



*Sponsors of  
North Bay Regional Center  
and other programs  
for persons with developmental disabilities  
10 Executive Court  
Napa, CA 94558  
707-256-1224  
Fax: 707-256-1230*

*Promoting Opportunities  
Supporting Choices*

## MEETING NOTICE

The next meeting of the Board of Directors is the Annual Board meeting scheduled as follows:

**DATE:** July 6, 2016  
**TIME:** 5:00 – 7:00 p.m.  
**PLACE:** North Bay Regional Center  
610 Airpark Road  
Napa, CA 94558

### Map & Agenda Enclosed

**Board Related Meetings:** The next meeting of the Vendor Advisory Committee will be July 12, 2016, at North Bay Regional Center office “Board Room” from 10:00 to noon.

**REMINDER:** Please contact Kathy Newman at (707) 256 1224 if you are unable to attend the Board meeting.

# 610 Airpark Rd

Napa | CA 94558-7535



**North Bay Developmental Disabilities Services, Inc.**  
**Board of Directors' Annual Board Meeting**  
**Wednesday, July 6, 2016, 5:00 p.m.**  
**North Bay Regional Center Napa Office**  
**610 Airpark Road, Napa, CA 94558**

**SHORT BUSINESS MEETING**

EXECUTIVE COMMITTEE: The Executive Committee proposes the following as the Board Slate of Officers for Fiscal Year 2016-2018: ACTION

President – Margi Stern; Vice President – Walt Spicer; Secretary – Rita Edmonds-Norris; Treasurer – Franklin Phillips

VENDOR ADVISORY COMMITTEE – Seating of prospective Solano County VAC member David Mauger. ACTION

**ANNUAL BOARD MEETING**

- I. CALL TO ORDER – President Margi Stern
- II. ROLL CALL AND INTRODUCTIONS – Secretary Rita Edmonds-Norris
- III. CONSIDERATION OF MINUTES – Minutes of the Corporate Membership Meeting of June 3, 2015 be approved as submitted. ACTION
- IV. TREASURER'S REPORT - Treasurer's Report for the period of July 1, 2016 – May 31, 2016, be approved as submitted. ACTION
- V. MARY COOK LIFE ACHIEVEMENT AWARD – 2016
- VI. NOMINATING COMMITTEE – As of July 1, 2016, North Bay Developmental Disabilities Services, Inc. Board of Directors has no vacancies.
- VII. FEATURE PRESENTATION – North Bay Regional Center Sharing Proud Moments (2015-2016)
- VIII. FEATURE PRESENTATION – Friends of North Bay Regional Center – Sharing Proud Moments (2015-2016)
- IX. INTRODUCTION of Board members, Vendor Advisory Committee members, and Board officers (past and present) – Margi Stern
- X. EMPLOYEE AWARDS Supervisor  
*Ten-year awards:*  
Bob Hamilton (2/06 – 2/16) Michi Gates Presenter  
Rafael Hernandez-Perez (2/06-2/16) Deanna Kirkpatrick/Lupe Lopez  
Michael Loya (1/06-1/16) Retired  
Regina Rivas (11/05 – 11/15) Heather Vail  
Daniel Silva (11/05 – 11/15) Joanne Giardello/Lupe Lopez  
Casandra Plummer (11/05 – 11/15) Christie Null  
*Twenty-year awards:*  
Patrea Miller (4/96 – 4/16) Elissa Reiff  
Heidi Oestreich (4/96 – 4/16) Joanne Giardello
- XI. PRESIDENT'S REMARKS – Margi Stern

CLOSED SESSION - The governing board of a regional center may hold a closed meeting to discuss or consider one or more of the following: (1) real estate negotiations, (2) the appointment, employment, evaluation of performance, or dismissal of a regional center employee, (3) employee salaries and benefits, (4) labor contract negotiations, (5) pending litigation -- W&I Code 4663(a).

<p><b>NEXT MEET ANNOUNCEMENT</b> – The next Board Meeting will be a regular business meeting held, Wednesday, September 7, 2016, 5:00 p.m., North Bay Regional Center Napa office.</p>
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**North Bay Developmental Disabilities Services, Inc.**  
**Annual Corporate Membership Meeting**  
**Wednesday, June 3, 2015 5:00**  
**North Bay Regional Center Conference Room**  
**10 Executive Court, Napa, CA 94558**

**MINUTES**

**NBRC BOARD MEMBERS PRESENT:**

Harry Matthews, President  
Joanne Tsai  
Franklin Phillips, Treasurer  
Rhonda Foster

Mike Huckins, VAC Rep.  
Margi Stern, Secretary  
Walt Spicer, Vice President  
Angel Giroux-Greber

**NBRC BOARD MEMBERS ABSENT:**

Rita Edmonds-Norris (Excused)

Barbara Power (Excused)

**STAFF PRESENT:**

Kathy Newman, Exec. Assistant  
Michi Gates, Director, Client Services  
Kimberly Dowling, IT Tech  
Joanne Giardello, CMS  
Deanna Heibel, Associate Director, Client Services  
January Crane, Fed Revenue Dept. Manager  
Teresa Dominguez, SIR Coordinator  
Jordan Hall, IQM  
Heidi Oestreich, SC, SEIU  
Paul Bray, CRC  
Tess Francis, SC/Parent  
Diana Tucker, QA  
Julie Blythe, SC  
Stacia Mott-Austin, SC

Bob Hamilton, Exec. Director  
Thomas Maseda, Dir., Admin. Services  
Dave Johnson, CFO  
Deanna Kirkpatrick, Intake Department Manager  
Courtney Singleton, Associate Director, Client Services  
Reyna Lopez, SC  
Haley Parker, SIR Coordinator  
Tammy Larsen, IQM  
Katie McMillan, SC  
Adele Butler, CRC  
Amelework Gerenew, SC  
Rick Burkett, Associate Director IT  
Tami Jo McMahan, Assessment Counselor  
Chad Graham, SSC

**GUESTS PRESENT:**

Linda Plourde, Bayberry  
Lina Hoshino, Petaluma Pie Company  
Emma Rued, Petaluma Pie Company  
Margo Rooney, Care Provider  
Laura Henderson, BI  
Ray Dowling, Family  
Darelyn Pazdel, Pride Industries  
Gregory Reyes, Person Rec. Services  
Adam Barngraff, CA Mentor  
Karen Lustig, Aldea SLS  
Mary Eble, North Bay Housing Coalition  
Heather McDowell, Place of Grace  
David Price, Place of Grace  
Mary Eble, North Bay Housing Coalition

Suzette Soviero, Friends of NBRC  
Lyn Isbell, Friends of NBRC  
Casey Hall, Client Rec. Services  
Katie Capeto, Friend of BBRC  
Rosemary Gridley, BI  
Joan & Bill Reading, Family  
Pat Walter, Parent/SDC  
Alex Reyes, Parent  
Glena Reyes, Sibling  
Elisa Olson, CA Mentor  
Saanen Kerson, Vine Village  
Eileen Allen, REI  
Sally Price, Place of Grace  
Lowana Fickes, Place of Grace

**CALL TO ORDER** – Harry Matthews, President, called the Annual Board Meeting to order at 5:05 P.M. Roll was called and a quorum was present.

## **CONSIDERATION OF MINUTES**

**M/S/C (Phillips/Huckins) Move that the minutes of the Annual Corporate Membership Meeting of June 5, 2015 be approved as submitted** **UNANIMOUS**

## **TREASURER'S REPORT**

**M/S/C (Huckins/Spicer) Move that the Treasurer's Report for the period of July 1, 2014 through April 30, 2015 be approved as submitted.** **UNANIMOUS**

**NOMINATING COMMITTEE** – Walt Spicer, Chairperson. As of July 1, 2015, North Bay Developmental Disabilities Services, Inc. Board of Directors have no vacancies.

