



Regional Center of the East Bay
REGIONAL CENTER OF THE EAST BAY

Board of Directors Meeting

Monday, September 23, 2019

500 Davis Street, San Leandro

Approved 11/25/19

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice President
Evangeline Iyemura, Treasurer
Gerald Tamayo, Budget & Finance Committee
Stephen Whitgob, Budget & Finance Committee
Morena Grimaldi, Diversity & Equity Chair
Nyron Battles, Secretary
Yesenia Fantham
Caroline Ortiz
Chloe Page

BOARD MEMBERS, cont.

Reneé Perls
Sister Marygrace Puchac, PVAC
Carmen Quinones
Dinah Shapiro
Lisa Soloway
Linda Stevens

ABSENT

Brian Blaisch
Teresita DeJesus
Frank Paré

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Terri Jones, Director of Human Resources & Support Services
Lynn Nguyen, Director of Finance & Administration
Lucy Rivello, Director of Health and Behavioral Services
Steve Robinson, Director of Community Services
Ronke Sodipo, Director of Client Services
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Children Services
Bret Hatcher, Case Manager
Julie Whiskeyman, Case Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Patricia Albeño
Hope Beale/DDS
April Hope
Vi Ibarra/CCCDDC

Sheraden Nicholau
Jeri Pietrelli
Geneva Ziaouré

**San Leandro Police Department/
Police Officers Association [SLPOA]**

-Officer Mike Olivera, VP SLPOA
-Officer Iain Fry
-Officer Maria Cortez
-Captain Jaime Knox

-Lieutenant Robert McManus
-Officer Justin Blankinship
Lisa Blankinship
Logan Blankinship

CALL TO ORDER

Board President, Kathy Hebert called the regularly scheduled meeting of the Regional Center of the East Bay to order at 7:03 p.m.

WELCOME AND INTRODUCTIONS

Self-introductions were made and a quorum was present.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the September 23, 2019 agenda as presented.”
 [Perls/Shapiro] Unanimous

M/S/C “The Board moves to approve the June 24, 2019 minutes as presented.”
 [Battles/Ortiz] Unanimous

PUBLIC COMMENT

Herb Hastings stressed the necessity of getting a BART Clipper Card since it is replacing the paper tickets, which will be obsolete soon.

Patricia Albeño from Care Parent Network summarized the results of the August 3rd Congreso Familiar’s yearly conference at Chabot College. She stated that it was a very successful conference offering 34 workshops and attended by 578 family members, most of them being RCEB clients. There was a total of 826 people in attendance including many volunteers. Ms. Albeño thanked RCEB’s Board members as well as RCEB staff and our community partners for volunteering and getting the word out about the conference. Sister Marygrace and Caroline Ortiz thanked Ms. Albeño for her outstanding commitment and professionalism under pressure. Ms. Kleinbub added our gratefulness to Ms. Albeño and the Congreso team for continuing to organize and put on this yearly event as it means so much to so many families.

Representatives from the *San Leandro Police Department/Police Officer’s Association* attended our board meeting this evening. Officer Justin Blankinship informed all that this is the second year that SLPD has celebrated April as Autism Awareness Month not only by wearing Autism Spectrum Disorder patches on their uniforms and an Autism Awareness stickered vehicle, but by also hosting several fundraising events and a community BBQ. This year, their Autism Awareness Fundraiser was very successful and the SLPOA presented a check for \$11K to RCEB’s Jim Burton Helping Hand Fund. This is a fund that helps our clients/families who are in desperate situations

and in need of assistance. Ms. Kleinbub thanked the SLPD not only for their generous donation, but for also being such a great partner with us ever since we moved into our office in San Leandro. The SLPD has collaborated with RCEB on training sessions and assistance to staff and consumers. Ms. Hebert presented them with a plaque from the RCEB Board of Directors and thanking the SLPD/SLPOA for their partnership and continued support of people with autism and developmental disabilities.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

Home and Community Based Services [HCBS]

Ability Now Bay Area [multi-vendor concepts including Ala Costa Centers, California Autism Foundation, Dungarvin CA, Futures Explored, Harambee Community Services, and Las Trampas]. This contract represents DDS' approval of a Home and Community Based Service [HCBS] proposal from multi-vendors in an effort to meet the HCBS Final Settings rule. The project will create Communication and Training Modules; an online toolbox to assist nonverbal participants as well as those using alternative types of communication to access the community.

