

**Provider Vendor Advisory Committee  
Regional Center of the East Bay  
Meeting Minutes Friday, January 13, 2023**

**Members Present:** Leslie Visbal, Visbal Strategic Consulting; Sister Mary Grace Puchac, East Bay Services; Marcie Hodge, St. John Boy's Home; Amanda Eicher, NIAD; Donna Feingold, HireAble and Finding Golden Solutions; Dan Hogue, Las Trampas; Ramsay Mashy, California Autism Foundation; Mike Pereira, Ala Costa Centers; Jamie Renton, Pleasanton Adult Ed; Craig Rose, VistAbility; Geneva Carlos-Valentino, Community Consultant

**Guests Present/by Phone:**

Lisa Kleinbub, RCEB; Chase Ryan Kalbaugh, RCEB; Mike Minton, RCEB; Fruc Menchavez, RCEB; Steve Robinson, RCEB; Amy Schwartz, RCEB; Priscilla Gomez, RCEB; Jon Kan Lee, RCEB; Schantell Williams, Alameda County DD Council; Vi Ibarra, Contra Costa DD Council; Aimee Vitug-Hom, VistAbility; Alex Mountford; Amy Simons, A Brighter View Day Program; Anna Willis, Emerging Horizons; Anthony Rowe, Adaptive Learning Center; Carlos Cienfuegos, Sentry Living Solutions; Carol Anne McCrary, VistAbility; Cecilia Connolly, The Arc of the East Bay; Chandra Jackson, Clausen House; Chris Candari, Thrive SLS; Christine Rottger, VistAbility; Debbie Galliano, Clausen House; Debbie Johnstone, Noll Center; Eddie Esquivez; Ember Avalos, NIAD Art Center; Erika Gonzalez, 24 Hour Home Care; Eva Muñoz; Heather Manes, HATCH; James Mercado, Open House Center; Jaynette Underhill-Levingston, Clausen House; Juan Velasquez; Karen Toto; Louise McClellan, Open House Center; Maria Ramirez; Maureen DeCoste, Ability Now Bay Area; Nancy Brum, Keystone Adult Learning Center; Nicole Doubly, RES Success; Sarah Angelo, ALCO DA's Office; Sonu Ghai, Noll Center; Stephanie Featherstone, CA Mentor; Teresa Nold, Deaf Plus Adult Community; Will Sanford, CS & SC.

60 participants total

**Call to Order:**

Meeting called to order by **Geneva Carlos-Valentino** at 9:35.

**December Minutes:**

Approval of December 9, 2022 minutes with edits to include A) Dan Hogue's proposal to create an Equity Subcommittee Working Group, and B) attendance updates to include Amy Simons, A Brighter View Day Program. M/Mike Pereira; S/Donna Feingold with unanimous approval.

**PVAC Business:**

**Geneva Carlos-Valentino** reminded providers that attending three consecutive meetings results in automatic membership; **Donna Feingold** pointed out that members do need to be voted in; and **Will Sanford** added in the chat that any changes will need to be approved via Board voting process, and that **Lisa Kleinbub** would be able to advise.

**Lisa** mentioned that PVAC Membership is included in RCEB bylaws, and that members should be representatives of a vendored organization, and that they should fall into the membership categories stated in the bylaws.

**Leslie Visbal** mentioned that the slate of members is developed in November, approved by PVAC in December, and subsequently approved by the RCEB Board. She advised that **Marcie Hodge** as PVAC membership coordinator manages PVAC's voting membership composition for absences throughout the year, and all other membership changes take place via the voting process in November/December.

**Dan** suggested that the rules committee is being formed here! He wanted to know who brings the slate of members to the Board, and **Lisa** advised that it would be **Dan** as the PVAC Board liaison. **Dan** asked about interim membership transitions, and **Lisa** responded that it would probably be best practice to have **Dan** propose these at Board meetings throughout the year, although this best practice has not always been followed.

**Inclusion Time:**

**Geneva Carlos-Valentino** welcomed everyone, introduced herself and **Dan Hogue** as PVAC Co-Chairs, and thanked everyone for being at PVAC on this rainy morning!

She invited attendees to add themselves to the listserv by reaching out to her, and welcomed good news from the group.

**Dan** mentioned strong lessons in regard to self-care learned last year that he will be carrying into the new year, and encouraged others to not ‘throw the baby out with the bath water,’ continuing the good things from a year that included good times as well as bad.

