



*Promoting Opportunities  
Supporting Choices*

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

## **MEETING NOTICE**

The next meeting of the Board of Directors is a regular business meeting scheduled as follows:

**DATE:** April 1, 2020

**TIME:** 6:00 pm

**PLACE:** **Teleconference: 1-844-621-3956**  
**Access Code: 803 631 250**  
**Attendee ID: '#'**

### **Agenda Enclosed**

**REMINDER:** Notices are posted at [www.nbrc.net](http://www.nbrc.net). All meetings are made accessible to persons with disabilities and all members of the public are welcome to attend. Please contact Danielle Bernardo at (707) 256-1224 for further information or to request any disability-related modifications or accommodations.

**North Bay Developmental Disabilities Services, Inc.**  
**Board of Directors' Board Meeting**  
**Wednesday, April 1, 2020, 6:00 p.m.**  
**Teleconference 1-844-621-3956**  
**Access Code: 803 631 250**  
**Attendee ID: '#'**

- I. CALL TO ORDER – Angel Hixson, President
- II. ROLL CALL AND INTRODUCTIONS – Sara Speck, Secretary (3 min)
- III. CONSIDERATION OF MINUTES – Regular Business Meeting Minutes from the March 4, 2020 Board Meeting be approved as submitted. (2 min) (Pgs. 1-6) ACTION
- IV. GENERAL PUBLIC COMMENT – Please text (707) 501-0065 to sign up. (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- V. D-5 CONTRACT – Rosemarie Pérez, Treasurer (3 min) (Pg. 7) ACTION
- VI. A-5 CONTRACT – Rosemarie Pérez, Treasurer (3 min) (Pg. 8) ACTION
- VII. FHA CONTRACTS OVER \$250,000 – Courtney Singleton, Director of Community Services (5 min) (Pg.9) ACTION
- VIII. EXECUTIVE DIRECTOR'S REPORT/COVID-19 – Gabriel Rogin, Executive Director INFO  
Beth DeWitt, Director of Client Services, Courtney Singleton, Director of Community Services, Isabel Calder, Chief Financial Officer, and Thomas Maseda, Director of Administration
- IX. GOOD OF THE ORDER – Any other Board business may be brought up at this time.
- X. GENERAL PUBLIC COMMENT – Please text (707) 501-0065 to sign up. (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- XI. ADJOURNMENT

CLOSED SESSION – a) 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. b) Any matter specifically dealing with a particular regional center client must be conducted in a closed session. -- W&I Code 4663.

<b>NEXT MEETING ANNOUNCEMENT</b> – The next Board Meeting will be May 6, 2020, 6:00 p.m. at North Bay Regional Center, 2351 Mendocino Ave., Santa Rosa, CA 95403.
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**North Bay Developmental Disabilities Services, Inc.**  
**Board of Directors' Regular Business Meeting**  
North Bay Regional Center  
2351 Mendocino Ave., Santa Rosa, CA 95403  
March 4, 2020, 6:00 pm

**MINUTES**

**NBRC BOARD MEMBERS PRESENT:**

Rosemarie Pérez, Treasurer, Sonoma County  
Sara Speck, Solano County  
Jeremy Johnson, Vice President, Solano County  
Rita Edmonds-Norris, Secretary, Solano County  
Andrea Bednarova

**NBRC BOARD MEMBERS ABSENT:**

**STAFF PRESENT:**

Thomas Maseda, Director of Administration  
Isabel Calder, Chief Financial Officer  
Carmen Alcantara, Resource Developer Housing Specialist  
Shawan Casborn, Resource Development Supervisor  
Ellisa Reiff, Case Management Supervisor  
Claudia Ritchie, Case Management Supervisor  
Deanna Mobley, Associate Director of Client Services  
Lisa Bordner, Senior Companion Program Coordinator  
January Crane, Fed. Rev. Dept. Manager and Training  
Ana Horta, Senior Companion Program Specialist