Term: June 30, 2019 – June 30, 2021

Rate of Reimbursement: \$415,000

M/S/C “The board moves to approve the contract with Ability Now Bay Area and the multi-vendor concept as presented.” [Puchac/Shapiro] Unanimous The motion was adopted.

Community Placement Plan [SDC/CPP]

ACRONYMS

CPP = Community Placement Plan

EBSH = Enhanced Behavioral Support Home

SRF = Specialized Residential Facility for individuals who are experiencing a crisis

This contracts represents this CPP provider to operate one 4-bed SRF. This provider is assuming the operations of the home due to Anka Behavioral Health's bankruptcy and termination of service.

National Mentor Healthcare, LLC dba CA Mentor

Terms: May 2019 through April 2024

Maximum monthly rate: \$76K

Annual Disbursement: \$908K

M/S/C “The board moves to approve the contract for National Mentor Healthcare, LLC dba CA Mentor as presented.” [Battles/Shapiro] 15-yea, 0-nea, 1-abstain
The motion was adopted.

Questions were asked by the Board regarding specifics of the contracts, and addressed by Ms. Kleinbub.

BUDGET AND FINANCE COMMITTEE

Budget and Finance Report for September 23, 2019 – Evangeline Iyemura

Regional Centers received the A-1 contract amendment for FY 19-20 at the end of August. This allowed the staff to begin working on our Operations and Purchase of Services budgets for the fiscal year. The A-1 amendment provides the Agency with funding of \$465.5M, a net increase of \$42.3M over prior year’s allocation at this time. The release of the amendment also helped with our cash flow as RCEB was able to claim a cash advance in the amount of \$25.4M.

Operations

The A-1 contract amendment provided nearly all of our Operations allocation for the year. The current year Operations allocation was based on the core staffing formula and budgeted caseload and other statistics. Additionally, the Operations allocation provides continuation funding for the ABX2 1 increase for salary/benefits for regional center staff and SB826 funding for HCBS compliance in both FY 19-20 and FY 18-19. Intake was allocated at 50% and the balance will be allocated in the A-2 allocation.

At this time, the Department has not finalized the allocations for our Community Placement Plan (or CPP). We have also not received our allocation for new policy measures including 1:25 caseloads and the new transparency workload.

We are currently in the process of completing our preliminary operations budget projections for the new fiscal year 19-20. The staff will provide the Board with a detailed Operations report at the next board meeting.

This month’s financial statement shows our allocation to date and actual expenditures through August 31, 2019 and compares the A-1 allocation and last year’s E-1 allocation. The statement also compares actual expenditures for the same time period. We expect to have our standard financial statements available at the board meeting in November once the detailed Purchase of Services Expenditure Projection (known as the “PEP”) is completed.

RCEB grew by 714 net new consumers during the past 12 months and the A-1 allocation for Operations includes funding to account for this caseload growth.

Purchase of Services

For Purchase of Services (POS), Regional Centers received the POS allocation based on an equitable proration of prior year expenditures that each Regional Center actually spent.

In the A-1 amendment, RCEB received \$421.9M in Regular POS funding, which is \$43.6M more than in last year's E-1 allocation. The Purchase of Services allocation for F/Y 19-20 included caseload growth, continuation funding for rates increase due to SB minimum wage increase, ABX2 1 Community Based Services increase, Home Health rate increase, and Competitive Integrated Employment Incentive payments and Paid Internship Programs.

Similar to the CPP OPS, DDS will not release the CPP POS allocation until the A-2 allocation. Staff will report back to the Budget and Finance committee at the November Board meeting when the PEP report has been completed. A detailed Purchase of Services summary will be provided to the Board at that time.

With regards to Fiscal Year 2018-19, RCEB ended the fiscal year with a deficit of \$800k. Thirteen out of the twenty-one Regional Centers, including RCEB, are reporting a deficit. Fortunately, the State-wide system shows a sufficiency of nearly \$34M. The Staff will work with DDS to request for additional funding to cover the projected deficit.

Cash Flow and Line of Credit

At this time, we are pleased to report that the Agency's cash flow is stable, however, our current \$25M Line of Credit will expire at the end of this month. The Staff will work with Union Bank to renew our Line of Credit which we expect to re-establish for April of 2019. The staff will provide an update to the Board at a future board meeting.

Independent Audit for Fiscal Year 18-19

Our independent Auditors just finished their fieldwork last week for the annual financial audit for Fiscal Year 18-19. Marcum is scheduled to present the draft report to the Board at the October board meeting.

