-1 funds. It was noted that ELARC's Hispanic population under age 21 (school age) totals 80%. Frequently the case remains active in order to provide needed advocacy of generic services such as school services and supports.

 Discussed the primary project funded under ABX2-1 for a substantially reduced service coordinator to caseload ratio at 1:40. This allows for an in-depth assessment of POS disparities with Asian and Hispanic cases. The lower caseload ratio also allows the service coordinator to address the points raised by audience participants, such as needing more time to discuss services available and more time spent on the Person Centered Planning (PCP) process.

As part of the community meetings, Ms. Wong provided highlights of the Per Capita Authorizations for all Ages by comparing FY 2014/'15 and 2015/'16 figures. A distinction between the two reporting categories in the POS report was clarified as follows:

<u>Authorizations</u>: At the time of the IPP ELARC is making a financial commitment for services to be funded.

<u>Expenditures</u>: Actual expended funds on behalf of consumer. Reasons for non-use of all authorized services can vary (i.e. illness, vacation, etc.) The "Utilization" column indicates, on a percentage basis, the services actually used.

The table below compares last fiscal year, 2015/16, to the previous year, 2014/15. The information takes into account the total amount spent in purchase of services for the three primary ethnic groups served by ELARC.

Ethnicity	PC FY 2014/'15	PC FY 2015/'16	Difference	% Growth
Hispanic	\$13,739	\$13,860	+ \$121	.88%
Asian	\$14,933	\$15,746	+ \$813	5.4%
White	\$32,088	\$32,255	+ \$167	5.2%

Ms. Wong reported on the potential impact of a policy change under the California Medi-Cal Managed health care plans. In Fiscal Year 2015-'16, behavioral services funded by regional centers would be transitioned to Medi-Cal Managed care funding. There were 709 ELARC consumers identified as potentially eligible for this funding shift. Approximately 60% of these individuals are Hispanic. The potential result is a reduction in POS expenditures thereby affecting the POS per capita average for the various ethnic groups. Yet there was no disruption to services as they continue to be provided and funded under a different entity.

# Per Capita Authorization Comparison FY 2011-'12 to FY 2015-'16

Ethnicity	FY 2011-'12	FY 2015-'16	% Change
Hispanic	\$12,922	\$13,860	7.26%
Asian	\$14,848	\$15,746	6.05%
White	\$28,639	\$32,255	12.63%

A comparison of POS data reporting from the first year 2011-'12, to current year, 2015-'16 indicates a modest increase, as shown in the above table.

In reviewing the POS authorizations, for all ages, in Fiscal Year 2015-'16 there continues to be a wide gap on the per capita average expenditures between the White population the Hispanic and Asian ethnic groups. The matrix below compares the differences in expenditures amongst the three ethnic groups.

# Per Capita (PC) Authorizations Comparison Fiscal Year (FY) 2015-'16

Ethnicity	PCA	Difference
White	\$ 32,255	+ \$ 18,395*
Asian	\$ 15,746	- \$ 16,509**
Hispanic	\$ 13,860	- \$ 18,395**

<sup>\*</sup> Compared to Lowest PC authorization

Ms. Wong noted that the primary reason for the vast differential in expenditures is attributed to the higher utilization of residential services by the White ethnic group. As residential services are the most costly services provided by regional centers it is reflected in this wide funding gap amongst the three ethnic groups served by ELARC.

<sup>\*\*</sup> Compared to Highest PC Authorization

# Residence Type Comparison By Ethnicity

Ethnicity	Total Consumers	Living with Family #/%	Residential Placement #/%	Living Independently #/%
Hispanic	8,943	8,247 / 92.2%	292 / 3.3%	284 / 3.2%
Asian	1,552	1,439 / 92.7%	78 / 5.0%	24 / 1.5%
White	1,299	860 / 66.2%	241 / 18.6%	157 / 12.1%

The above table shows the utilization rate of residential services by the three primary ELARC ethnic groups, and offers evidence as to why this service is such a significant cost driver towards the per capita differences. It is therefore essential to offset residential costs to arrive at a more precise POS comparison for consumers of the three primary ethnic groups that are living at home.

The table below removes residential costs and compares only the funding of services for consumers living at home.

