

Alta California Regional Center
Board of Directors Meeting
Thursday, September 22, 2022
Minutes

Present: Jackie Armstrong, Johnny Deng, Dan Lake, Amy Lampe, Elaine Linn, Kelly Pennington, Michelle Ramirez, Michelle Rewerts, Anwar Safvi, Retha Seabron, Yang Sun, Patty Wallace

Absent (* excused): Carmen Aguilar*

Staff: Lori Banales, Iqbal Ahmad, Robin Black, Jennifer Bloom, Tracy Brown, Samantha Carr, John Decker, Heather Hollingworth, Camelia Houston, Cynthia Johnson, Mechelle Johnson, David Lopez, Kelsey Reyne, Janet Roberts, Johnny Xiong, Lisa West

Facilitators: Amy Fulk

Visitors: Steven Andrews, Jaclyn Balanay, Nancy Fellmeth, Maureen Fitzgerald, Kidada Medina, Peter Mendoza, Karen Mulvany

1. **Call to Order – Reading of ACRC’s Mission & Vision** – The Board of Directors met at 3:00 p.m. on Thursday, September 22, 2022, by Webex/teleconference. Ms. Armstrong read aloud ACRC’s Mission and Vision.
2. **Training – “Self-Determination Program”**
 - Janet Roberts, Samantha Carr and Cynthia Johnson, ACRC’s Participant Choice Specialists (PCS’), gave a presentation on “The Self-Determination Program (SDP)”.
 - They provided the history of the program, as well as how they support Service Coordinators (SCs) and the clients who choose to be a part of this program.
 - As of September 2022, ACRC has 170 individuals enrolled in SDP; averaging approximately 20 new participants per month.
 - Suggestion to have this number broken down by county served; ACRC’s outreach efforts are based on data.
 - Ms. Banales acknowledged the work of our PCS’, Managers and staff. She is excited to see the number of transitions.
 - Ms. Mulvany, who sits on the Self-Determination Advisory Committee (SDAC), commended ACRC for their efforts. Agency staff work hard to move forward on issues that have been raised. Ms. Banales has set the bar high in collaboration efforts to improve this process.

3. **Community Comments/Announcements**

- ◆ Ms. Fellmeth, as President of Families for Early Autism Treatment (FEAT), sent a letter to the Board prior to meeting with Ms. Banales on Tuesday. When the public and regional center work together, we can achieve better outcomes. FEAT and ACRC believe that conservatorship should be a matter of last resort.
- ◆ Ms. Medina believes that when someone files a 4731 complaint, the response should be specific to the complaint.

4. **Consent Agenda – By consensus, the following consent agenda items were approved: a) regular session Board meeting minutes of July 28, 2022; and b) Board Development Committee (BDC), Client Advisory Committee (CAC), Executive Committee, Finance Committee and Provider Advisory Committee (PAC) minutes.**

5. **New Business**

- ◆ *Finance Committee*
Issue 1: Monthly Financial Report

Discussion and Action: Due to the calendar, the financial report was not ready for the September 12th Finance Committee meeting. Mr. Ahmad noted that the July 31, 2022 financial report reflects one month of expenditures for the 2022-23 fiscal year (FY). ACRC has expended 5.4% of Purchase of Services (POS) and 7.3% of Operations (OPS).

The preliminary allocation and D-1 amendment includes between 97 to 99% of ACRC's funding for the FY, totaling more than \$700 million (a 15% increase from last FY). Mr. Ahmad is currently projecting a surplus of approximately \$5 million in POS. The Department of Developmental Services (DDS) did not include all of the OPS funding in the D-1 allocation. There is a focus on Early Start initiatives, which are still pending approval by the department.

Global macro trends are going into effect and are causing havoc across the country. In an effort to reduce this, the federal government is starting to raise interest rates. The impact of these rate increases effect companies hiring plans. ACRC has a healthy budget, but we must remain aware of things that affect the economy.