**Mike Pereira** recommended not doing a Dry January based on last year’s lessons!

### Reports:

#### **Regional Center/State Report – Lisa Kleinbub, Executive Director**

- **State Budget** – No major stops for funding initiatives in our sector; budget appears to continue rate increases; also anticipation of revisiting rate models for minimum wage and federal mileage increase. Important to keep an eye on this – so that we see visible tangible progress following inflation and cost increases. While this may not be the year, we sometimes do see changes from current conditions (shortfall) to May, when the May revise comes out.
- **New Projects** – Cautiously optimistic about systems upgrades: state-level database for all regional centers, development of client records management systems, and new financial system by 2025 deadline.
- **Updated funding formulas** for lowered caseloads for children under 6 coming from DDS – all ways we are beginning to see acknowledgment of issues with staff funding formulas.
- **Creation of Autism Branch** at DDS (6 staff members) looking at services/best practices for serving people with autism as the largest-growing sector of people served by Regional Centers.
- **Services on hold during the pandemic** will continue to be on hold through June. Exploring how to re-implement in a better way – an example of the advocacy being done through ARCA. Working to eliminate fees for families receiving respite, camp, or other services with annual family program fees, or to ensure that any fees charged are reasonable and do not deter people served from utilizing these services.
- **Hoping everyone got some rest** during the year-end holidays since there is a busy slate of meetings and project development happening right now!
- **HCBS** – Major deadline for state compliance on March 17<sup>th</sup>, with many outstanding issues locally (although we are doing relatively well in RCEB catchment area). Compliance for federal funding means ‘paper compliance’ in program design – documenting settings are inclusive, people in all settings are able to be included, have access to food and amenities when wanted, able to lock and unlock resources when needed. Full compliance (not just on paper) is still one year ahead. **Fruc** is reaching out this month to providers who need to ensure compliance on paper before March 17<sup>th</sup> – RCEB is here to work together on this.
- **Anticipating more serious HCBS communications from DDS** re: first assessments and other documentation. Please support other providers to reach out to Fruc with questions and support needs. RCEB hasn’t reached 90-100% compliance yet, but getting closer – with a reminder that our federal funding is at stake!
- **Mike Pereira** asked about progress on compliance. **Lisa** replied that full compliance is around 17%, and assessments are close to the 90s.  
**Dan Hogue** asked for those who have submitted remediation plans, when will feedback come back? **Fruc** replied that he is reviewing remediation plans now, but that in triage, these are in the middle while they manage initial compliance steps with providers who are beginning the process or scheduling 1:1 conversations. **Dan** mentioned that what he did not read in the budget – while there are corrections to errors in the core staffing formula, there are no additions: when there aren’t enough wages to recruit/retain, the system continues to struggle with HCBS compliance and all else. **Lisa** concurred.
- **Lisa** mentioned that budget hearings are not announced yet; for those who submitted retention of staff information, DDS has released third list of providers receiving \$8,000 payments which RCEB hopes to release at end of Jan. An additional run of surveys is coming with additional dollars available, and DDS will likely encourage resubmittals to track changes, so keep an eye open.
- **Little Hoover Committee** – No date for final report. Legislature is responsible to act on recommendations. Disability Rights California just issued report “From Navigation to Transformation” – compared to Little

Hoover testimony, all points have been mainly covered. Main recommendation in both is to overhaul policies that restrict access, including IT systems, standardization of IPP processes across Regional Centers, disparities between Regional Centers, call for RC's to be subject to the California Public Records Act (a call that was rejected in 2010). To strengthen the equity of state initiatives, looking at SAE Grants and how they are supported. Making it easier for providers of certain services to become vendors, redistributing power in communities. Reenvisioning how data is kept, how IPPs are written – these aspects are moving forward, in particular at RCEB these are moving toward being done in Sandis. Looking forward to thinking more about these ideas moving forward.

- **New RCEB Position** to look at POS and incomplete POS; coming next month to PVAC following initial training. Will review GoogleSurveys and identify gaps. For service providers, please know that if there are retroactive POS invoices, providers will need to request from clerks at RCEB to open up billing for these. The name of the candidate and contact information will be released next month.
- **Carlos Cienfuegos** asked about how to get an updated list of clerks for requesting billing for retroactive POS invoices; **Lisa** recommended checking the website under Providers.
- **Mike Pereira** asked about State of Emergency ending at end of February, and whether RCEB could provide an update to PVAC either now or next month on post-pandemic processes. **Lisa** responded that DDS is gingerly moving through ending abilities to waive requirements – it's going to be a process. Because of transportation and other issues, we'll see continued remote services, but may be eventual changes – baby steps toward decisions around waiver extensions or ending.
- **Dan Hogue** asked whether providers would receive rate letters for the current rate increase, and **Lisa** responded that she will let staff report on this part.
- **Mike Pereira** asked about the most recent Governor's State of Emergency announcement and clarity around billing; **Lisa** mentioned that Steve will also report on this.

