

**Provider Vendor Advisory Committee
Regional Center of the East Bay
Meeting Minutes March 13, 2020**

Members Present: Sister Marygrace, East Bay Services; Geneva Ziaoure, Manos; Will Sanford; SC&CS; Leslie Visbal, Ability Now; Craig Rose, Vistability; Donna Feingold, ALC; Mike Pereira, Ala Costa Center; Ramsay Mashy, California Autism Foundation;

Guests Present: Stan Higgins, Therap; Joanne Rolle, The Arc of the East Bay; Sandi Soliday, Alameda County Health; Shani Stewart, Manos Home Care; Dan Strickland; 123 Home Care; Monica Cardoza, CIWP; Keith Nauman, Castro Valley Adult; Carla Hernstrom, Alegria CL; Ron Halog, Alameda DD Council; Tom Heinz, EBI; Jenny Wheable, EBI; Sarah McKinney, Toolworks; Andrea Bradford, Empowerment For Success; Heather Hackett, Futures; Cinthia Flores, Sonia Corina; Maribel Pina, Sonia Corina; Ronnie Archeta, Open House Center; James I Mercado, Open House Center; Shelly Crayton, Family Support Services; Maureen Ducoste, Ability Now; Elizabeth Brodersen, Creative Growth Art Center; Sylvia Yeh, FCNS; Julia Lowe, Dungarvin; Ian Bremner, RES Success; Fruc Mechavez; Steve Robinson, RCEB; Lisa Kleinbub, RCEB.

Guests by phone: Lisa Gonsalves, Deaf Plus; Amanda Eicher, NIAD; Mike Minton, RCEB; Nicholas Aguilar, (Aveanna formerly Premier); Jennifer Carper, Arcadia Home Care; Dan Hogue, Las Trampas; Judith Hunter, Las Trampas; Vi Ibarra, CCCDDC; Sheraden Nicholau, SCDD; Shani Williams, Elite ILS; Maureen Wright, The Respite Inn; LifeSpring Day Program; Dr. Rohan Radhakrishna, CCCDPH; Karen Ligenfelter, Mt. Diablo Adult Ed; Cyndy Britto; Serra Center

Call to Order:

Meeting called to order at 9:37 am. Introductions. The February 14, 2020 minutes approval with corrections (M/Ramsay Mashy; S/Mike Pereira). Passed unanimously.

RCEB/State - Lisa Kleinbub

- Lisa gave an update on the budget hearing that took place in the Assembly on March 4. At that hearing, DDS had been instructed to provide additional information on the rate proposal and its implementation, and also a focus on the proposed performance incentives program and what that would mean. Lisa also mentioned an agenda item about regional center caseloads; specifically, not meeting the agreed-upon Federal requirements. Additionally, Lisa announced that there would be hearing in the Senate on March 19; however, Lisa was unsure how public comments were going to be handled despite the Governor's guidelines regarding large gatherings.
- At the state level, Lisa mentioned Medical services and how they are coordinated. She pointed out things that will be impacting the system over the next 1-5 years, mentioned in ICFs, that funding is going to shift from the state level to Medicare managed health plans that are different in each county. This change is supposed to come on January 1, 2021. With regard to these changes, Lisa mentioned that in January, Regional Centers had to apply to become Medical providers. With that, it changes how some of the SPA billing can be done for people at ICFs. At some point this year, all service providers are going to need to complete more than just the DS1891, with requirements to complete Medical provider applications and file those.
- Lisa discussed COVID-19, specifically with how the state and DDS are addressing the emergency. She mentioned that things have been changing very quickly. She noted three directives that had been issued the day before, mainly as a result of the Governor's declaration of a state of emergency, as well as limiting gatherings, and taking protective actions for individuals at high risk; including older

adults, people compromised immune conditions, and other serious health conditions. One of the directives that was issued because of all the guidance coming from the state regarding sheltering in place is a state of emergency declaration that allows Regional Centers to fund non-residential services for all types of absences that are related to COVID-19. This was effective as of March 4 and extends for 30 days but may be extended.