**NORTH BAY REGIONAL CENTER RECRUITMENT COMMERCIAL** – Thomas Maseda noted that NBRC is proud to announce the first NBRC recruitment commercial which is currently posted on our website. For those seeking employment at NBRC, access NBRC website and click on the link and view. Thomas presented the commercial to the Board and those in attendance. Thomas thanked Pamela Madden Krall, NBRC's Training & Information Project Manager, and Lee Howard Productions for developing this commercial.

## **FEATURE PRESENTATION**

North Bay Regional Center - Sharing Proud Moments (2014-2015)

- Greg Reyes – Tess Francis Templin SC, introduced the Board and audience to Alex Reyes, Greg's father. Greg has been receiving services from NBRC since 1989, attends Day Program at NVSS, and lives at home with his family. Alex Reyes noted that he and his family have been residents of the Napa Valley since 1950. He also noted that Greg has received wonderful services from NBRC. At one time, he and his wife did not know where to turn for help. Greg is now 56 years old. NBRC has provided transportation to NVSS three days per week, provided and installed a walk-in tub, installed a rail system to get him in and out of the bathroom, modified a wheelchair van so Greg could be more easily transported from point A to point B. The purchase of the van enabled the family to take Greg on outings and out to dinner. Mr. Reyes thanked the Regional Center for all their help in the past and hopefully in the future.
- Casey Hall & Dave Larsen; Margo Rooney from Kennemer RP Home – Reyna Lopez SC – "Success in life comes when you simply refuse to give up".
  - ✓ Dave Larsen: Prior to living at Kennemer Home in Rohnert Park, Dave struggled with alcohol abuse that led him to becoming an angry person and acting out aggressively. He had no job, was arrested, did jail time and, and was having major health issues, including an enlarged heart and high blood pressure. His primary physician warned him if he continued down the road he was going, he wouldn't live long. Dave was homeless when his SC assisted him in finding alternative living arrangements. He toured Kennemer Home and chose to move in there because the house was clean and he could tell that Margo was a kind-hearted person. Since living at Kennemer Home, Dave has done a complete turnaround. He has been sober for more than 10 years. He works full-time at Lucky's in Petaluma all on his own without an agency or a job coach to assist him. He received an award from the City of Petaluma for customer service, is often recognized at Lucky for his hard work and being a valuable employee. Dave is a great mentor for those living in his home. When asked what contributed to his success, he stated "I wanted to feel better about life. Margo has helped me to do well and stay sober and I wouldn't be here without her".
  - ✓ Casey Hall: Casey has thrived in the past couple of years. Prior to living at Kennemer Home in Rohnert Park, Casey was living in a high level 4 home that was very restrictive. Due to challenging behaviors that led to his placement, i.e., high energy and the inability to sit long enough complete tasks including preferred activities. Casey would often get frustrated and engage in property destruction, outbursts, aggression, etc. He was very anxious and felt all alone. When Margo met Casey, she knew he had a lot of potential and gave him a chance. When Casey moved in, Margo and her husband reviewed his medication list and though he was being over medicated. They expressed concern to Casey's psychiatrist who then started weening him off his medications, including Ritalin. Since moving into Kennemer Home Casey seems much happier, calmer, has great manners, and has matured. He works in a work program making wages, utilizing public transportation, and recently his

behavioral services have ended because Casey met his goals. When asked what has contributed to his success, he stated, “Margo! She’s like a mom to me and helps me a lot. She cares about us and I like it here.”

- ✓ Margo Kennemer – Since both Dave and Casey attribute their success to Margo, Reyna briefly spoke about Margo. Margo not only provides a nurturing and supportive environment for those that reside with her, she goes above and beyond to help others and give back to the community. She opens her home every Friday to the public for “Free Food Friday” where she picks up food from the community, organizes it, then allows members of the community to sort through it and take what they need. Former Kennemer residents plus other Regional Center clients look forward to “Free Food Friday”. Recently a client moved out of Kennemer Home into the community with SLS support. He often goes to Kennemer Home for breakfast, sometimes dinner, and attends “Free Food Friday” and goes to events with the Home. He is still welcome as part of the Kennemer family. Reyna has a client who wanted to attend camp that he heard his work buddies talk about. They set up a budget and goal for this client, which he met. Unfortunately his Home was unable to transport him due to the distance so Reyna asked Margo if he could be included with her group. Her response, “of course, no problem”. This individual would not have been able to attend camp without Margo’s assistance. Reyna thanked Margo for all she does. “You are a reminder of why we are here today and, you too, are inspiring.”
- Emma Rued – Lina Hoshino (Owner of Petaluma Pie Company) - Stacia Austin SC introduced Emma and Lina. Emma attended NBRC all staff and told her story. It was so inspiring that she was invited to attend the Annual Board meeting to share her story again. Emma noted that she has been a “member” of North Bay Regional Center for approximately three years. She was able to obtain employment with Petaluma Pie Company through the assistance of NBRC. She was “living on the laptop” for more than a year and a half endlessly apply for jobs until she sought help from her Service Coordinator. Lina noted that Emma is a wonderful gift to their store. Lina and her husband own a small bakery called Petaluma Pie Company which is located in Sonoma County, downtown Petaluma. They specialize in handcrafted pies made with local and organic ingredients. Part of Petaluma Pie Company’s mission is to bolster the local economy by purchasing from local farmers and creating jobs. It is also their goal to have a work place that is diverse and inclusive. One of the biggest challenges of owning a small company is finding good employees. Lina noted they had a really hard time finding someone who could wash dishes well. Everybody wants to be a pastry chef or a front counter person, but not everyone wants to be a dish washer. Lina noted that when she first discussed their staffing needs with Eileen of California Human Development, she wasn’t sure they could train or accommodate someone with a disability. Eileen assured them she would be able to support Lina through the hiring and training process. We quickly found out that Emma is a GREAT match for the bakery. She is always on time, a quick learner, completes tasks thoroughly, is funny, made friends with everybody, is bright, thoughtful, efficient, and always full of ideas to improve the work place. When Emma did the dishes, they came out “squeaky clean, they were perfect”. Not long after starting work at the store, it was obviously she was capable of doing so much more. Lina gave her the recipe for the apple pie filling. She not only learned that recipe, she learned recipe after recipe. Today Emma is assembling more than 100 pies per day. She has also learned to cook savory fillings, cheeseburger pies, etc. She started out part time and is now a full time employee with benefits. Emma not only has an excellent work ethic and enthusiasm to learn and grow continually, she is committed to living a healthy and frugal lifestyle. A couple times per week after work, she stops at the gym and swims 100 laps. She also brings home left over cuttings of green onions and leeks to plant in her container garden. Emma has been a great addition and inspiration for all associated with Petaluma Pie Company. Lina thanked North Bay Regional Center and Eileen for bringing Emma to PPC.
- Oliver Vasquez/Claudia Graetsch-Vasquez – Miriam Wilcox SC – Claudia (mom) presented a video of Oli (Oliver) who is a client of NBRC. Oli was born with a very rare genetic condition called Congenital Disorder of Glycosylation Type 1A. There are less than 600 cases worldwide. The disease affects mobility and speech. At one point Oli was unable to hold his head up and was behind in all his milestones. The Regional Center came into play when Oli was approximately 6-7 months old. Over approximately eight years, they have provided therapy, walkers, tricycle (He is 100% independent on his tricycle), respite, day care, home modifications, etc. It has taken a lot longer for Oli to do things but through the help of the Regional Center he is doing well. Claudia noted that she can’t thank the Regional Center enough for all the support they have provided for the last eight years. Pamela Madden Krall noted that Oli is featured on all of NBRC’s brochures, the NBRC banner, & the NBRC website, etc. He is the NBRC “poster child”.