Without objection, Kelly Pennington made the motion to accept the monthly financial report as submitted.

Issue 2: Authorize Line of Credit

Discussion and Action: Mr. Ahmad noted that the Finance Committee is recommending the Board authorize ACRC's line of credit with U.S. Bank.

Without objection, Ms. Lampe made the motion to authorize the line of credit with U.S. Bank.

◆ *Committee Updates*

- CAC
 - Ms. Lampe shared that the CAC met on September 13th.
 - The group discussed the housing video project. Taping will begin later this month.
 - Ms. Banales will be reviewing ACRC's draft 2023 Performance Contract at the October meeting.
 - ACRC is collaborating with Valley Mountain Regional Center (VMRC) to promote working in our statewide service system.
 - CAC members provided updates from advocacy groups.
- PAC
 - Ms. Ramirez shared that the PAC met on September 8th.
 - They received two presentations from social rec service providers.
 - The group discussed the hiring collaborative with VMRC.
 - Service providers have expressed an interest in having a refresher on the service standards that are part of program designs. These will be reviewed during upcoming vendor forums.
 - Two members have resigned from the PAC; they will be considering a new member at the October meeting.
 - The group discussed the lack of a rate increase for Independent Living Services (ILS) providers.

◆ *President's Report*

- Mr. Lake expressed appreciation for Ms. Banales, Ms. West and agency staff for organizing today's Board training. He also thanked Board members for their continued commitment.

◆ *Executive Director's Report*

- Ms. Banales is pleased to share that today, ACRC posted a job opening for a Dental Coordinator. As promised, staff are working to schedule a tour of the HALO Clinic, which officially opened in May 2022, for Board members.

- ACRC is working collaboratively with the HALO Clinic to develop specialized services for the clients that we serve. A referral form has been created in order to share supports that clients may need in order to receive dental services. Staff are also working with California Northstate University on “shortening the line” for hospital dentistry.
- Tomorrow, ACRC is hosting a public meeting regarding AB 637, in order to waive the regulation for median rates for psychological assessments.
- The 36th Annual Supported Life Conference will be held on October 13th & 14th; this is their first in-person conference in over two years.
- The required National Core Indicators (NCI) stakeholder meeting will be held during the November Board meeting. This will be held through Zoom, for translation options.
- Ms. Banales noted that ACRC has been waiting on the D-1 allocation from DDS in order to start implementing our agency’s strategic hiring plan. We will continue to focus on filling the vacant seats prior to hiring for new positions.
- The budget is robust in terms of initiatives. Robin Black, ACRC’s Legal Services Manager, is here to speak with the Board about the changes to the complaint/appeals processes.
 - There are 20 significant changes to the Fair Hearing (FH) process. The overall goal is to make the FH process less intimidating to clients/families and make the process more accessible/flexible for those individuals who are not legally represented.
 - Beginning October 1st, regional centers are no longer allowed to have an attorney present, unless the claimant is represented by or chooses to have an attorney present or they or their authorized representative is an attorney.
 - When denying or changing a service, regional centers must send notices out to clients/families, regardless of whether they agree with the decision.
 - In the past, when filing a FH, the claimant was required to request an informal meeting or mediation prior to moving forward with the state level hearing. Now, the claimant can change their mind.
 - The law now extends the time period from 30 to 60 days to appeal the decision.
 - There is also a provision for the regional center to continue to pay for services, called “aid paid pending”. Previously, the claimant had to file within 10 days; that has now been extended to 30 days.