Purchase of Services (POS) Module Roll Out

The Staff is excited to report that we are rolling out the POS Module to 50% of the Case Management teams in September after testing with 4 pilot teams for four months. Under the POS module, purchase of service requests (POS's) are entered by the Case Managers in Sandis 7, reviewed by the Supervisors and Directors (according to existing procedures) before they are electronically transmitted to Accounting for processing. The POS module eliminates writing manual POS's and thus streamlines our POS process for both Case Management and Accounting. We plan to roll out the POS Module to the rest of Case Management in the next few months following the September rollout.

This is a huge accomplishment for the Agency and a joint effort from Case Management, Accounting and Information Systems. We want to give special recognitions and thanks to the POS Module project team.

Questions were asked by the Board and addressed by Ms. Iyemura, Ms. Nguyen as well as Ms. Kleinbub.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Ms. Herbert stated that the Membership Development Committee will be taking nominations from the floor for Board officers at our October meeting, and will vote for the new officers at our Annual Meeting, which is in November.

CURRENT 2019 SLATE OF OFFICERS

Kathy Hebert	President
Lilian Ansari	Vice-President
Evangeline Iyemura	Treasurer
Nyron Battles	Secretary

PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]: Sister Marygrace Puchac

The PVAC meeting was held on September 13th and it was a full house of participants. There was a presentation by Jack Avery, the President/CEO of United Ways of California for the new CalSavers program. United Ways is celebrating its 100th year in the Bay Area. This program allows businesses to offer their employees a retirement program through CalSavers without the usual overhead of an in-house program. Mr. Avery joined Senate President Pro Tempore Kevin de León on SB1234, a retirement savings plan requiring a qualifying employer to offer a payroll deposit savings plan for qualified employees via the California Secure Choice Retirement Savings Trust.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles

Nyron happily reported that their September meeting was their yearly potluck party of sports watching, game playing, socializing and playing a game and earning prizes. A good time was had by all.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Ms. Grimaldi stated that the meeting this evening was well attended. As with the Board, this committee also did not meet in the months of July and August, so there were a lot of updates by the various support groups. The committee did hold a special retreat on July 31st in Concord to focus on revising the committee’s mission and discussing ways to enhance the committee’s impact by implementing the committee’s mission. Ms. Grimaldi showed the Board the new Mission Statement, which will be voted on by the board’s Executive Committee followed by a vote of the Board at the October board meeting. The next Diversity & Equity meeting will be in Concord on October 28th.

EXECUTIVE DIRECTOR’S REPORT: Lisa Kleinbub, Executive Director

Performance Contract for 2020

Welfare & Institutions (W&I) Code section 4629(c) requires the contracts with regional centers to include annual performance objectives. Performance objectives must be developed through a public process as described in the Department of Developmental Services’ (Department) guidelines.

Ms. Kleinbub stated that the regional centers received the 2020 Performance Contract Guidelines from DDS in mid-August. This is a set of compliance and policy measures that regional centers are required to work towards and report back to DDS in the Spring of the subsequent year on our progress towards those measures. Unlike in the past, almost all the measures are required by DDS. In addition to the Performance Measures, the Employment and the Disparity Measures are now required. The Disparity Measures need to be consistently the same as last year so that they can be compared year by year, with the goal being that the results will improve or at minimum remain the same.

Ms. Sodipo summarized the Public Policy Performance Measures for 2020 and stated that we made changes to last year's activities related to moving individuals from the developmental centers by the end of 2018 and we are focusing on housing measures, employment and to reduce disparities and improving equity.

These measures are primarily to make sure that the regional centers adhere to statutes and guidelines keep within our budgets, and to maintain timelines in areas such as Intake and IPP/IFSP timelines among many other categories. Under the Disparity category, we will address language and cultural issues as well as services for the Deaf population. Under the Employment category, in addition to the 2013 Employment First Policy (WIC sect. 4861(a)(1), we are planning to share a RCEB employment first policy for the Board's consideration.

We are required to have public meetings to gain input on our performance contract measures and activities. We welcome input from our board members, partner developmental disability councils, service providers and the community. Our meeting will be in our San Leandro office on Tuesday, October 15th at 4:00 pm. Our draft Performance Report is on our website at <https://www.rceb.org/post/notice-public-meetings-3>. After we receive input, we will take those ideas into consideration and we will present our plan to the board next month.