- Gladys Renfrow - Manzanita House (Place of Grace) – Chad Graham SSC – Chad noted that he assists residents at Sonoma Developmental Center transition into the community. Chad introduced the Board to Place of Grace administrator, David Price. Mr. Price noted that thirteen years after he retired from law enforcement he was approached by another retiring officer who had connections with the Regional Center and together developed one of the first forensic homes. The goal was to provide the highest quality of care for the consumers and to work as partners (not just vendors) with the Regional Center. The Place of Grace has partnered with NBRC for 13 years. The home started as a single home for adults who were at risk for entering the criminal justice system with significant behavior issues. Over the next ten years, Place of Grace opened four more homes working with high needs high profile clients. Place of Grace opened its first Residential Care Facility for the Elderly in 2013 for clients exiting SDC. Gladys Renfrow spent over 70 years at Sonoma Developmental Center. The four beds have recently been filled and between the four clients there is over 200 years of residing at the DC. The four clients residing at Manzanita House enjoy meals together and seem to enjoy each other. One female client had digestive issues and after several months of eating whole foods, has been able to get off all medications. A non-verbal blind client has begun to speak in short words and phrases as well as walking with hand and voice guidance only. All four clients attend church every Sunday. Gladys loves rock and roll and when the worship team begins the music she rocks out. The clients regularly visit shopping centers, the Nut Tree, parks, bakeries, outlets, grocery stores, and restaurants. The success of Place of Grace is the investment and commitment of a well-trained and dedicated staff. Place of Grace works very hard to find staff who have a calling to work with this population. During Gladys' first visit to Manzanita Home, it was clear she did not want to leave. Gladys has a favorite rocking recliner that she has claimed as her own. She has opened up and shown a very playful disposition. She loves to sit at the dinner table with the other residents. She has a great sense of humor and a great laugh. She likes to sing "You are My Sunshine".

Harry summarized the great services his adult son has received over the years. His son left SDC nine years ago and is living in a program in Napa and doing well. Harry thanked the Regional Center for all the services his son has received.

Friends of North Bay Regional Center – Sharing Proud Moments (2014 – 2015) – Suzette Soviero, Friends Manager  
North Bay Regional Center is often prohibited from funding many supplemental services that are pivotal in meeting the needs of individuals diagnosed with autism, cerebral palsy, epilepsy, and other intellectual disabilities. Friends of North Bay Regional Center is dedicated to funding these necessary supports and services that assist those we serve to lead more independent and productive lives as valued members of their community.

- A generous donation was received from Lyn & Harry Isbell which enabled the launching of Friends. Friends has been a long-time dream of Bob Hamilton and the Regional Center. Thank you Lyn & Harry Isbell!!!
- Suzette acknowledged the first College to Career Program graduation. Seventeen graduates received a \$25 gift card from Friends.
- Friends honored 23 requests submitted by service coordinators including but not limited to:
  - ✓ iPads for better communication
  - ✓ Summer camps
  - ✓ Horseback riding
  - ✓ Trampoline
  - ✓ Durable medical equipment
  - ✓ NBRC Santa Rosa Christmas Elves providing gifts for clients who wouldn't have received any otherwise.
- Friends/Suzette hosted the first Halloween fundraiser at Dillon Beach where \$8,000 was raised. October 24, 2016 is the next Halloween fundraiser.
- Luther Burbank and a parent made generous donations.
- Suzette encouraged members to partner with Friends by hosting cultivation events.
- Bob thanked Suzette for everything she has done for Friends.

**INTRODUCTION** – Board members, Vendor Advisory Committee members, past and present (in attendance).

**EMPLOYEE AWARDS** – Hazel Miguel was honored and awarded with her ten-year plaque. Patrick Maher, Linda Morat,

and Adele Butler were honored and awarded with their twenty-year plaques. Kimberly Dowling and Lynda Wheeler were honored and awarded with their thirty-year plaques.

**PRESIDENT'S REMARKS** – President Harry Matthews presented a brief overview of the successes of the past year at North Bay Regional Center including the following statistics:

- One Board member was seated during this year, Rhonda Foster, representing Sonoma County. Welcome and thank you for joining us! We are actively recruiting for Board members under the leadership of Walter Spicer, who assumed the chairperson role for the Nominating Committee.
- NBRC is scheduled for the next compliance audit by DDS in late July, having no major exceptions in the previous audit.
- Thanks to the great work by our staff and consultants, NBRC continues to have one of the lowest numbers of fair hearings in the state.
- As it was last year, advocacy for restoration of the Early Start program to pre-budget cut levels has been strongly supported by NBRC. The Legislature has embraced this effort and is in negotiation with the Governor's administration. Hopefully, we will have a better outcome than last year when the Governor would not support this budget item!
- We continued meeting with all county SELPA's to facilitate collaborative behavioral services with a Memorandum of Understand (MOU), and all County Mental Health service agencies' MOUs are currently in place. This includes Sonoma, Napa, and Solano Counties.
- The Board fund remains stable at \$53,183.93 in savings and \$1,895.94 in checking accounts.
- NBRC's client population has grown from 8229 to 8299 adding 70 new clients. This growth represents a 0.85% increase which is well below our historical average for growth of approximately 3% and also less than last year's growth of 1.7%. We are examining the population statistics for the general population to see if we are following a trend, or if this slow growth is specific to our population.
- In the current Fiscal Year, we are projecting \$134 million in POS, which represents a 3% increase over last year's projection. Our current POS allocation is \$127 million. That means that we need an additional \$7 million to balance POS. Many other regional centers are in this situation, but it is better than last year when we had a gap that was twice as much. The State's cash flow issue has improved, so much so that NBRC has not been required to borrow funds as we did last year. DDS is predicting that the statewide allocation for POS is sufficient and that there will not be a deficiency, which would require that they go to the Legislature for additional funds. The rate freeze for most providers continues to be in force in spite of heavy lobbying of the Legislature for a two year annual 5% investment in rates until a new rate system can be developed.
- NBRC's Operations budget increased from \$16.5 million to \$17.3 million. NBRC has focused on hiring service coordinators (case managers), making this a priority. Because of those efforts, the average caseload for service coordinators is steadily decreasing from the low-nineties to the mid-eighties. In order to get in front of staff attrition, we are recruiting and hiring for yet to be vacated service coordinator positions. We will continue to make efforts in this regard in order to relieve workloads and improve services to our clients.
- Successfully negotiated a three year collective bargaining agreement with SEIU and NBRC union leadership, providing annual COLAs and other concessions to staff.
- Discovered and investigated misappropriation of client funds by a former NBRC staff. We handed over our findings to law enforcement, which did further investigation, culminating in the arrest of person responsible. The accused has pleaded no contest to the charges and will receive sentencing in the fall.
- Expected restoration of the Early Intervention Program to pre-2009 eligibility criteria will provide Operations funding that will help ease the caseloads for Early Intervention service coordinators. DDS has again cited NBRC along with most of the other Regional Centers for not meeting caseload ratios as prescribed by the Lanterman Act, which is of course, an unfunded mandate.
- NBRC continues expanding its outreach and education to our tri-county area, this year including Dr. Katie Pedgrift partnering with the Sonoma County Office of Education to provide educational seminars to women with intellectual disabilities as well as guest lecture events at Touro University, Santa Rosa Junior College, Solano Junior College, and Napa Valley Junior College. NBRC continues to play a lead role in the Sonoma County Mayor's Committee, and The Sonoma County Transition Fair, and continues to support and participate in Solano and Napa County office of education



events and transition fairs. With advent of a new NBRC Outreach Committee, NBRC will have more opportunities to interface with and educate our local community.