**GUESTS PRESENT:**

Mary Eble, North Bay Housing Coalition  
James Cox, Becoming Independent  
Roger Bulosan, Marcum  
Linda Plourde, Bayberry

Ali Tabatabai, VAC Representative  
Angel Hixson, President, Solano County  
Franklin Phillips, Sonoma County  
Hue Truong, Sonoma County  
Lynette Stagner, Napa County  
Alexis Jarreau, Solano County  
Jose Ayala, Napa County  
Abel Moya, Sonoma County  
Gabriel Rogin, Executive Director  
Danielle Bernardo, Executive Assistant  
Beth DeWitt, Director of Client Services  
Courtney Singleton, Director of Community Services  
Maria Aguado-Zuniga, Service Coordinator  
Laurel Anderson, Senior Service Coordinator  
Melissa Slama, Service Coordinator  
Patea Miller, Service Coordinator  
Cassandra Carr, EI Service Coordinator  
Julie Blythe, Service Coordinator  
Ben Kaplan, Service Coordinator

Maritza Vega, Oaks of Hebron  
Maxine Milam, Dept. of Developmental Services  
Lisa Hooks, State Council on Developmental Disabilities  
Donald R., Community Member

**CALL TO ORDER –**

*Angel Hixson, President*, called the regular business meeting to order at 6:01 p.m. and noted Spanish translation services are available via headphones.

**CONSIDERATION OF MINUTES –**

Rosemarie Pérez made a correction to the minutes. In the Treasurer's Report, the cash flow summary was not on page 12 of the February packet, it was done verbally. Rosemarie proposed removing "cash flow."

**M/S/C (Speck/Phillips) Move that the minutes of the February 5, 2020 regular business meeting be approved with the proposed correction. UNANIMOUS**

**GENERAL PUBLIC COMMENT –**

*Cassandra Carr, NBRC Early Intervention Service Coordinator (EISC)* noted the following –  
She moved to Santa Rosa in 2005 from Southern California. She worked at several regional centers along the way. Each regional center office is unique. The Santa Rosa lobby serves as a central hub for our community. The current building is an accessible location. Ms. Carr asked the Board to consider the Sonoma County community when looking for a new office building.

- ❖ Before moving on to the next agenda item, *Angel Hixson, Board President* asked the audience to hold their questions during the presentations. If there are questions at the end of each

presentation, the Board will decide whether there is time to address them during the meeting or if there needs to be follow up after the meeting.

#### **NBRC HOUSING COMMITTEE 2020 ROADMAP –**

*Courtney Singleton, Director of Community Services, Shawan Casborn, Resource Development Supervisor, Carmen Alcantara, Community Resource Developer, Ellisa Reiff, Case Management Supervisor, Mary Eble, Executive Director North Bay Housing Coalition* presented the NBRC Housing Committee 2020 Roadmap. (Please see pages 10-17 of the March Board packet for more details.)

- *Jeremy Johnson, Vice President*, asked when should parents start to reach out for housing options for their children.
  - *Ellisa Reiff, NBRC Case Management Supervisor* noted its individualized and depends on each person's situation.
- *Ali Tabatabai, VAC Representative* noted the residential providers are underrepresented in the VAC meetings.
  - *Ellisa Reiff, NBRC Case Management Supervisor* noted residential providers need to be close to their clients and suggested holding more VAC meetings in Santa Rosa. She suggested getting the word out to residential providers and make sure that they are aware of the Vendor Advisory Committee.
- *Cassandra Carr, NBRC EISC* asked about children's homes in Sonoma County.
  - *Courtney Singleton, Director of Community Services* noted Brilliant Corners was just awarded a grant to find an Enhanced Behavioral Support Home (EBSH) for children. Two homes were recently opened in Vacaville for minors.
- *Lisa Hooks, State Council on Developmental Disabilities* noted there will be a pre-bidders conference on April 1<sup>st</sup>. There will be 12 different grants awarded throughout the state.