- Another directive was in regards to individuals who live in ICF-N and ARF PSHN, DDS is directing Regional Centers that folks who live in these facilities do not go out to congregate settings, which includes day programs. Day programs that serve people in these facilities cannot serve them until the state of emergency is rescinded. Day services that go into residents' homes will not be able to provide services in the home either.
 - Tom Heinz asked if additional funding would be provided for the increase in staffing hours due to individuals staying home and sheltering in place. Lisa responded that RCEB would be looking into how this need is going to be addressed, but stated that she expects providers to do the right thing and that the Regional Center will do the right thing.
 - Sylvia Yeh asked what should be done if a client tested positive for COVID-19, and the ILS worker does not want to continue working with the individual due to the risk of becoming infected. Lisa stated that the question would be discussed later in the meeting.
 - Mike Pereira asked if there was a specific list of what exactly is considered a serious health risk. Lisa responded, saying that it was going to be a judgement call.
 - Will Sanford mentioned that licensed facilities are also being cautious about who enters the home, and what precautions are being taken.
 - Donna Feingold asked about funding for supported employment; that if a consumer is unable to work due to them being ill or a location is closed, she wanted to know if there would be funding for the lost job coach hours. Lisa responded that if the absences were COVID-19 related, she believed it was something the Regional Center could fund.
- Lisa mentioned the third directive that came from DDS had to do with Regional Center service coordination, and also services via skype or other virtual modalities for Early Start. They are allowing for eligibility determination as well as services to be provided by phone, video conferencing, etc.
- Lisa also mentioned that many school districts are starting to close, which is impacting the staff who have young children who are now staying home.
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Presentation - Information and the new California Consumer Protection Act - Stan Higgins from Therap

- Stan gave a presentation on data security.
- The overview included HIPAA, personal information CCPA, and information controls.

Break-10 minutes

Discussion - Program concerns regarding COVID-19

- Steve Robinson ask for clarification that residential providers could ask visitors if they were sick, but couldn't refuse residents from having visitors. Will Sanford responded that DDS did go as far as giving a directive that providers could refuse visitors, but to encourage people to refrain from

visiting. DDS was deferring to local health departments and regulations based on where someone lives.

- Vi Ibarra had the Deputy Health Officer, Dr. Rohan Radhakrishna, from Contra Costa Health Services join the conversation. The doctor shared insights on what to expect over the next weeks and months.
 - The school closures are going to have a huge impact on the workforce and the economy.
 - This is a very serious health problem with a log of unknowns. There are no defenses against this virus. There is no vaccine. The best prognosis is to look at China and Italy, and assume that the United States is heading in that direction in the next two to three weeks.
 - The next five days will be very important for planning to best support the population served and our own families.
 - On a day-to-day basis, it will be important to support staff and to take of themselves and remind them that this extremely unusual.
 - In the next two weeks, we expect a huge surge in the health care system.
 - Closing the schools for the short term will not do much to impact health safety, but to flatten the curve, schools should remain closed for two to four months.
 - Social distancing is going to be important. The county set the number more restrictive than the state of no more than gatherings of 50 people.
 - Organizations need to plan how to operate with only 70% of their staff the coming Monday. Plan how to operate with only 50% of their staff the following Monday.
 - Some recommendations included:
 - Not requiring a medical excuse if someone does call out sick. This will unnecessarily tax the medical system with calls, letters, appointments.
 - Encouraging both clients and staff to remain home if they feel sick.
 - To cross-train staff to be able to fulfill any role where they might be needed.
 - Get creative with distance engagement and interaction.
 - Dr. Radhakrishna announced that he would be holding a call-in conference on Monday, March 16, from 2:00 pm – 3:00 pm.
 - Donna Feingold asked if someone goes out because of possible COVID-19 related illness, how do we know they are okay to return, to which Dr. Radhakrishna recommended that if they are truly showing signs of illness, they should call their care providers for guidance. It may not be necessary that they need to be tested.
 - Will Sanford asked what is the guideline for temperature if that is being taken for employees or other visitors before entering a facility. Dr. Radhakrishna pointed to the CDC guidelines of 100.4 degrees Fahrenheit/38.5 degrees Celsius.
 - Ron Halog asked when test kits would be available. Dr. Radhakrishna suggested that people seek out their own health care provider who could then determine if a test was warranted at that point, and tests were being conducted through an independent testing facility like Quest.
 - Fruc Menchavez asked what should be done if there was a suspected case or even a confirmed case in a group home; specifically, would they go into an emergency room, or just a shelter-in-place, self-quarantine. Dr. Radhakrishna stated that the hospitals are going to be flooded, and they are going to be triaging. The advice is if you are well enough to be at home, quarantine at home.
- Sylvia Yeh asked if a client tested positive for COVID-19, what to do if staff were concerned for their own health and safety, so refused to work with the individual. Lisa responded that it will depend on