- NBRC launched a new and improved website and continues to add feature stories to the NBRC YouTube channel, most importantly this year being the Angel Valencia-Ceja lighting of the state capitol Christmas tree.
- Both MHSA grants, Building Bridges and Project Connect, have hosted and coordinated collaborative events to improve access and services for individuals with mental illness and developmental disabilities, aka dual diagnoses. Project Connect hosted a conference on the Affordable Care Act and the impact this legislation may have on regional center clients. Building Bridges will host its final conference, a First Responders training with Dr. Fletcher of NADD, on June 12<sup>th</sup>. Work with Solano and Napa County Mental Health has resulted in improved collaborations and cross-training of each agency's respective staff earlier this year
- We continue our efforts to reach diverse ethnic groups, this year with community meetings with monolingual Spanish-speaking families to discuss their issues and make changes to our processes that will reduce or eliminate these issues.
- Our client population continues leading increasingly independent lives, with 45 individuals added to our independent or supported living community residential options, and 63 returned to their homes from an institutional setting including 13 from Sonoma Developmental Center.
- This year, NBRC is presenting service awards to nine employees with 10 years of service and four employees with 20 years of service. This represents 170 years of valued staff contributions to this agency!

**PUBLIC COMMENT:** Franklin Phillips thanked Katie McMillan for being in his corner. He noted that if it wasn't for Katie, Dave Johnson, and the Board, he wouldn't be able to serve as a Board member.

**ADJOURNMENT**

**M/S/C (Stern/Phillips) Move that the meeting be adjourned at 6:56 p.m.**

**UNANIMOUS**

**North Bay Regional Center  
Franklin Philips Horne NBRC Treasurers' Report  
For the Month of July 2016**

In the year ending May 31<sup>st</sup> 2016 NBRC's board money market account increased by \$449 to end the Year with a balance of \$50,672.

The board checking account ended the month with a balance of \$1,627, down \$1937 from last May 31<sup>st</sup> reflecting board & client expenses.

STATUS CODES SELECTED: 0 P 1 2 3 8

CONSUMER STATISTICS

COUNTIES SELECTED: \*\* ALL \*\*

AGE RANGE	NUMBER	% TO TOTAL	GENDER	NUMBER	% TO TOTAL	RESIDENCE TYPE	NUMBER	% TO TOTAL
0 - 2	1,162	13.1 %	MALES	5,578	63.2 %	OWN HOME	6,129	69.4 %
3 - 17	2,526	28.6 %	FEMALES	3,245	36.7 %	ILS	539	6.1 %
18 - 40	3,177	36.0 %			SLS	744	8.4 %	
41 - 60	1,359	15.4 %			DC	105	1.1 %	
61 - 80	571	6.4 %			SNF	48	.5 %	
					ICF	255	2.8 %	
80 & OLDER	28	.3 %			CCF	769	8.7 %	
					FOSTER CARE	168	1.9 %	
					OTHER	66	.7 %	
<b>TOTAL:</b>	<b>8,823</b>	<b>100.0 %</b>	<b>TOTAL:</b>	<b>8,823</b>	<b>100.0 %</b>	<b>TOTAL:</b>	<b>8,823</b>	<b>100.0 %</b>

ETHNICITY	NUMBER	% TO TOTAL	DISABILITY	NUMBER	% TO TOTAL	COUNTY	NUMBER	% TO TOTAL
MIXED	691	7.8 %	AUTISM	1,885	21.3 %	28. NAPA	1,131	12.8 %
ASIAN	202	2.2 %	EPILEPSY	1,112	12.6 %	48. SOLANO	3,640	41.2 %
BLACK	833	9.4 %	CEREBRAL PALSY	910	10.3 %	49. SONOMA	3,901	44.2 %
FILIPINO	309	3.5 %	MENTAL RETARDATION	4,832	54.7 %			.0 %
NATIVE AMERICAN	31	.3 %	OTHER	1,030	11.6 %			.0 %
POLYNESIAN		.0 %						.0 %
SPANISH/LATIN	2,003	22.7 %	CONSUMERS MAY HAVE MULTIPLE DIAGNOSES					.0 %
WHITE	4,338	49.1 %						.0 %
OTHER	129	1.4 %						.0 %
UNKNOWN	287	3.2 %						.0 %
						OTHER	151	1.7 %
<b>TOTAL:</b>	<b>8,823</b>	<b>100.0 %</b>				<b>TOTAL:</b>	<b>8,823</b>	<b>100.0 %</b>

PRIMARY LANGUAGE	NUMBER	% TO TOTAL	Status	Count	% TO TOTAL
SIGN LANGUAGE	26	.2 %	0	522	5.9 %
ENGLISH	7,246	82.1 %	P		
SPANISH	1,415	16.0 %	1	920	
OTHER LATIN LANG.		.0 %	2	7,276	
CANTONESE CHINESE	8	.0 %	3		
MADARIN CHINESE	3	.0 %	8	105	
JAPANESE	2	.0 %			
VIETNAMESE	12	.1 %			
KOREAN	3	.0 %			
LAOTIAN	3	.0 %			
CAMBODIAN	5	.0 %			
OTHER ASIAN LANG.	2	.0 %			
RUSSIAN	2	.0 %			
ALL OTHER LANG.	96	1.0 %			
<b>TOTAL</b>	<b>8,823</b>	<b>100.0 %</b>	<b>TOTAL</b>	<b>8,823</b>	<b>100.0 %</b>

## **CONSUMER ADVOCATE REPORT**

**June 24, 2016**

More self-advocacy/support groups started back up in June using the educational materials on self-advocacy. The rest will start up in July.

The Napa County IHSS Advisory Committee is not co-sponsoring a California In-Home Supportive Services Consumer Alliance Conference in Napa for consumers and providers. We didn't resolve the issue of co-sponsoring at this time. We are working with Channel 28 to produce training tapes on the purpose of the Advisory Committee.

There will be a Supported Life Conference called "Inclusion is the New Standard" on October 6<sup>th</sup> – 7<sup>th</sup> in Sacramento. More information will be provided as the event develops.

We need to assist registered voters in getting to the polls on November 8<sup>th</sup> so please assist the people we serve to vote.

I continue to assist service coordinators with their cases and am still the DDS Conservator designee.

Thank you.

Submitted by:

Randy Kitch



North Bay  
Regional Center

10 Executive Ct. Napa, CA 94558  
Phone: (707) 256-1100 • TTY (707) 252-0213

2351 Mendocino Avenue, Santa Rosa, CA 95403  
Phone: (707) 569-2000 • TTY (707) 525-1239

**FAIR HEARING & MEDIATION UPDATE**  
**JUNE 1 – 30, 2016**

Day Program (15-36)	<u>Reason for Appeal:</u> Claimant appeals eviction from Day Program. <u>Ruling:</u> Fair Hearing pending.
Eligibility (15-38)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing pending.
Rights Violation (16-03)	<u>Reason for Appeal:</u> Claimant advocate using Fair Hearing venue rather than submitting 4731 complaint. <u>Ruling:</u> Fair Hearing pending. Resolved through mediation.
Placement (16-04)	<u>Reason for Appeal:</u> Claimant appeals denial of placement. <u>Ruling:</u> Fair Hearing pending.
Placement (16-08)	<u>Reason for Appeal:</u> Claimant appeals denial of placement. <u>Ruling:</u> Fair Hearing withdrawn.
Placement (16-09)	<u>Reason for Appeal:</u> Claimant appeals denial of placement. <u>Ruling:</u> Fair Hearing withdrawn.
Eligibility (16-10)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing withdrawn.
Eligibility (16-11)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing withdrawn.
Transfer (16-12)	<u>Reason for Appeal:</u> Claimant appeals denial of transfer request. <u>Ruling:</u> Fair Hearing pending.
Eligibility (16-13)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing pending.