# Per Capita Authorization (PCA) For All Ages Living at Home By Ethnicity

Ethnicity	PCA	Difference
White	\$13,803	0
Asian	\$12,442	- \$1,361*
Hispanic	\$10,293	- \$3,510*

<sup>\*</sup> Compared to highest PCA

With the above comparison the PCA for Hispanics living at home, as compared to the White population changes from a negative of (-\$18,395) to (-\$3,510), representing nearly an 81% reduction in the POS funding gap. Similarly, the PCA for Asian drops from a negative of (-\$16,509) to (-\$1,361), as compared to the White population. In the final analysis, there is a sizeable reduction in the original POS expenditure amongst the three ethnic groups. Granted, there remains a gap that must be addressed and the following recommendations are suggested to assist in closing the POS gap.

Ms. Wong reported on the ELARC recommendations.

- (1) Restoration of suspended services, namely social recreation, camp and the lifting of the respite cap. Services such as these allow families to keep their son/daughter in the home for as long as possible. The cap on respite has been lifted and should be a positive factor contributing to future changes in the per capita averages.
- (2) Reinstate start-up fund grants for the development of new models of service delivery in the community that are responsive to linguistic and cultural needs.
- (3) Funding for an independent in-depth research study.

#### B. ABX2-1 Disparity Projects Update

#### 1. <u>Summary Update</u>

Ms. Wong reported that in Fiscal Year 2016-'17 Assembly Bill (AB) X2-1 went into effect authorizing the allocation of \$11 million to assist the regional centers in implementing plans that would promote equity and reduce disparities. The Department of Developmental Services (DDS) approved ELARC's proposals to promote equity and reduce disparity. Below are highlights of ELARC's funded projects.

# 2. <u>Service Coordination: Specialized Caseload</u>

Mr. Hernandez reported ELARC will identify 200 individuals with the lowest per capita expenditures to be assigned to five service coordinators (4 Spanish-speaking and 1 Cantonese-speaking). Information is being gathered as it related to low POS expenditures and no POS cases. Staff has been reviewing the list of prospective clients selecting individuals, and contacting them to see if they are interested in participating in the project. To date 180 cases have been identified to be part of the project.

Mr. Hernandez also reported surveys have been developed so that service coordinators can determine how much the family knows about the regional center system. Once the orientation is completed they will be asked to complete a post survey to determine the effectiveness of our efforts. It is anticipated that after offering intensive service coordination that cases will transition back to the original service coordinator. A transition meeting will be scheduled so that there is an orientation from the pilot service coordinator.

Mr. Hernandez shared positive notes from one of the service coordinators and one note from an adult consumer.

Ms. Wong emphasized the end goal from this project of 200 cases is to show the value of lower caseload ratios and its effect on reducing disparities for the Hispanic and Asian population.

Elizabeth Harrell, Supervisor, Information and Training reported the Cultural Specialist and the Person Centered Practice Coordinators (PCPC) assist with resource development and they do outreach to small grassroots organizations, identifying resources in the local neighborhoods. They have been working one-on-one with service coordinators and connecting them to families and hearing from the families about their experience.

- 3. <u>Community Outreach</u>: Request for Proposals (RFP): Liz reported Terry Munoz, Board Member, participated in the review of proposals. ELARC received several very good proposals. Two were selected, one was for Proyecto Pastoral and the other to the Chinatown Service Center. Each received \$7500.
- 4. <u>Early Start Orientation</u>: Support to monolingual Spanish and monolingual Chinese parents of children 0 to 3 years. The intent is to increase families' understanding to those families just coming into the regional center system. Partner with the Family Resource Center to provide regularly scheduled orientations. Orientations will include presentations by Fiesta Educativa and CPAD as well.
- 5. <u>Behavior Management Workshops</u>: Behavioral management workshops will be provided in other languages other than English. Target will be the monolingual Cantonese and Spanish-speaking families.
- 6. <u>Develop and translate materials</u>: Targeting individuals/families with low English literacy with easier to understand materials in non-English languages, and the use of a variety of media (videos).

Liz Harrell announced ELARC now has a "We Chat" account. It is a social media site in Chinese.

Staff Training: Cultural competence training is being planned for staff.

Child Supervision: ELARC is now funding for child supervision for "Understanding Regional Center training for parents; parent run orientation for families of consumers over 3; Early Start orientation at the FRC for families of consumers under 3.