#### **Working Session – Dan Hogue**

- **Dan** thanked **Lisa** for providing an update on activities regarding racial disparity. He proposed forming a working group to address these issues, and consider forming a subcommittee within PVAC to meet regularly and work on this topic. Please email **Dan Hogue** with interest at dhogue@lastrampas.org or the PVAC email address; aiming for next Friday at 9:30 or following Friday at 9:30.
- **Mike Pereira** asked what the working group's scope might be? **Dan** mentioned that he has started a draft, but the workgroup would be the drivers of the scope and purpose. He suggested: Partnering with RCEB, reviewing trainings, providing feedback to RCEB, all within PVAC's role as advisory to RCEB Board of Directors. **Mike** encouraged attendees to join the conversation.

#### **Regional Center Staff Report – Steve Robinson**

- **Steve** wished everyone a happy new year! Introducing **John Kan Lee** as emergency coordinator to share initiatives and discuss State of Emergency.
- **John** mentioned he's been attending nearly daily briefings in Alameda and Contra Costa County. Continued forecasts for widespread rain, but both counties have moved to lowest alert levels. Many items discussed re: current storms will be helpful for any upcoming emergencies.
- **Battery Initiative** for durable medical equipment – around 50 clients receiving information via Centers for Independent Living for delivery and training. Tier 2 and 3 consumers in ILS and SLS services – coordinated through case management but highest success rate is through direct communication with vendors – shout out to Martha Pentulhuk.
- **Karen Toto** mentioned they had funding to use on something constructive, and wondered if **John** could recommend someone to consult on a generator program for older adults. **John** responded that he would connect directly. **Dan** mentioned that Las Trampas added generators to 2 residential homes, and the cost was steep – hoping that there might be some way to offset this.
- **Steve** provided advice for programs that have been impacted by weather December 27th and ongoing until end of State of Emergency: when billing, add a comment in the billing system mentioning 'Absence Billing.'

**Mike** asked whether absence billing began on the date of the [announcement](#), or the stated start of emergency in the announcement, which was some days earlier. **Will** clarified that in each client's billing, a comment is needed to provide a reason for absence due to storm. **Dan** asked, if there has not been a confirmation of remote services, will it be possible to bill for remote participation? **Steve** answered that they should then bill via absence billing.

- **Craig Rose** asked, in the case of Employment Services, if remote services is not part of the program design, and TDS is still in process, how do providers account for COVID absences? Not looking for solutions, but wanting to share this reality – that COVID is still preventing billing in some cases.
- **Tailored Day Services** FAQ answers: TDS is 1:1; many vendor applications have been received and RCEB is processing these.
- **Remote Services:** Are providers required to maintain traditional staffing program ratios? Yes, from DDS's perspective, although staffing ratios may be calculated over an entire month rather than day to day.
- **Amanda Eicher** asked how providers would document services provided; **Steve** recommended that services to be provided follow the ISP addendum. **Amanda** asked whether there was any indication that these would be documented via Survey Monkey or EVV, and **Steve** responded that there hasn't been. **Donna** advised that for DDS audits it is a good idea to document services provided like TDS which is 1:1.
- **Mike Pereira** advised that providers have been discussing this in the weekly troubleshoot, and that the recommendation is to track data on service provision to have it available if requested.
- **Steve** responded to question about program design – it is not required to amend program design to provide Remote Services or TDS.
- **Transportation** services are changing – no longer possible to bill for supply delivery or other Alternative Services activities. Traditional services directive for transportation from DDS directed to use prior monthly rate in ASD, pro-rate number of days, then bill monthly amount – RCEB is seeking more guidance from DDS. DDS should be providing sub-codes for these activities soon. **Dan** asked about people receiving SLS with protective supervision; when choosing remote services, is there funding for them to participate from home?
- **For residential providers (Service Code 091) and SLS**, RCEB has extended funding for 6 months. Anticipating that this will continue throughout this year alongside Remote Services provision. **Dan** mentioned that POSs at Las Trampas are not yet approved, so is looking forward to working this out with the new POS staffmember!
- **Clausen House** asked who can assist in obtaining POS for 880 services, and **Priscilla Gomez** responded that she will send out guidance for authos under new directive once RCEB has full details from DDS.
- **Ember Avalos** asked via chat whether providers could expect Case Managers to resume Transportation management for participants? **Priscilla** responded that she will need more time with the continued modified schedules, then procedures will revert to pre-2020 model.
- **Re: Rate increase**, beginning January 1, another 25% of the rate differential will be applied to applicable codes; rate letters will likely come out in February for negotiated rates. Rates set by DDS should be coming, but may not have been sent.
- **DS1891 forms and updated insurance:** RCEB is required to have updated forms on file for every provider; reminders do go out annually, but RCEB is missing so much information – the process is currently to send a warning about de-vendoring if not received; what would PVAC members advise?  
**Will** mentioned that DS1891 is similar to HCBS Compliance Form – people should be aware of how critical this is. The form may be very confusing; going to a process of automating/digitizing the form as Alta RC did, can help people comply more readily.  
**Nicole** asked how to determine if the DS1891 is current; **Steve** responded that the file clerk should have the information on this; it is due once every two years.  
**Dan** suggested that having an email address for DS1891 would promote submission; **Steve** concurred. **Mike** suggested that in lieu of an automated system, the dedicated email would be very helpful.  
If RCEB is going to lose 40% of funding in federal dollars, it's not inappropriate to have punitive measures, but notice and remediation would be helpful prior to these measures. It would also be helpful to get requests on a regular timeline so that providers can include it in their annual planning. **Donna** mentioned via chat that