**Federal Revenue Department Board Report for Quarter 4,  
April-May-June, 2016**

- **HCBS Medicaid Waiver program:**

**Goals:** Our annual target for the 15/16 fiscal year is an enrollment total of 3727 individuals into the Medicaid Waiver program by 6/30/16. These targets have been established by DDS along with the requirement to add clients to the waiver monthly. Missing our target or not adding monthly can result in the withholding of federal funds in our operations budget and less POS (purchase of service) reimbursement.

**Status:** As of 4/30/16, NBRC has 3778 individuals enrolled in the Medicaid Waiver program, which is over the target for the fiscal year. This represents 52.3% of all active clients eligible for Federal Financial Participation (FFP).

- **Audits:**

- **HCBS Audit**

California's Department of Developmental Services (DDS) and Department of Health Care Services (DHCS) completed a HCBS Medicaid Waiver audit May 11<sup>th</sup> - 22<sup>nd</sup> at NBRC. NBRC has been presented with the draft audit findings from DDS and a response has been completed and submitted to DDS for their consideration.

- **Training:** Department Manager and Federal Revenue staff provided New Employee and unit trainings for Service Coordinators in the 4<sup>th</sup> quarter of the 15/16 fiscal year, to include:

- An overview of General Audit Checklist requirements
- The Federal Definition of Case Management
- Title 19/Targeted Case Management (TCM) notes
- Completion of the Annual IPP Review form, as required per regulation
- Client Development and Evaluation Reports (CDER) requirements and instructions
- Time Study instructions and requirements

- **Time Study**

NBRC completed the triannual time study as required by CMS/DDS during the month of May, 2016. DDS conducts a month long time-study every three years to determine each centers costs for service provision. Each RC's Targeted Case Management (TCM) rate is based on the cost to provide services to all of its consumers. During Time Study, case managers completed TCM documentation for all active Status 1 and Status 2 consumers. However, the rate established will be utilized to claim reimbursement for TCM-eligible consumers only.

- **DDS/NBRC updates:**

- **1915 (i) SPA**

NBRC has volunteered to be one of the first Centers to pilot the implementation of managing the 1915(i) SPA (State Plan Amendment) beginning March 1<sup>st</sup>. NBRC has received the SANDIS system upgrade and have enrolled approx. 100 of the suggested 560 potential additions DDS had identified. The 1915(i) SPA will allow California to receive federal funding for POS services for individuals who may not qualify for Medicaid Waiver, but will not provide funds for operational expenditures for Centers at this time. The additional workload of verifying eligibility has been absorbed by the current Federal Revenue staff (2.5 FTEs) as well as the Client Services Assistant. Service Coordinators will be required to conduct annual IPP reviews and update CDERs, as they do for the Medicaid Waiver program.

**Self Determination Program**

The NBRC Self Determination Advisory Committee met on June 20th at NBRC in both the Napa and Santa Rosa offices. For this meeting, Committee members proposed the following Agenda Items:

- Election of 2 Co-Chairpersons
- Update on the Self Determination Program Waiver
- Sub Committee reports
- Update of DDS created trainings for Regional Center staff

DDS is finishing up on training modules of the components of the SDP for identified RC staff. RC staff will then attend trainings in the month of August and have the option of tailoring these trainings for the clients that are chosen by DDS for the first 3 years of this program.

CMS has still not approved this Waiver, however DDS has submitted responses to all questions and anticipate open communication with CMS in order to answer any more questions that could arise.

Focus of most SDP Advisory Committees throughout all Centers is outreach and education to staff and clients.

**Nursing Home Reform**

DDS will be attempting to capture additional FFP by requesting LTC facilities to request Pre Admission Screening and Resident Reviews (PASRRs) to be conducted by Centers, upon discharges, not just upon admission. The additional workload of processing these Level II PASRRs will be absorbed by the Federal Revenue unit.

**Money Follow the Person Demonstration Grant**

NBRC is currently tracking only 5 clients for continued eligibility for the MFP Grant, as the Grant will no longer accept new enrollments as of July 1<sup>st</sup>. Current enrollments will no longer be eligible for the 75% FFP as of Dec 31<sup>st</sup>, 2016. The total referrals NBRC has tracked for the MFP Enhanced federal monies reached 119.

- **NBRC Agency Support:** The Federal Revenue Department will continue to provide trainings and support to service coordinators and supervisors in order to assist with coming into compliance with Federal regulations. The Federal Revenue Department will do so by:
  - Providing support with ongoing MW enrollment
  - Providing support with ongoing 1915(i) SPA enrollment
  - Track the Client Development Evaluation Report (CDER)
  - Record and analyze forensic data integrity
  - Provide ongoing support to staff during all audits
  - Focus on proper Targeted Case Management notes
  - Outreach and trainings regarding the Self Determination Program option for both NBRC staff and community partners



**Vendor Advisory Committee Report to the NBDDS Board of Directors  
June 14, 2016 Submitted by Mike Huckins**

The VAC met on Tuesday, June 14, 2016. Please refer to the minutes for the complete report.

**Community Concerns/Clarifications:**

- Lauren thanked Mike for his leadership role with VAC and noted that Linda Plourde will be the new vendor representative to the Board and that she will be the new co-facilitator of the VAC meetings.
- VAC is accepting applications for membership as well.
- Notification of a Consumer passing away to previous vendors was discussed.
- R&D clarified that driver screening and hiring are the transportation vendor's responsibility.
- Michelle Ramirez summarized the new white collar exempt salary threshold of \$47,400.
- Joetta discussed the new process that is happening for live scan fingerprinting clearance and that it is taking longer than before.

**Presentations/Training:**

- We will ask Linda Plourde to continue her Federal Update presentation in July.
- Kelley announced the June 30<sup>th</sup> Person Centered Thinking training.
- We will have a HCSB discussion with Lisa Hooks on August 9<sup>th</sup>.

**Group reports were given.**

- **The Napa Solano Vendor Group:** No report.
- **The Sonoma Vendor Group** had a tour of REI and discussed a local vendor concern.
- **NBHC:** No report, but Mike Huckins state the impact that Solano County being named the top real estate market is dramatically increasing rent to our Consumers.
- **SCDD North Bay:** Lisa spoke about HCSB, the Waiver application timeline, the ABLE Act and Self-determination.
- **Public Relations:** The next vendor fair will held at the Sonoma Vets Hall in the fall.
- **Trade Associations:** CDSA will meet 7/26 to prioritize legislative issues for 2016/17. The CSLN conference was great! We expect Linda will report back on her speaking at DC at the next VAC.
- **Board Report:** The feature presentation was by Thomas Maseda on Service Coordinator caseload ratios. Even with the additional hiring of SCs, Thomas expects there will still be a need to hire four or five more SCs to be in ratio compliance. The Ohio version of the ABLE Act is now available to Californians. Jose Ayala was seated on the Board. A Sonoma County parent shared her story of unmet needs for her 30 year old son with autism and behavioral needs. An open house of the new NBRC office will occur before the July 6<sup>th</sup> annual meeting.
- **NBRC/ARCA:** The next ARCA meeting is on June 16/17<sup>th</sup>.
- **Dr. Michi Gates:** Michi went over various staff changes and promotions including Pamela Madden-Krall's leaving her position on 6/17. Shawan Casborn is the new Resource Development Supervisor. A DDS fiscal audit on the billing and payment to vendors will occur in the fall. Michi gave kudos to New Leaf for completing the transition of rep. payee for all but a couple of consumers. The self determination advisory committee will have a video conference on Monday, June 20<sup>th</sup>.
- **Disaster Preparedness:** No report.
- **CASACC Call:** No report.