Liz introduced new positions added to the Information and Training Unit. It includes two Person Centered Practices Coordinators, Maribel Garcia who speaks Spanish and Vivian Lau who speaks Cantonese. Currently they are randomly taking cases coming through Intake, spend time with the family educating them on the regional center system, and answering questions they may have until they are transferred to a unit.

Lupe Jacquez, Cultural Specialist, is working closely with above mentioned Person Centered Practices Coordinators, oversees all equity projects and is responsible for gathering data for analysis. Additionally, she is responsible for providing cultural competence training to ELARC staff. In February, training was scheduled for staff on immigration resources. Lupe is also providing outreach in the community and trying to establish a working relationship with community organizations.

# C. Equity Issues

#### 1. Respite Policy Change

The cap on respite will be lifted effective January 1, 2018. ELARC will revise existing policy and procedures to reflect this change. The revised policy will be presented to the Board of Directors at the September 12<sup>th</sup> meeting. The policy must also be posted on the ELARC website 30 days prior to the board meeting. Ms. Wong reported she would like to use the next six months to widely promulgate this information to the community.

# D. Performance Contract (PC)

#### 1. 2016 Year End Report

The year-end Performance Contract (PC) Report for 2016 was discussed. The Performance Contract is the only report done on a calendar year basis rather than fiscal year. The PC outlines goals and objectives for the regional center. There are standard areas developed by DDS which are included in the PC. Regional Center goals are identified and are compared with statewide averages for all regional centers.

Ms. Wong reported this is the second year two new objectives have been added, one of which focuses on employment and the other on POS disparity. Currently, the year-end report for 2016 is being developed. Additionally, the mid-year report for 2017 is being developed as well as the development of the 2018 Draft Performance Contract.

ELARC will be hosting two community meetings for the purpose of gathering community input for the 2018 Performance Contract. The first meeting will be held on August 2<sup>nd</sup> at 10:00 a.m. in the ELARC Boardroom and the second meeting at Palm Park at 6:30 p.m. The draft of the Performance Contract objectives will be presented. The meeting will also include a budget update and a mid-year update report on Performance Contract 2017. The draft PC will be available no later than July 23<sup>rd</sup>. The 2018 Draft Performance Contract will be presented to the Board of Directors at the September Board meeting for review and discussion. All received community meeting input will be shared with the Board. The final PC will be presented in October to the Board for final approval in order to submit it to DDS by the November deadline.

Elizabeth Harrell reported that on August 2<sup>nd</sup> Daniel Savino from ARCA will be making

a presentation on Governmental Affairs. His presentation will follow the 2018 Performance Contract meeting.

#### E. ELARC's Social Media

Elizabeth Harrell credited Brendali Maldonado, who has been in the Community Services unit for approximately one year, for the great job in revamping outreach efforts. ELARC has been on Facebook for a couple years as well as Twitter. ELARC now has an Instagram account and also on "We Chat".

## F. Caseload Ratio Response to DDS

The Caseload Ratio report has been submitted as presented to the Board in May. ELARC met four of the five caseload requirements. ELARC needed two additional service coordinators to meet all ratio requirements. Subsequently, ELARC has hired the additional two positions.

# G. Budget Update

- 1. FY 2016-'17
  - (a) POS

There is currently a surplus ranging from \$6,984,203 to \$7,110,344.

(b) Operations

In Operations there is currently a surplus of \$231,898.

2. FY 2017-'18

Preliminary Contract Amendment: The preliminary agreement for the new fiscal year has been received and has been signed by Anthony De La Rosa, Board President.

(a) Purchase of Services Update

Ms. Wong reported the regional center will be receiving the first two installments by July 21<sup>st</sup>, \$14 million each, and in August regional center will receive the 3<sup>rd</sup> installment. There should be no cash flow problems and it will not be necessary to use the line of credit.

The first payment of \$14 million was received on July 11<sup>th</sup>. There is a remaining balance of \$2.9 in the Operations budget.

Budget Summary for FY 2017-18 Update:

.

The Budget Summary for FY 2017-'18 was reviewed. The summary notes the respite cap has been lifted effective January 1, 2018. Additionally there was an increase of 4.1% from last fiscal year to the overall budget. This includes funds to implement a safety net plan including development of four "Stabilization, Training, Assistance and Reintegration" (STAR), which are acute crisis facilities, two in Northern California and two in Southern California, and the establishment of intensive transition services.