there may be hesitation to provide personal details via email, and **Dan** suggested an encrypted drop box. **Steve** thanked everyone for input.

- **Fruc Menchavez** spoke to HCBS Compliance and thanked Lisa for her earlier comments. Requested providers to circulate information amongst themselves and encourage folks to address compliance issues. Service codes needing to be compliant: <https://www.rceb.org/wp-content/uploads/2021/01/HCBS-Svc-Codes.pdf>, and to sign up for office hours with Fruc: <https://us02web.zoom.us/meeting/register/tZMkf-mupjsqGNL9TpkZUasSf5qTTzuPplMo>.
- **Symposiums** coming up on HCBS compliance and Person-Centeredness following March 17 deadline.
- **Minimum Wage is increasing to \$15.50/hr**; if rates are set by DDS, please submit to DDS and copy RCEB. Negotiated rates reach out to RCEB – Michael Conti or other resource developers. May want to examine new rate before making adjustments, and only affects providers paying less than \$15.50 currently.
- **Mike** asked about TDS Enclosure A – to whom should these submissions be sent? **Steve** advised: [mconti@rceb.org](mailto:mconti@rceb.org) and [rcasares@rceb.org](mailto:rcasares@rceb.org).
- **Debbie** from Clausen House asked about POS for 880 transportation service codes – they have been vendorized since the summer but have only received two POS for this service. The lost revenue comes to close to \$50,000. **Priscilla** responded that they could work together to troubleshoot.

### **Regional Center Board Report – No Meeting**

#### **Alameda County DD Council Report – Schantell Williams**

- Board Meeting included Self-Determination presentation and trends on county and state levels – Alameda County in medium transmission level. Will align with state timeline through fall 2023 wave.
- Alameda County COVID Webpage: <https://covid-19.acgov.org/index.page>
- Alameda County Vaccines Calendar: <https://covid-19.acgov.org/vaccines>
- For COVID treatments for uninsured or underinsured individuals, call 933-686-5051 for a no-cost appointment.
- Alameda County COVID Community Support Line 510-268-2101.
- Uninsured/underinsured individuals: low-cost or no-cost appointments:
- Fast Track Respite Training: <https://healthpipeline.wufoo.com/forms/w1lyu8pr198fagg/>
- REACH Housing waitlist is open in the tri-valley area for RCEB Clients and family members.
- REACH Housing Waitlist Applications: <https://trivalleyreach.org/housing/>
- Alzheimers Association Aging with Pride, Thursday, February 9, 9AM – 12PM: <https://docs.google.com/forms/d/e/1FAIpQLScR-CFOQSo6scbzArNFTQrEKBWHKXOtubXoTJXxyeX5xE3VZQ/viewform>
- Alameda County DD Council Board Meeting February 9, 9:30AM-12PM

#### **Contra Costa County DD Council Report – Vi Ibarra**

- Care Parent Network and the four SELPAs in Contra Costa will be hosting a virtual vendor fair for Social Rec Services on Jan 24 from 5-7 pm. This is geared toward families with kids K-12 and transition. Event flyer, in English and Spanish, including registration link is here: [https://drive.google.com/file/d/1IRYXDzjr5PtMHvXtit1VXVG6ieP7\\_TT/view?usp=sharing](https://drive.google.com/file/d/1IRYXDzjr5PtMHvXtit1VXVG6ieP7_TT/view?usp=sharing)
- DD Council Meeting January 25<sup>th</sup> with Will Sanford on EBLC/Governor’s Budget
- To receive info about upcoming DD Council presentations that are of interest to families with kids from early intervention through HS transition, please email [vi.ibarra@cchealth.org](mailto:vi.ibarra@cchealth.org).