**SENIOR COMPANION PROGRAM –** *Ana Horta, Senior Companion Program Specialist* gave a presentation on the Senior Companion Program. (Please see pages 19-26 in the March Board packet for more detail.)

- *Franklin Phillips, CAC Chairperson* invited Ana Horta to present the Senior Companion Program to the Client Advisory Committee in the future.

#### **ARCA BOARD ACADEMY UPDATE –**

Some of the Board members shared their ARCA Board Academy experience –

- *Sara Speck* noted it was awesome.
- *Angel Hixson* noted it was nice to get together with other Boards. The room was full of volunteers all doing the same thing and it was nice to see it on a larger scale. She noted there was a lot of great information shared.
- *Jeremy Johnson* noted there was a large group discussion and a breakout session after lunch.
- *Rosemarie Pérez* noted NBRC was highlighted. The 18-19 audit was used as an example of how previous exceptions were cleaned up.
- *Rita Edmonds-Norris* noted she was so proud.
- *Jeremy Johnson* noted it's never great pointing out problems in the past but to see where we are now, it was great to hear we are doing it right.

#### **TREASURER'S REPORT –** *Rosemarie Pérez, Treasurer*

##### **A. Treasurers Report be approved as submitted**

- A summary of the Doug Cleveland Board Opportunity Fund can be found on page 27 of the March board packet.
- The CFO Board report can be found on page 28 of the March board packet.

**M/S/C (Phillips/Speck) Move that the Treasurer's Report be approved as submitted.**

**UNANIMOUS**

##### **B. A-4 Contract** (see attached spreadsheet)

**M/S/C (Phillips/Hixson) Move to approve the A-4 contract.**

**The motion passed with Hixson, Johnson, Tabatabai, Truong, Stagner, Jarreau, Pérez, Speck, Edmonds-Norris and Bednarova voting in favor.**

**APPROVED**

Phillips ABSTAINED

- C. Line of Credit with US Bank** (see attached spreadsheet)  
**M/S/C (Edmonds-Norris/Speck) Move to approve the line of credit with US Bank.**

**UNANIMOUS**

**COMMITTEE REPORTS –**

**A. Audit Committee**

**a. 18-19 Independent Audit Findings**

*Roger Bulosan, Marcum LLP.* noted he met with the Audit Committee and senior management team on March 2, 2020. They spent an hour going over the draft report. There were no findings. There was one residual from 2018, that got corrected. It was a clean audit with no prior year or new findings. The committee meeting ended with an executive session without the senior management team.

**M/S/C (Hixson/Speck) Move to approve the 18-19 Independent Audit. UNANIMOUS**

❖ Franklin Phillips was not in the room for the vote.

**B. Nominating Committee –**

**a. Proposed Slate Officers:**

**i. Secretary – Sara Speck, Solano County**

The nominating committee presented Sara Speck for approval as Secretary of the Board.

- *Sara Speck, Solano County*, noted she is excited and is looking forward to being more involved with North Bay Regional Center.
- ❖ Angel Hixson, President asked the candidate to leave the room. There was discussion prior to voting.

**M/S/C (Edmonds-Norris/Johnson) Move to approve Sara Speck as Secretary of the Board. UNANIMOUS**

- ❖ Sara Speck was invited back into the room and Angel Hixson, President, let her know the Board approved her as Secretary.

**ii. Board Mentor – Franklin Phillips, Sonoma County**

- *Franklin Phillips, Sonoma County*, noted he has served on the Board for 7 years and has poured his heart into making sure all the clients have been taken care of. He noted he is emotional that it is now the end of his 7 year term. He would like to stay on as the Board Mentor.
- *Angel Hixson, President*, noted Franklin has taught the Board two rules. Rule number one, the clients come first. Rule number two, revert back to rule number one.
- ❖ Angel Hixson, President asked the candidate to leave the room. There was discussion prior to voting.

**M/S/C (Pérez/Speck) Move to approve Franklin Phillips as the Board Mentor. UNANIMOUS**

- ❖ Franklin Phillips was invited back into the room and Angel Hixson, President, let him know he was approved as the Board Mentor.