the severity of illness in the individual, and will need to be treated on a case-by-case situation. That is someone is well enough to shelter in place, they should stay home. Donna Feingold mentioned that our staff is not health care workers, so this could be a huge impact. Donna also expressed concern if someone is diagnosed, but they have a roommate, and what would need to be done.

- Geneva Ziaoure asked if and how the Regional Center is communicating with consumers. Lisa mentioned that information is posted on the website, and that case managers are contacting their consumers directly. Lisa did state that her greatest concern was for individuals who were fairly independent and maybe didn't have regular contact with a staff person or service provider. Hence, she was hopeful that ILS agencies were getting information to those individuals.
- Ron Halog asked how information is getting out to service providers. Lisa again mentioned that information is on the website, but that Michael Minton and Fruc Menchavez are regularly sending out information.
- The question was asked that if a program voluntarily determined that it needed to suspend services due to COVID-19, would it qualify to bill for absences because those absences were in effect, self-created. Lisa responded that it is absences related to the virus, so that if you have a setting where you are able to meet the guidelines that are in the Governor's directive, then it doesn't seem reasonable to close. She concluded that programs be creative before simply shutting down.

Reports – Due to the discussion on the COVID-19 crisis, reports were unable to be given during the meeting. The following information was provided by the report representative.

RCEB Board - Sister Marygrace

- No Report

SCDD Regional Advisory Committee – Sheraden Nicholau

- Kudos to Lisa for the COVID-19 related updates today. Those updates and the CCL ones that Will shared have been very helpful to many in the last day or two, so it's important that providers here or on the phone today can share these as appropriate to those that may not have these updates yet. A few of the most recent updates that we are finding helpful, which include those that have been mentioned today:
 - All CDPH guidance
here: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/ncov2019.aspx>
 - New guidance on Individuals with Access and Functional Needs <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/guidance-for-individuals-with-access-and-functional-needs-03122020.pdf>
 - New guidance on gatherings https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/Gathering_Guidance_03.11.20.pdfOAG
 - On congregate meals, CDA is issuing FAQ and posting on their website. First set posted earlier this week <https://www.aging.ca.gov/>

- On licensed adult and senior care, CDSS is issuing guidance and new PINS, and posting on their website. See: <https://www.cdss.ca.gov/inforesources/community-care-licensing>
- CDPH guidance from Monday for People at Risk of Serious Illness <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/High%20Risk%20Populations%20Guidance%20ADA%20Compliant%2003.11.20.pdf>
- Updated CA Dept of Labor info for employers and employees: <https://www.labor.ca.gov/Coronavirus2019/>
- Also, SCDD has cancelled the Legislative and Public Policy meeting and the Council meetings next week.
- We're working with some local self-advocacy groups to help them find ways to meet and continue their advocacy work using technology tools and other tools.
- We will keep the community posted on April meetings – we have a RAC meeting in the region (4/29), and a CA Employment First committee meeting (4/23) and a Legislative and Public Policy committee meeting (4/9).