#### **East Bay Legislative Coalition – Will Sanford**

Will shared screen with EBLC PPT on Legislative issues:

- **Budget Summary** at ca.gov required to be released by Governor's office on January 10, with budget hearings through March, also here: [www.dds.ca.gov/wp-content/uploads/2023/01/Governor\\_Budget\\_Highlights\\_2023.pdf](http://www.dds.ca.gov/wp-content/uploads/2023/01/Governor_Budget_Highlights_2023.pdf); Full Budget: [content/uploads/2023/01/RCDC\\_Estimate\\_2023\\_2024.pdf](http://www.dds.ca.gov/wp-content/uploads/2023/01/RCDC_Estimate_2023_2024.pdf)
- **May Revise** coming on or around May 15<sup>th</sup>, with June 15<sup>th</sup> submission to Governor for funding by July 1.
- **General Context** includes a shortfall of around \$22.5B; however, good reserves and debt paid down; some cuts but less dramatic than predicted.
- **Reserves** at \$35.6B (should remain untouched); Rainy Day Fund at \$22.4B; Public School System Stabilization at \$8.5B; Safety Net Reserve at \$900M; economic uncertainties/operating reserve at \$3.8B.
- **Assumption** is avoidance of recession. Funding delays (\$7.4B), reductions/pullbacks (\$5.7B), fund shifts (\$4.3B), trigger reductions (\$3.9), and limited revenue generation/borrowing (\$1.2B) would address shortfall.
- **General Outlook:** Economic growth slowing but not a recession yet. Inflation had reached a 40-yr high, but easing to 6% and falling.
- **Revenue Projections:** Down – economic growth, personal income, other forecasts were overoptimistic, now modifying.
- **HHS Budget (\$102.3B):** DDS 8.9%; DSS 18.2%; Other 6.8%; CA-DHCS 52.7%; State/Local realignment, 1991 7.1%; State/Local realignment, 2011 6.3%.
- Sustained commitments include **rate reform; updated safety net plan.**
- **Deferral of Preschool Inclusion Grants** to be maintained in 2024-25.
- February 1 at 10AM is **next EBLC regular meeting**; January 18<sup>th</sup> at 10AM is **budget review**; **Legislative Breakfast Prep Meeting** is January 25<sup>th</sup> at 1PM with breakout facilitators
- January 27<sup>th</sup> is **Legislative Breakfast** – 10AM
- Mike reminded those in attendance today that Will would be holding a round table to collect and record stories Friday, January 13th from 3 pm to 4 pm – zoom link: <https://us02web.zoom.us/j/89501738030?pwd=SFE1cnhocjQxeG1xSjQySy9RME12QT09>

#### **Day Program Subcommittee – Mike Pereira**

- **Troubleshoot** meetings continue on Wednesdays at 2PM – all providers are welcome.
- Last week's meeting on **TDS and RS** included RCEB – thanks to RCEB staff for joining discussion.

#### **HireAble – Donna Feingold**

- **Donna** provided the update via chat: our next HireAble meeting will be on 1/23 at 3pm and our presentation is on Neurodiversity given by two professional staff (Speech Therapist and OT) from Pleasanton Unified School District. There is some focus on people with autism in the workplace but I think this presentation will be of interest to anyone working with people on the spectrum. All are invited to attend and here is the zoom link: <https://us06web.zoom.us/j/88303168264>
- If you have any questions about HireAble, please contact Donna at [donna@hireable.org](mailto:donna@hireable.org). HireAble is vendorized to provide benefits planning to individuals and their families who want to learn more about how working/wages could impact benefits like SSI and SSDI.

#### **Announcements and Public Comment**

- **Maria Ramirez** thanked the new PVAC representative to the RCEB Board for coming up with the new equity initiative. Felt it would have been nice to get a response from the PVAC representative at the last board meeting – still waiting on a response to a letter from FUFU to Sister MaryGrace. Appreciating Dan and Geneva working on this issue. As a parent, **Maria** visited her daughter's day program which was open during the storm and the happiness to be together even during bad weather was evident. Noticing that following shelter in place, the enthusiasm of people to be together again was great.
- **Dan Hogue** reminded folks that the workgroup would be organizing, and it would be great to see folks joining!

- **Geneva and Alex** connected re: stories for the Legislative Breakfast.
- **PVAC's next meeting will be Friday, February 7**, which will be facilitated by PVAC's new co-chairs.

Meeting Adjourned at 11:33 AM

Respectfully submitted for review by Amanda Eicher, Secretary