**Policy/Procedure Update:** None

**New Business:** The 2016/17 Holiday schedule as presented by Michi was approved by VAC.

**Next VAC Meeting:** The next VAC Meeting will be on Tuesday, July 12, 2016.

# VAC Meeting Minutes



Vendor Advisory Committee Meeting Minutes  
 North Bay Regional Center, Napa  
**June 14, 2016**

<b>1. Attendance</b>		
a. Call to order	VAC Meeting held June 14, 2016 was called to order at 10:10 AM (PST).Chaired by Lauren Meikeljohn. First meeting at new location (610 Airpark).	
b. Roll call. Quorum met?  <input checked="" type="checkbox"/>  May minutes MSC Unanimously Mike, Karen Agenda Approval:  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  Announcement – 2 Mike and Lauren	<p><u>VAC Membership</u></p> <input type="checkbox"/> Saanen Kerson (Vine Village) <input checked="" type="checkbox"/> Darelyn Pazdel (PRIDE Industries) <input checked="" type="checkbox"/> Karen Farnsworth (CPA) <input checked="" type="checkbox"/> Mike Huckins (The ARC Solano) <input checked="" type="checkbox"/> Lauren Meikeljohn ( Becoming Independent) <input checked="" type="checkbox"/> Karen Lustig (Aldea Supported Living Services) <input checked="" type="checkbox"/> Linda Plourde (Bayberry, Inc.) <input checked="" type="checkbox"/> Holly Pagel (Connections for Life) <input checked="" type="checkbox"/> Kelley Hanson (PACE Solano) <input checked="" type="checkbox"/> Ali Tabatabai (New Leaf) <input checked="" type="checkbox"/> Andrea Mendoza (REI/CHDC) <p><u>NBRC Staff</u></p> <input checked="" type="checkbox"/> Michi Gates <input checked="" type="checkbox"/> Bob Hamilton <input checked="" type="checkbox"/> Pam Porter <input checked="" type="checkbox"/> January Crane <input checked="" type="checkbox"/> Joanne Giardello <input checked="" type="checkbox"/> Isabel Calder <input checked="" type="checkbox"/> Seneca St. James <p><u>General Members</u></p> <input checked="" type="checkbox"/> Adria Carsow (On My Own) <input checked="" type="checkbox"/> Allan Maroun (Wheelcare Express) <input checked="" type="checkbox"/> Angela Gonzalez (Bay Respite Care) <input checked="" type="checkbox"/> Beth Kahiga (Napa Valley Support Services) <input checked="" type="checkbox"/> David Mauger (C. House) <input checked="" type="checkbox"/> Emer Madrid (Wellness SLS) <input checked="" type="checkbox"/> Jesse Hansen (Dungarvin) <input checked="" type="checkbox"/> Joetta Griffin (GFCH/Impact) <input checked="" type="checkbox"/> Joseph Hernandez (Premier) <input checked="" type="checkbox"/> Kandi Cotter (Liberty) <input checked="" type="checkbox"/> Leticia Leon (R & D Transportation) <input checked="" type="checkbox"/> Lisa Hooks (State Council on Developmental Disabilities) <input checked="" type="checkbox"/> Michelle Ramirez ( On My Own) <input checked="" type="checkbox"/> Mike Lisenko (UCP of the North Bay) <input checked="" type="checkbox"/> Morgan Hobbs (Lynn & Darla SLS) <input checked="" type="checkbox"/> Stan Higgins (Oaks of Hebron) <input checked="" type="checkbox"/> Terri Rowland (Milestones)	
<b>2. Agenda changes/Additions</b>		
	Mike announcement Lauren announcement	

3. Feature Presentation	Summary	Action/Follow-Up
	Nothing this month	
4. Community Concerns	Summary	Action/Follow-Up
	<ul style="list-style-type: none"> <li>• Lauren summarized the VAC Committee membership openings and application process. Mike Huckins is stepping down and Lauren thanked him for his service. Linda Plourde will step into the Board Rep position and Lauren will assume the role as VAC Chair.</li> <li>• Elizabeth Clary – Consumer Death Notification – How can we be notified when a consumer passes away so that we can support the family etc. Michi announced that NBRC has a Mortality Committee and that they will work on notifications as well as working with providers when making plans. Beth asked for notification of consumers residing in Skilled Nursing programs so that they can be visited and supported as well.</li> <li>• Michelle Ramirez – White Collar Salary Threshold – What is being done to address the new requirements? Some programs are paying hourly and pay overtime and then submit the overtime to the Department. Michelle - some individuals have suggested keeping track and submitting rate increase and resubmit upon denial. It will cost programs hundreds of thousands of dollars. Lauren indicated that Linda is in Washington DC today advocating for this funding. This topic will continue during the July meeting.</li> <li>• Karen – DDS sent letters to programs that threatened the increased funding if they did not receive enough surveys from the vendor community. The group discussed the legality of this threat. The funding is targeted for July 1<sup>st</sup>.</li> <li>• Joetta Griffin – Criminal Clearance / Exemptions – Are any other programs struggling with clearances? The group agreed that the process is hit and miss. The group consensus was that there was no action that the group can take.</li> <li>• Kelley Hanson – Driver Requirements – What are vendor requirements compared to R&amp;D's requirements for hiring drivers? Leticia, R&amp;D, expectations are the responsibility of the service provider. They are being reviewed during quarterly audits with insurance, safety, training etc. For example, CPR/First Aid, appropriate CDL. There are different requirements for different vendors. Kelley, R&amp;D has no authority to say what driver can be hired. They will be reviewed with regard to driver requirements. If a new vehicle is acquired in between quarterly audits, R&amp;D will need to inspect vehicles. All requirements in the contract between the vendor and R&amp;D.</li> </ul>	
5. Group Reports		Action/Follow-Up