Trailer Bill Language (TBL) allows flexibility in the use of Community Placement Plan funds for community resource development plans, although it is important to note that the safety net services referenced above will consume much of these funds in Fiscal Year 2017-18.

TBL also allows community-based organizations to apply to DDS for funds to enhance services to diverse communities, also referred to ABX funding, regional centers are awaiting the release of the guidelines from DDS.

TBL also permits the development of enhanced behavioral support homes with secure perimeters without federal funding.

TBL requires DDS to convene a workgroup to look at options to adjust vendor rates for other than health and safety waivers.

A copy of the ARCA Analysis of the FY 2017-'18 May Revision was shared with the Board and the community.

### H. DDS Audit Report for FY 2013-'14 & FY 2014-'15

Report deferred, will be placed on the September 12<sup>th</sup> agenda.

## I Conflict of Interest Statements (COI)

Reminder the COI forms must be completed by all Board members and submitted to DDS by August 1<sup>st</sup>. Please submit them to Rosalie Estrada a.s.a.p.

#### J. Self-Determination

#### 1. Federal Application Status

There is nothing new to report on the federal application status. DDS continues with negotiations. There is a possibility DDS will have the application submitted before the end of the year.

In the meantime, training modules are ready to be launched. DDS would like to proceed on training regional center staff. The focus will be on person centered thinking, and train the trainers component sometime in August or September. DDS will be conducting five trainings, two in northern California, two in Southern California, one

in central valley and additionally with community organizations which are allowed to participate in the initial phase of Self-Determination. There will be 2,500 participants statewide that will be selected for the project.

# VI Consumer Services Report

Felipe Hernandez reported the following:

✓ Juan Sanchez, consumer and former board member passed away in June 2017 at the age of 63.

✓ ELARC is in the process of hiring a new supervisor for a new unit at the Whittier Office.

# VII Committee Reports

# A. Consumer Advisory Committee (CAC)

Virgilio Orlina, CAC Chair, reported the next CAC meeting is scheduled for July 18, 2017 from 4:00 pm to 6:00 p.m. in the ELARC Board room and via video conference at the Whittier office. The main topic and discussion will be Access Services Mobility/Travel Training. The guest speaker will be Mr. Stephen Wrenn, Senior Mobility Management Counselor for Access Services.

The announcement about the availability of the position of Vice Chair of the CAC will be on the agenda for the CAC meeting scheduled on July 18.

The CAC continues with outreach efforts to encourage more consumers to get involved. Recently Jesse Padilla, Consumer Advocate, conducted an outreach presentation at Goodwill Industries in Los Angeles. He explained to the attendees the importance of speaking for themselves and the different ways of advocacy such as through grassroots events and local visits with legislators. Mr. Padilla also explained about the importance of attending the CAC meetings.

Virgilio indicated the CAC continues to encourage consumers to check and visit ELARC website, and ELARC social media pages on Facebook, Twitter and Instagram for the schedules of different meetings, consumer events and opportunities.

#### B. Vendor Advisory Committee

Mr. Jose Reyes, VAC representative was unable to attend board meeting therefore no report was provided.

#### C. Finance/Personnel Committee

The Finance Committee (Joe Utar, Bob Hazard and Terry Munoz) will be meeting with Windes, the new CPA firm which will be conducting the required independent financial audits for the next five year cycle. The Finance Committee is scheduled to meet on July 25, 2017.

A copy of the Engagement Letter from Windes signed by Gloria Wong, Executive Director and Anthony De La Rosa, Board President, was shared with the Board.

#### VIII Miscellaneous Announcements

Bob Hazard report San Gabriel Pomona Regional Center will be hosting a "Fair Hearing Process" program on Wednesday, July 25<sup>th</sup> from 10:00 a.m. to Noon.

# IX Adjournment

There being no further business to discuss the General Session of the Board Meeting was adjourned at 7:30 P.M.

M/S/C (Bob Hazard/Virgilio Orlina) To adjourn the General Session of the Board. Unanimous.

#### X Executive Session

An Executive Session was called to order at 7:40 p.m. to discuss a legal matter.

# XI Adjournment

The Executive Session was adjourned at 7:55 p.m.

M/S/C (Terry Munoz/Felicitas Navera) To adjourn the Executive Session. Unanimous.

Respectfully submitted by:

Diane Lasell, Secretary ELARC Board of Directors

Recorded by:

Rosalie M. Estrada, Executive Secretary