DD Councils -

- Alameda County – Representative
 - ACDDC—Alameda County Transition Faire scheduled 03/14 has been cancelled due to California State of Emergency guidance on large gatherings.
 - Special Needs Got Talent scheduled 03/14 has been cancelled.
 - STAR Autism Conference scheduled 03/28 has been cancelled.
- Contra Costa County – Vi Ibarra
 - As everyone is aware, events with an attendance of over 50 people has been recommended by our County and State Health Departments. Unfortunately, that means the Autism Star Conference scheduled for April has been cancelled. Refunds to attendees are currently being processed. At this time, we are planning to hold our next Board meeting on March 25, but we will certainly abide by any updated recommendations that are issued between now and then. Also, meeting 03/25 cancelled, but a special update on a COVID-19 conference call scheduled in its place.
 - Vi also gave information about the Ask Your Health Department call.
 - Contra Costa Health Services is hosting a call with our Deputy Health Director, Dr. Rohan Radhakrishna, to provide up to date information on COVID-19 as it specifically relates to our I/DD population. All RCEB service providers and interested parties are welcome to join the call (including those who serve Alameda County). Dr. Radhakrishna will share with us the most up-to-date information available in terms of recommendations for our I/DD population, and also be available to answer questions. That call will be **Monday, March 16, at 2:00**. Call into **(925) 391-1667, conference ID: 396903654**

East Bay Legislative Coalition - Will Sanford

- Key Messages:
 - Support the Lanterman Coalition's request for a 3 year implementation plan of the Rate Models proposed in the Burns and Associates Rate Study.
 - Support the Association of Regional Center Agencies (ARCA) – ask to fully fund the Case Management required ratios

- Support the proposed Minimum Wage Fix for all vendors
- Support the implementation of the rate increases for Independent Living Services, Early Intervention Services, and Early Intervention Therapeutic Services effective 1/1/2020, not 1/1/2021.
- Repeal the Suspension language for the Supplemental Rate Increases.
- Key Hearings scheduled:
 - Senate Budget Sub-Committee # 3 – 3/19/2020, 9:30 am (Cancelled effective 3/13/2020)
 - Assembly Budget Sub-Committee # 1 – 4/22/2020, 2:30 pm – to discuss the implementation of various DDS proposals.
- Key Bills Reviewed:
 - AB2024 (Holden) – would implement the Minimum Wage Fix to provide a 3.3% rate increase to all vendors if the State Minimum Wage went up to \$1. – Support Position
- SB 1118 (Caballero) – Adds folks with disabilities into the Multi-Family Housing Program (especially those supported by IHSS or Regional Centers). – Support Position (will be a budget ask for \$ 400 Million to help support this)
- SB 1062 – (Durazo) – Would prohibit the payment to residents of Developmental Centers run by DDS to pay for work at less than the required Federal, State or Local Minimum wage – Support Position
- SB 1063 (Durazo) – Would make the language in the Lanterman Act consistent with the language in the Workforce Innovation and Opportunity Act (WIOA) in regard to “Competitive Integrated Employment” – Support Position
- SB 1262 (Hurtado) – Would expand and clarify the use of “authorized representative” for individuals with developmental disabilities, who have no identified family member or other designated person to support them. – Support Position
- The next EBLC meeting will be on March 11 instead of March 4.

Membership - Leslie Visbal

- Two providers have expressed interest in joining PVAC membership, Jennifer Carper from Arcadia and Amanda Eicher from NIAD.
- Membership elections will take place next month.
- Interested providers must attend at least three consecutive meetings to be eligible for membership.
- Please contact Leslie, Geneva, or Sister Marygrace if you have questions or are interested in joining PVAC membership.

Meeting Adjourned at 12:00 pm

Respectfully submitted for review by Craig Rose, Secretary