- DDS is drafting an informational packet that regional centers will be required to send out with denials for those that are going through the Intake process. The packet must also be provided to anyone that requests it.
- Previously, claimants sent the FH request to their regional center, who in turn sent it to the department. Now, FH requests will be sent directly to DDS, who will be responsible for forwarding the requests to the respective regional center.
- Beginning March 1, 2023, informal decisions must be mailed within five calendar days. The entire hearing process will be completed within 50 days. If a claimant goes to mediation, they must notify the Office of Administrative Hearings (OAH) whether they want to move forward to a state level FH.
- Within the hearing itself, the exchange of documents requires regional centers to write a "position" statement that is sent along with the records; families have an extended timeframe to submit their information.
- Regarding claims that relate to clients served on the Medicaid Waiver, the judge must send the decision to the Department of Health Care Services (DHCS) prior to its release to the claimant/regional center.
- Appeals to a different court have been extended and claimants can now file a Motion for Reconsideration.
- Regarding the ABC News 10 conservatorship series, Ms. Banales noted that there are serious considerations that need to be taken in order for a regional center to request that DDS conserve an individual, mainly health and safety issues. As a result of this series and the community at large, ACRC is putting forward a draft Conservatorship Policy at the October Executive Committee meeting. She stressed that conservatorship is always a last resort.
 - In the series, the impression was that DDS conserves many individuals. Of the 400,000+ individuals served by our statewide service system, DDS conserves 400 and many of those individuals have moved out of developmental centers. DDS has conserved 164 individuals in the last 20 years. Here at ACRC, we have 55 individuals that have a DDS conservatorship.
 - ACRC is awaiting guidance from the department on the comprehensive assessments that will need to be completed on these 55 individuals to review their conservatorships. Once the comprehensive assessment template is released for use, regional centers will be required to assess and make a

recommendation to DDS, making sure that less-restrictive options are considered. These assessments shall be conducted within the 12 months following the release of the assessment template.

- AB 1663 is awaiting Governor Newsom's signature. This bill promotes Supported Decision-Making (SDM).
- The ACRC/VMRC Collaborative continues to discuss ways to attract individuals seeking employment in our statewide service system.
 - They will be in contract with a website developer by the end of the month.
 - The group is able to utilize available Home and Community-Based Services funding; ACRC received approval from DDS for \$142,000 and VMRC received approval for \$50,000.
 - They are contracting with Joey Travolta's Inclusion Films, who employ clients served. The group is in contact with a public relations representative, as well.
- The Board has requested updates on open and closed programs since the last Board meeting. The following are newly vendored services:
 - Achieve Tahoe (Sports Club)
 - Starpointe Consulting (Person Centered Planning)
 - The Cottage (Geriatric Facility)
 - Level Up Norcal (Individual or Family Training)
 - AHC Health Care of Sacramento LLC (Specialized Residential Facility)
 - DABS Inc. (Behavior Management Program)
 - Speechgeek Inc.
 - Pathways Speech, Language and Cognitive Therapy
 - Sarah Gray, SLP
 - Ridgeline Pediatric – Auburn
 - Veasey Non-Emergency Transportation
 - Peniel Care (Children's Residential Facility)
 - Sunrise CareHome Inc. (Adult Residential Facility)

Closed vendors:

- Brandi Lungren (Speech Pathology)
- Easter Seals Society Therapy (Occupational Therapy)
- Beneficium (In-Home Respite Services)
- Aprendiendo Juntos, the "Learning Together" MIND Institute Conference 2022, will be held from October 12th thru 15th. This free conference will be virtual again this year.

◆ *ARCA-CAC Rep. Report*

- Ms. Lampe shared that the group met on August 26th.
 - Members plan on attending public hearings to provide

testimonials on affordable housing. They will also be researching Section 8 options.

- The next meeting is scheduled for September 30th, from 10 to 11 a.m.

◆ *ARCA Delegate Report*

- Ms. Pennington noted that the Association of Regional Center Agencies (ARCA) is promoting Caregiver Succession Planning; ACRC is actively sharing information on this initiative.

6. **Closed Session** – At 4:58 p.m. the Board adjourned to closed session to approve closed session minutes.

7. **Announcement of Closed Meeting Discussion** - At 5:03 p.m. the Board reconvened in open session following a closed session where closed session minutes were approved.

8. **Adjournment**

The meeting adjourned at 5:03 p.m.

Lisa West
Executive Secretary

cc: Lori Banales