	<ul style="list-style-type: none"> <li>• Napa Solano provider group – No meeting in June. The group meets the 1<sup>st</sup> Wednesday of each month.</li> <li>• Sonoma Provider group – Karen – Tour of a new local vendor and discussion regarding processes by which to communicate with NBRC.</li> <li>• State Council on Developmental Disabilities: Lisa Hooks – Heighten Scrutiny process and questions that may impact programs. Come together with the questions and provide them with unified responses. Application may be back with minor corrections in June, feedback in July, and final by November. Ali, requested information whether the State Council has an update on the State Plan. Lisa welcomed everyone to participate in a June 21<sup>st</sup> state wide determination phone conference. Contact Lisa Hooks for further information at <a href="mailto:lisa.hooks@scdd.ca.gov">lisa.hooks@scdd.ca.gov</a> The State Council website is <a href="http://www.scdd.ca.gov">www.scdd.ca.gov</a></li> <li>• Discussion regarding a full meeting with the vendor group and anyone else who would like to continue discussing the Heightened Scrutiny Process. This meeting will replace the August 9<sup>th</sup> VAC meeting as we do not meet as a VAC in August. We are able to use the NBRC conference room for this meeting. Lauren will send information to the group.</li> <li>• North Bay Housing Coalition: Mary was not in attendance, however, Mike reviewed with the group the growing issue of increased rent and the possible homelessness for people with disabilities.</li> <li>• Public Relations Committee – Terry – Vendor Fair is being planned for September in Sonoma once again on the same day as the All Staff meeting for NBRC. Bob Hamilton will confirm the date with Terri.</li> <li>• CSLN – Great annual meeting. The DDS audit was a much discussed topic.</li> <li>• Respite Association - Nothing to report this month.</li> <li>• CDSA – Public policy gathering, Chris Rice, July 26<sup>th</sup>.</li> <li>• ANCOR – No report this month</li> <li>• ARC - No report this month.</li> <li>• Board Report – Mike Huckins reported: <ul style="list-style-type: none"> <li>✓ Thomas Maseda provided a great presentation on the NBRC case loads, hiring new Service Coordinators and the process of reducing the ratio of Service Coordinators to client.</li> <li>✓ Ohio’s ABLE Act has been approved and launched. Two local open forums regarding the ABLE Act; 1. ARC Solano Annual meeting tonight, Vallejo 7:30, 2. Becoming Independent on June 16<sup>th</sup>. Ali, Ohio has really come to the rescue with the beginning of this process. Ali has looked at their website and it appears easier than originally thought.</li> <li>✓ Discussion regarding the lack of level 4 homes took place. Michi announced the RFPs for level 4 homes and other specialized homes will be out shortly.</li> <li>✓ Jose Ayala, consumer rep, was seated to the NBRC Board of Directors.</li> <li>✓ Public comment, a family with an autistic adult son spoke. They were strong advocates for their son and worked out more services for him.</li> <li>✓ NBRC may have an Open House on July 6<sup>th</sup> in conjunction with the Board Meeting.</li> </ul> </li> <li>• ARCA/NBRC – Bob Hamilton – Next ARCA meeting in Sacramento. Good opportunity to hear straight from DDS regarding new changes. NBRC Napa office has moved to their new location. Currently adjusting and working out details.</li> <li>• Dr. Michi Gates</li> </ul>	
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	<ul style="list-style-type: none"> <li>✓ Hiring more Service Coordinators. Promoted two from Santa Rosa and one from Napa office. First time NBRC has had a full QA unit. Beth, how do we communicate with QA? Michi - Contact Maura and she will guide you to the correct place. There will be two QA personnel working with Day and Work Programs.</li> <li>✓ Pamela is leaving NBRC to return to New Mexico. This week is her last week with us.</li> <li>✓ There is a new Intake Coordinator.</li> <li>✓ DDS Fiscal Audit in the fall. Will be looking at vendor payments etc. as they prepare for the audit.</li> <li>✓ Training at Alta Regional Center on 6/27. CMS and WIOA changes to programs. Room for 30 to 40 NBRC. "Day and Employment Services." Karen Filippo presenter.</li> <li>✓ Congratulate Ali, New Leaf. NBRC is almost 100% completed with the transition of payee to New Leaf. New Leaf passed Social Security audit with flying colors as well.</li> <li>✓ Self Determination advisory committee will be meeting this week and is a public meeting. Agenda will be posted on the NBRC website. No RSVP required. Room TBD.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Disaster Preparedness:</b> Nothing to report this month.</li> <li>• <b>CASACC:</b> Nothing to report this month.</li> </ul>	
<b>6. Report</b>	<b>Summary</b>	<b>Action/Follow-Up</b>
<b>Policies Procedures Practices or Trends.</b>	<ul style="list-style-type: none"> <li>• Michi – Proposed Holiday Schedule for 2016/2017. Handout for the group to review. Each regional center with the vendor community will form their own. The group approved the proposed dates. Motion, Mike with year changes on December dates, Seconded by Karen, MSC Unanimously.</li> </ul>	
<b>7. New Business</b>		
	<ul style="list-style-type: none"> <li>• Nothing to report this month.</li> </ul>	
<b>8. Report</b>	<b>Summary</b>	<b>Action/Follow-Up</b>
<b>Announcements</b>	<ul style="list-style-type: none"> <li>• Mike Huckins – Notification of the passing of Valerie Birdsell.</li> <li>• Kelley Hanson – Norcal PCT Training Group, June 30<sup>th</sup>. Person Centered Thinking Training. Flyer distributed.</li> </ul>	
<b>9. Adjournment</b>		
	Meeting adjourned at 11:30 AM	

Minutes submitted by:  
Darelyn Pazdel



June 15, 2016

Honorable Chris Holden  
California State Assembly  
Capitol Building, Room 3152  
Sacramento, CA 95814

**RE: AB 1715**

Dear Assembly Member Holden:

We write in opposition to AB 1715. The bill is scheduled to be heard in the Senate Business Professions and Economic Development Committee on June 27, 2016. We support high quality behavioral health services with appropriate professional standards for individuals with autism and other developmental disabilities. Unfortunately, this bill, in its current form, falls short of improving service quality, may limit access to services, and will likely increase the cost of services. AB 1715: 1) duplicates procedures already in place for Board Certified Behavior Analyst (BCBA) certification; 2) limits access to other evidence-based practices that are not based on the principles of applied behavior analysis; 3) severely limits providers' ability to provide necessary transdisciplinary care; 4) limits access to quality care to underserved populations; 5) limits access to quality inclusive community settings; 6) limits parents' ability to use applied behavior analysis; 7) will limit treatment research for individuals with Autism Spectrum Disorder (ASD); 8) favors professionals who provide behavior analytic treatments on the California Board of Psychology. Our specific concerns and recommendations are discussed below.

- 1. The bill duplicates procedures already in place for BCBA certification.** The National Behavior Analyst Certification Board (BACB) has a procedure in place for verifying the training, practicum/supervised fieldwork experience and qualifications of their

BCBAs and Board Certified Associate Behavior Analysts (BCABAs). The BACB has ethical standards and disciplinary procedures in place for professional and ethical violations. Requiring a license creates a burden to potentially qualified providers of service as providers will need to pay for both the current certification as well as the proposed new licensing fees.

- 2. The bill limits access to other evidence-based practices that are not based on the principles of applied behavior analysis.** Applied Behavior Analysis (ABA) is one broad methodology under which many evidence-based practices fall. There are additional evidence based practices developed outside of the field of ABA. An increasing number of interventions have some empirical support, including developmental social-pragmatic (DSP). We are concerned payors will limit evidence-based practice for ASD to ABA services provided only by licensed behavior analysts. If we are forced to develop new legislation each time a new innovative practice is established, we will negatively impact access to treatment.
- 3. The bill severely limits providers' ability to provide the necessary transdisciplinary care needed for individuals with ASD.** The definition of the "practice of behavior analysis" in the bill is narrow, not including other evidence-based practices for ASD, and includes strategies often used in other disciplines that may limit their ability to practice effectively. Many evidence-based comprehensive models also include developmental, visual, augmentative communication and other strategies that require a transdisciplinary team. Having an expert in behavior analysis, such as a Board Certified Behavior Analysts (BCBAs) is essential to these programs. However, requiring licensure of assistants or technicians working in these programs limits the types of treatment methods other professionals and paraprofessionals can implement in these programs. Additional medically necessary services for many children with ASD include Speech and Language Therapy, Occupational Therapy, Mental Health Counseling and Parent Training/Coaching. In short, the definition of behavior analysis in the bill may be too narrow to include all of the evidence-based practices that are effective for ASD.
- 4. The bill limits access to quality care to underserved populations and will increase costs.** Requiring licensure for all levels of service

providers will increase the cost of care and reduce the number of trained and available professionals. There are already long waiting lists for ABA services. Access will be reduced further if all paraprofessional staff need licensure. Licensure will also greatly increase costs because providers of applied behavior analysis services will not be able to continue the same level of care at the reimbursement rates currently provided by the Regional Center and Medi-Cal. Only children with private insurance, or families with high resources, will be able to access intensive behavioral intervention.