Ms. Kleinbub added that almost all these measures are required but we are able to add local initiatives such as issues that are brought up at these public meetings that we would like to address. Under the activities, we list the basic things that we do as well as additional activities that will support us in meeting our objectives. For example, in the category of Consumer Satisfaction by Ethnicity, we added activities this year to translate our satisfaction surveys to the individuals/family's primary language so that they will be able to understand and to respond. We currently have the survey translated in Spanish and will soon have it translated into other languages as well.

Budget Highlights

Since our last board meeting in June, we have more clarity on some of the budget issues. As far as the rate increases, we have been given a list of providers who will/will not be receiving an 8.2% rate increase as well as those who will be receiving less that percentage. Independent Living Services [ILS] has been divided up into two models; one will receive a little increase and the other model will not be receiving any increase. We believe that is a glitch in how they looked at that model. We also learned that larger providers are going to receive the 8.2% rate increase.

An important thing to note is that these rates will sunset in December 2021, and will be revisited for a year extension if the State revenues allow. DDS completed the rate study and received many comments in the Spring of 2019, but still has not shared that data with the public at this point. They are due to present the comments as well as their responses by October 1st on their website. They are to address the legislature on how they will respond to the results of the rate study and move forward. Therefore, the 8.2% rate increase can be likened to a band-aid until that happens. The rate study acknowledged geographical differences in the cost of providing services. This 8.2% rate increase is the same across all the areas, despite the differences in cost to provide services in those regions. As a system, the fact that that neither our Early Start services nor our specialized therapeutic services received any rate increases is very concerning.

DDS accepted applications to be part of the newly composed DS task force which is to look at system reform to allow people to work in different work groups to assure that consumer outcomes are able to be met, that we have a sustainable system, and that people are able to be served successfully in the community. Each workgroup will concentrate on a category such as diversity or provider groups and will report back to the full Task Force. The application submission window closed September 3rd which was the Tuesday after Labor Day. DDS is now reviewing those applications.

In the budget, there were a number of Public Policy and items, one of which was a 1:25 case load ratio for consumers who meet certain criteria including using a mobile crisis service within the last year, those who were incarcerated, and those in very restrictive settings. Also in the budget is funding for regional centers to be able to meet the transparency requirements and rate changes posted. Some of these requirements include an aggregate summary of 4731 complaints, a summary of Fair Hearings, as well as changing rates that will be part of this 8.2% rate change in January. We anticipated receiving funding for these activities, however in our A-1 contract amendment allocation we did not receive any information on what funding each regional center would be receiving for that category. We are working with DDS on making sure that people are getting the funds that would be needed for those caseloads and we advocated that the 1:25 be allocated one to each regional center and the rest proportionally by population.

Senator Stone's SB 412, introduced in the Senate in February, 2019 is now held in appropriations and will not be moving forward during this session. It would have eliminated family cost participation for families with children under the age of 18 as well as the Annual Family Program Fee [AFPF] for those who receive only a couple of services. These are basically taxes on those with disabilities and this charge impacts many families. It may be introduced by someone else at some point and might just focus on Early Start, so we may be advocating for that in the future.

Self-Determination [SD]

Last year we had 152 individuals selected for Self-Determination by the Department. Of those chosen, 23 have opted out of participating in the program due to many reasons such as a move, a change in living arrangement and for other reasons. We currently have 129 individuals and of that number, 73% have completed their orientation. That is the first step in developing their individual self-determination plan. We are also working with individuals on their person-

centered-planning, then they will develop their budgets and getting their new Financial Management Service [FMS] identified. It is a slow process, as we work with the budget tools which are new. There are people who have moved forward, and we have one completed budget and several person-centered-plans completed. The funding that regional centers and our local advisory committees are slated to receive is not yet distributed. This is because the pilot people who were in the original self-directed services group that started in the 1990's have to transition to this new program in order to receive federal funds to match their dollars that are spent. As soon as that occurs, we will see some money flow to both the regional centers for staffing as well as to our local advisory committees to hold trainings and to offer a variety of things in our community. There were 12 people transitioned last month and the total is about 100. Once they get to 50, we should see some money flow to those positions.

On October 1st there will be another draw by DDS of people for the program. We are not sure how many people will be selected in our area. Although it sounds like we have 23 vacancies there may be more selected to cover for those who have not moved forward and DDS wants to be sure that by the end of the third year that 3,000 people are actively participating statewide. We have advocated for siblings and spouses of those who were selected to be included in the new draw. We also know that DDS is going to prioritize those over the age of 42 since that is the largest age group that has chosen not to continue to participate. Ms. Kleinbub added that this is an exciting process and that we will be looking forward to seeing what people will be interested in doing as they move forward and create their own services filled with opportunity and responsibility.