**C. Vendor Advisory Committee –**

*Ali Tabatabai, VAC Representative* recapped the Vendor Advisory Committee Meeting on February 11<sup>th</sup>. The meeting minutes can be found on pages 32-37 of the March Board Packet.

**D. Legislative Advisory Committee –**

*Ali Tabatabai, VAC Representative* noted the Legislative Advisory Committee meets monthly to discuss different movements at the national and state level that impact the IDD community. Ali noted the following, there is a lot of interest being paid to Standard Occupational Classification

(SOC) for Direct Service Providers. Having a SOC will improve pay standards and data collection. Ali also noted the FDA banned EST (electric shock treatment.)

**E. Cultural and Linguistic Competency (CLC) Committee Discussion –**

*Rosemarie Pérez, Treasurer* discussed creating a CLC committee with the Board. Rosemarie noted she will present it for a vote at a future meeting.

**EXECUTIVE DIRECTOR'S REPORT –**

*Gabriel Rogin, Executive Director* noted the following –

- Coronavirus - NBRC leadership team is monitoring this closely and encouraging preparedness. The way we approach it changes day by day. Service Coordinators have been instructed to ask questions before visits and to postpone if necessary.
- Gabriel echoed the importance of a Cultural and Linguistic Competency Committee.
  - DDS approved disparity funding to lower caseloads for some SC's to work with Spanish speaking families. The funding is limited for one year. We also received start-up funding for a bilingual respite entity.
- Gabriel encouraged service providers to fill out the HCBS survey by the end of the month.
- Page 28 of the March Board packet is ARCA's response to the Governor's proposed budget.
- A Senate budget hearing is scheduled to happen on March 19<sup>th</sup> at 9:30am.
- Grassroots Day (a day of advocacy at the capitol) is April 21<sup>st</sup>.
  - Lowering Service Coordinator caseloads is one of the top priorities.

**GOOD OF THE ORDER –**

- *Angel Hixson, President*, noted there is a dentist in Vacaville that is a special needs mother. She will start providing special needs dentistry once a month on a Sunday. She is currently going through sedation training. The whole office is trying to accommodate the IDD community. Angel will share more information once it is available.
- *Franklin Phillips, Board Mentor*, thanked the Board for approving him as the Board mentor.

**GENERAL PUBLIC COMMENT –**

- *Lisa Hooks, SCDD*, noted the first death in California due to the Coronavirus was announced. She asked the regional center to start talking about possible school closures.
- *Courtney Singleton, Director of Community Services* noted Kathleen Miller, Family Advocates United, wanted it to be mentioned that there is a legislative meeting on March 14<sup>th</sup> at the Hanna Boys Center in Sonoma.

**ADJOURNMENT –** *Angel Hixson, President* adjourned the regular business meeting at 8:33 pm.

Date submitted to NBRC Board for review

03/04/2020

Date approved by NBRC Board Executive Committee (if applicable)

N/A

Date approved by NBRC Board

03/04/2020

Operations ☒

Purchase of Service ☒

The following contract has been reviewed by Isabel Calder, Chief Financial Officer, and Gabriel Rogin, Executive Director. Both recommend approval by the NBRC Board of Directors.

Purpose of Contract	Contractor Name and Vendor# (if applicable)	Term of Contract	Approved	M/S/C	Notes
Increase Operations budget	Department of Developmental Services	07/01/19-06/30/26	YES	(Phillips/Hixson)	<p>Total Contract Amount: \$275,222,592</p> <p>A-4 increase Ops budget by \$217,960</p> <p>This amount covers Policy Items as follows:</p> <ul style="list-style-type: none"> <li>\$50,000 incentive for meeting deadline on Medi-Cal enrollment</li> </ul> <p>\$167,960 to cover Provider Rate Supplement, Accessibility and Transparency (*NBRC is anticipating additional information from DDS for this funding)</p>

Date submitted to NBRC Board for review

03/04/2020

Date approved by NBRC Board Executive Committee (if applicable)

N/A

Date approved by NBRC Board

03/04/2020

 Operations ☒

 Purchase of Service ☒

The following contracts have been reviewed by Isabel Calder, Chief Financial Officer, and Gabriel Rogin, Executive Director. Both recommend approval by the NBRC Board of Directors.