**5. The bill limits access to quality inclusive community services.**

Many individuals with ASD are included in typical activities, like preschool, sports, and camp programs in the community. This often necessitates having a trained behavior analyst develop a program and teach community providers to implement behavior plans to allow participation in inclusive activities. This bill appears to make it unethical for licensed behavior analysts to provide this type of supervision to non-licensed staff such as preschool teachers, daycare providers and other community supports.

**6. The bill limits parents' ability to use applied behavior analysis.**

The bill exempts parents from licensure if they "act under the direction of a licensed behavior analyst." Parents often receive very short term education and then work with their children using ABA strategies on an ongoing basis. Parents can learn to use these strategies competently. It is unclear how parents can be required to only use ABA strategies under supervision, especially when parent training services are not often funded.

**7. The bill will limit treatment research for individuals with ASD.**

The bill limits research that includes the direct delivery of behavior analysis services. Broadly defined this can include treatment developers in a variety of fields who use combined models (which are evidence-based) or ABA models developed prior to the requirement for licensure. Some of the main evidence-based practices for ASD were developed at public universities in California by top scientists who do not meet the requirements for licensure.

**8. The bill favors professionals who provide behavior analytic treatments on the California Board of Psychology.** No other specific treatment methodology has a guaranteed member on the




Board of Psychology. Only a subset of behavior analysts are psychologists.

We do not believe this bill is necessary. If it moves forward, to address the above concerns, we recommend:

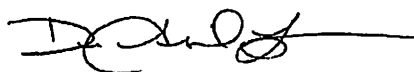
- a. Licensure includes only the Behavior Analyst level and not the assistant or intern levels to ensure continued transdisciplinary practice and access to community programs under the supervision of a qualified Behavior Analyst in collaboration with other professionals and paraprofessionals.
- b. Include treatments defined as evidence-based by the National Autism Center (NAC) and National Professional Development Center on Autism (NPDC), most of which are based on the principles of applied behavior analysis, in the definition of treatments allowed to be provided by behavior analysts and other professionals with appropriate training in these treatment methods.
- c. Exempt treatment-based research from these regulations to ensure ongoing, high-quality, non-biased research in autism treatment.
- d. Remove the stipulation that parents must be supervised by a behavior analyst.

We welcome the opportunity to discuss our concerns with you. If this would be helpful, please contact Evelyn M. Abouhassan, DRC Senior Legislative Advocate, or Bob Giovati, SCDD Deputy Director of Policy and Planning, to arrange a meeting time.

Sincerely,



Catherine Blakemore, Executive Director  
Disability Rights California (DRC)



Dr. April Lopez, Chair  
State Council on Developmental Disabilities

DRC | 1831 K Street | Sacramento, CA 95811 | Ph: 916.504.5800  
SCDD | 1507 21<sup>st</sup> Street, Suite 210 | Sacramento, CA 95811 | Ph: 916.322.8481

cc: Bill Gage, Chief Consultant, Senate Business and Professions  
Committee  
Mareva Brown, Chief Consultant, Senate Human Services  
Committee



State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

**Notice of 30-Day Public Comment**  
**June 10, 2016 – July 10, 2016**  
**Nursing Facility / Acute Hospital Transition and Diversion Waiver Renewal**

**NOTICE IS HEREBY GIVEN** that the Department of Health Care Services (DHCS) intends to submit a 1915(c) Home and Community-Based Services Nursing Facility / Acute Hospital Transition and Diversion (NF/AH) Waiver renewal. This notice provides information of public interest with respect to DHCS seeking approval from the federal Centers for Medicare and Medicaid Services (CMS) to allow DHCS to renew the NF/AH Waiver. This proposal will be effective upon approval from CMS.

DHCS plans to submit the NF/AH Waiver renewal to CMS no sooner than August 31, 2016. The NF/AH Waiver may be modified, including a new CMS requirements relating to the HCBS Transition Plan, to reflect many of the changes that have been discussed during public meetings, the technical workgroups as-well-as public comment received during the public comment period.

**WRITTEN PUBLIC COMMENT PERIOD**

Any interested person or his or her authorized representative may submit written comments to the Department relevant to the changes described in this notice.

The draft NF/AH Waiver renewal discussed above will be posted on June 10, 2016, on the DHCS NF/AH Waiver Renewal webpage at:

[http://www.dhcs.ca.gov/services/ltc/Pages/Nursing-Family-Acute-Hospital-\(NF--AH\)-Waiver-Renewal.aspx](http://www.dhcs.ca.gov/services/ltc/Pages/Nursing-Family-Acute-Hospital-(NF--AH)-Waiver-Renewal.aspx)

The full NF/AH Waiver application is also available upon request. **Written public comments will be accepted from June 10, 2016 through 5:00 pm on July 10, 2016.**

Mail Delivery:

ATTN: Gopinath Vijayalakshmi  
Department of Health Care Services  
Long-Term Care Division  
1501 Capitol Avenue, MS 4502  
P.O. Box 997437  
Sacramento, CA 95899-7437

Email:

[nfahwaiverrenewal@dhcs.ca.g](mailto:nfahwaiverrenewal@dhcs.ca.g)

The written comment period closes at 5:00 p.m. on July 10, 2016; any written comments regardless of the method of transmittal must be received electronically by 5:00 p.m. or postmarked on this date, for consideration.

DHCS will hold five stakeholder meetings throughout the state to discuss the comments received on the waiver renewal during 30-day public comment period, and to inform the public of changes made to the waiver as a result of public input. A summary of comments received and DHCS response(s) will be made available on the DHCS NF/AH Waiver Renewal webpage listed above by July 30, 2016 (hard copies will be mailed to waiver beneficiaries/providers upon request). Dates and locations of July meetings are listed below.

<b>Date</b>	<b>Time</b>	<b>County</b>	<b>Address</b>
7/7/2016	10AM- 1 PM	Sacramento, EEC	1500 Capitol Ave, Sac, CA 95814
7/14/2016	10 AM- 1 PM	Fresno, Mariposa Mall	2550 Mariposa Mall, Room 1036 Fresno, CA 93721
7/18/2016	10 AM- 1 PM	Los Angeles, Ronald Reagan	300 S. Spring St, Ste 1726, Los Angeles, CA 90013
7/19/2016	10 AM- 1 PM	San Diego, Eshleman	1350 Front St, Ste 6034, SD, CA 92101
7/29/2016	10 AM- 1PM	Redding, Oxford Suites	1967 Hilltop Drive, Redding, CA 96002

**For individuals with disabilities, the Department will provide assistive devices such as reading or writing assistance, and conversion of materials into Braille, large print, audio, or computer disk. To request such services or copies in an alternate format or language, write or email by June 29, 2016:**

ATTN: Jonathan Alspektor  
 Department of Health Care Services  
 Long-Term Care Division  
 1501 Capitol Avenue, MS 4502  
 P.O. Box 997437  
 Sacramento, CA 95899-7437

Email: [nfahwaiverrenewal@dhcs.ca.gov](mailto:nfahwaiverrenewal@dhcs.ca.gov)