Community Resource Development Plan

Ms. Kleinbub stated that we are still waiting to see what funding we will receive from DDS for resource development. We had submitted our proposals for the development of community resources to DDS back in June, and asked for funding for affordable housing, for day programs, for behaviorally challenged individuals, Enhanced Behavioral Support Homes [EBSH's] for children, mental health service funding, employment development and the development of infant speech services in East Contra Costa County. We are anxiously waiting to see what funding we will receive for resource development.

PUBLIC COMMENT

Kathy Hebert for Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Sept 26: Our first Transition Team meeting of the year is scheduled for this Thursday at RCEB from 3:30 - 5pm. We will enjoy a refresher course about the Paid Internship Program with success stories from Rose Dowd, the RCEB Employment Specialist.

Oct 2: Our next East Bay Legislative Coaliton meeting is scheduled from 10 am - 12 pm at the Public Health Department. We're in the process of planning the second legislative tour scheduled for **October 15th**, starting at RCEB and ending at Ability Now Bay Area. The new Co-Chair for the EBLC is Michael Pereira, Executive Director of Ala Costa Centers.

Oct 9: Our next Alameda County DD Council meeting is scheduled from 9:30 am - 12 pm at the Public Health Department. We will enjoy a panel presentation about Self-Determination with Irene Litherland, Melissa Crisp-Cooper and Melanie Gonzales.

Oct 26: Space is still available for the annual college conference, Vision for the Future, scheduled at Chabot College. Registration forms are available on the Council and RCEB's websites.

Jan 31, 2020: EBLC Legislative Breakfast

Vi Ibarra, Contra Costa County Developmental Disabilities Council [CCCDDC]

The Council has been on a summer break and held the yearly awards dinner in June and elected a Audrua Sysum as Chairperson, and Rosa Valedor as Vice-Chairperson. The August meeting was the yearly summer planning meeting to set priorities for the next year.

Sept 25: Council board meeting at 10am at RCEB/Concord, where there will be a presentation on Education Options in the East Bay from David Hagerty, Manager of Disability Support Services at Diablo Valley College.

Sept 26: Vision for the Future Conference at Chabot College in Hayward from 8:30am to 1pm for those 14+ years-old and their parents/staff to learn about post-secondary educational options.

Oct 30: 6th Annual Disability and Access and Functional Needs Forum at IBEW Local 302 Union Hall in Martinez from 9am to 12pm.

Sheraden Nicholau, State Council on Developmental Disabilities [SCDD], Bay Area Office

Ms. Nicholau stated that they are now ready to write contracts for their Grant Cycle 42, and this year they have two statewide projects that were funded. One of them at \$255K is from the California Transitional Alliance regarding Competitive Integrated Employment. The second project at \$155K is to California Supported Living Network, which also relates to employment and support services. At the end of this month, they are closing out the last of the state cycle grants and for this region, it was the Get Safe project. This winter, they will be hosting a series of Town Hall Meetings; one meeting will be designed for the public to assist in creating SCDD Bay Area's 5-year plan in terms of what the money should be focused on, what projects, etc.

Sept 25: Community Outreach Meeting in Marin County Office of Education from 3-4:30 "Let's Talk" for self-advocates to convey what is important to them, what they are working on, how SCDD can provide assistance.

Oct 18: Carlos Quintong yearly Celebration of Self-Advocacy at the Ed Roberts Campus starting at 6pm.

Oct 24: National Disability Employment Awareness month event at the State building in Oakland.

Nov 14: This will be the next State Council Meeting in Sacramento

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that the Association of Regional Center Agencies [ARCA] board members approved of ARCA conducting a statewide training to regional centers board members. They will be sending out a survey soon to get the input from the regional center board members on their preferences on training categories, content, location, etc. for this type of training slated for February 2020. This year, ARCA is focusing on a legislative push on Operations dollars and funding for meeting caseload ratios. ARCA is also focusing on what they call the “Horn blower” which is a look at positive ways to focus on the good things that are happening to the individuals served in all of our local communities and highlighting them. We hear many things that are negative that we all have to address, but it’s also important to focus on the positive, and there are many.

MEETING ADJOURNED

The board meeting adjourned at 8:38 p.m.

The next Board Meeting will be at 7:00 PM on October 28, 2019 in **Concord**