Purpose of Contract	Contractor Name and Vendor# (if applicable)	Term of Contract	Approved	M/S/C	Notes
Line of Credit – Prevent potential cash flow disruption	US Bank	03/01/2020-02/28/2020	YES	(Edmonds-Norris/Speck)	Total Contract Amount: \$22,000,000  This will be used only as needed at the end of the fiscal year when DDS begins to offset monthly payments. <ul style="list-style-type: none"> <li>• There are no commitment fees to borrow the money.</li> <li>• Interest rate applied to funds borrowed will be 3.50% (Libor plus 1.75%).</li> <li>• This is a savings of 1.50% from our prior LOC.</li> <li>• LOC is available for 12 month period.</li> </ul>

Date submitted to NBRC Board for review

04/01/20

Date approved by NBRC Board Executive Committee (if applicable)

Date approved by NBRC Board

Operations ☐

Purchase of Service ☒

The following contracts have been reviewed by Isabel Calder, Chief Financial Officer and Gabriel Rogin, Executive Director. Both of whom recommend approval by the NBRC Board of Directors.

Purpose of Contract	Contractor Name and Vendor# (if applicable)	Term of Contract	Total Contract Amount	Notes
D-5 Amendment for Fiscal Year 17/18	Department of Developmental Services	July 1, 2014 – June 30, 2021	<b>\$219,647,526</b>	This amendment is for additional POS CPP funding in the amount of \$477,825. The amount is broken down as follows: <ul style="list-style-type: none"> <li>• \$52,674 for a Sonoma DC Closure Placement</li> <li>• \$425,151 for project development start-up funds</li> </ul>

Date submitted to NBRC Board for review

04/01/20

Date approved by NBRC Board Executive Committee (if applicable)

Date approved by NBRC Board

Operations ☒

Purchase of Service ☒

The following contracts have been reviewed by Isabel Calder, Chief Financial Officer and Gabriel Rogin, Executive Director. Both of whom recommend approval by the NBRC Board of Directors.

Purpose of Contract	Contractor Name and Vendor# (if applicable)	Term of Contract	Total Contract Amount	Notes
A-5 Amendment for Fiscal Year 19/20	Department of Developmental Services	07/01/2019-06/30/2026	<b>\$302,486,772</b>	<p>This amendment increased the Ops funding by \$465,061 and the POS funding in the amount of 426,799,119. The amounts are broken down as follows:</p> <ul style="list-style-type: none"> <li>• Ops: \$465,061 Policy Items (efforts to reduce POS disparities)</li> <li>• POS: \$26,799,119 which includes the underfunded amount related to SB81 Supplemental Rate increase and Minimum Wage increase.</li> </ul>

Date submitted to NBRC Board for review

04/01/20

Date approved by NBRC Board Executive Committee (if applicable)

N/A

Date approved by NBRC Board

Operations ☐

Purchase of Service ☒

The following contracts have been reviewed by Courtney Singleton, Director of Community Services, Isabel Calder, Chief Financial Officer and Gabriel Rogin, Executive Director. All recommend approval by the NBRC Board of Directors.

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Contract Amounts	Notes
Family Home Agency	58	California Mentor Family Home Agency, LLC, HN0365	06/01/20-05/31/21	<b>Previous Year: \$2,980,745.10</b> <b>New Contract: Over \$250,000</b>	
Family Home Agency	34	AMP INC DBA Enriching Lives HN0386	06/01/20-05/31/21	<b>Previous Year: \$1,628,003.10</b> <b>New Contract: Over \$250,000</b>	

**Summary:**

A Family Home Agency (FHA) approves family homes, which offer the opportunity for up to two adult individuals with developmental disabilities per home to reside with a family and share in the interaction and responsibilities of being part of a family. The individual with developmental disabilities receives the necessary service and supports from the family, agencies and the community to enable the individual to be a participating member of the family and the community where the family resides. The family home arrangement allows the sharing of food, housing, experience, responsibilities and togetherness.

The FHA is a private, nonprofit organization under contract to, and vendored by a regional center. FHAs are responsible for recruiting, training, approving and monitoring family homes, as well as providing ongoing support to family homes. Social service staff employed by the FHA make regular visits to the family home to ensure that necessary services and supports are in place, and that the match between the family and the new family member is viable, and continues to be viable.

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 340, MS 3-12  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 651-6309



March 12, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: STATE OF EMERGENCY STATEWIDE

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency for California, as a result of the global COVID-19 outbreak that began in December 2019. The State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019, to monitor and plan for the potential spread of COVID-19 to the United States.

The Governor's proclamation states, in part, that experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions. It is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care.

As a result of the State of Emergency declared for California, the Department of Developmental Services (Department) is authorizing, pursuant to Title 17, California Code of Regulations section 54326(a)(11), regional centers to pay vendors for absences that are the direct result of the COVID-19 outbreak in California. The applicable regulation section reads as follows:

*"[All vendors shall...] Not bill for consumer absences for nonresidential services. The Department shall authorize payment for absences which are the direct result of situations and/or occurrences for which a State of Emergency has been declared by the Governor. If payment for absences due to a State of Emergency is authorized by the Department, the vendor shall bill only for absences in excess of the average number of absences experienced by the vendor during the 12-month period prior to the month in which the disaster occurred."*

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Regional Center Executive Directors  
March 12, 2020  
Page two

If you have questions about this correspondence, please contact me at [ernie.cruz@dds.ca.gov](mailto:ernie.cruz@dds.ca.gov) or (916) 838-8960.

Sincerely,

*Original Signed by:*

ERNIE CRUZ  
Assistant Deputy Director  
Office of Community Operations

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 240, MS 2-13  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 12, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE ON REQUIREMENTS WAIVED DUE TO  
COVID-19

Pursuant to Governor Gavin Newsom's Proclamation of a State of Emergency dated March 4, 2020, and Governor Newsom's Executive Order N-25-20 issued on March 12, 2020, the Director of the Department of Developmental Services (Department) issues this Directive to regional centers waiving certain requirements of the Lanterman Developmental Disabilities Services Act (Lanterman Act), the California Early Intervention Services Act, and/or certain provisions of Title 17, Division 2 of the California Code of Regulations (Title 17). While COVID-19 remains a low risk for the general population, the Department recognizes there may be instances where regional centers will need flexibility to support individuals at home for their safety and that of the general population.

**Early Start In-Person Meetings**

Any requirements of the California Early Intervention Services Act or Title 17 requiring in-person meetings for determining eligibility or service coordination are hereby waived. To the extent requested by a parent, guardian, or other authorized legal representative of the child due to concern related to exposure to COVID-19, and to the extent the integrity of the intake process is not compromised, a regional center may conduct evaluation and assessment activities and provide Early Start coordination by remote electronic communications, including Skype, Facetime, video conference, or telephone conference. The regional center shall send a follow-up letter to the family, in the family's preferred language, confirming that at the family's request, a virtual or remote visit was conducted in lieu of a face-to-face meeting or visit. The letter shall include contact information for the child's service coordinator and their supervisor. This waiver is necessary because the Department finds that fear of exposure to the COVID-19 virus is causing family members to miss in-person meetings, thereby threatening the delivery of prompt services to children needing Early Start services or coordination.

**Early Start Remote Services**

The requirements of the California Early Intervention Services Act, Title 17, or a child's Individualized Family Service Plan (IFSP) requiring the delivery of services in-person are hereby waived. To the extent requested by a parent, guardian, or other authorized legal representative of the child due to concern related to exposure to COVID-19, a service provided to a child in-person may be provided by remote electronic communications, including Skype, Facetime, video conference, or telephone conference. Prior to the delivery of a service by electronic communications, the service provider must notify the regional center that the family requested and agrees to remote or virtual services in lieu of in-person services. The regional center shall send a follow-up letter to the family, in the family's preferred language, confirming that at the family's request, virtual or remote services will be

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provided in lieu of in-person services. The letter shall include contact information for the child's service coordinator and their supervisor. This waiver is necessary because the Department finds that fear of exposure to COVID-19 is causing family members to miss in-person appointments for services for their children. Providing services to the child through electronic communications ensures that services necessary for the health, development and well-being of the child are delivered.

#### Lanterman Act In-Person Meetings

The requirements of the Lanterman Act requiring in-person attendance of a consumer and/or his or her parent, conservator, or authorized legal representative and a regional center representative at an Individual Program Plan (IPP) meeting or other meeting related to delivery of services are hereby waived. The regional center shall send a follow-up letter to the consumer and/or representative, in the consumer and/or representative's preferred language, confirming that at the consumer's or representative's request, a virtual or remote visit was conducted in lieu of a face-to-face meeting or visit. The letter shall include contact information for the consumer's service coordinator and their supervisor. This waiver is necessary because the Department finds that fear of exposure to COVID-19 is causing consumers and their representatives to miss in-person IPP and other service coordination meetings, thereby threatening the delivery of critical services to consumers.

#### Health and Safety Waiver Exemptions

The Director of the Department delegates to regional center Executive Directors the authority to grant rate adjustments for residential services and/or supplemental services in residential settings, consistent with Welfare and Institutions Code sections 4681.6, 4689.8 and 4691.9, to protect a consumer's health or safety as a result of the outbreak of COVID-19. The waiver will require supplemental reporting to the Department. Instructions on the required supplemental reporting will be provided in a future directive. This delegation is necessary because the Department finds that high risk health conditions and fear of exposure to COVID-19 may cause consumers to forego activities away from their home resulting in a need for additional residential staffing or supplemental services.

This remains in effect for 30 days unless extended by the Director of the Department. If you have any questions regarding this Directive, please contact Brian Winfield at (916) 654-1569.

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 240, MS 2-13  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 12, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE ON DAY SERVICES FOR CONSUMERS AT  
HIGH RISK FOR SERIOUS ILLNESS DUE TO COVID-19

Welfare and Institutions Code (WIC) section 4639.6 authorizes the Director of the Department of Developmental Services (Department) to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with WIC section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

Pursuant to WIC section 4639.6, to reduce the risk of exposure to COVID-19 and consistent with the California Department of Public Health's recommendations for individuals who are at higher risk for serious illness, the Director of the Department is directing regional centers to take immediate action to ensure consumers who have compromised immune systems or who are more susceptible to respiratory illness, and/or who reside in the following home types, remain home rather than attend day services outside the home:

- Adult Residential Facilities for Persons with Special Health Care Needs
- Intermediate Care Facilities/Developmentally Disabled-Nursing
- Intermediate Care Facilities/Developmentally Disabled-Continuous Nursing

This remains in effect for 30 days unless extended by the Director of the Department. Enclosed is the Department's March 12, 2020, correspondence to regional centers regarding Governor Gavin Newsom's declared State of Emergency due to the COVID-19 outbreak and authorizing, pursuant to Title 17, California Code of Regulations section 54326(a)(11), regional centers to pay vendors for absences that are a direct result of the COVID-19 outbreak in California.

If you have any questions regarding this Directive, please contact Christine Gephart at (916) 698-9567 or [chris.gephart@dds.ca.gov](mailto:chris.gephart@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

Enclosure

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

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**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 340, MS 3-12  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 651-6309



March 12, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: STATE OF EMERGENCY STATEWIDE

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency for California, as a result of the global COVID-19 outbreak that began in December 2019. The State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019, to monitor and plan for the potential spread of COVID-19 to the United States.

The Governor's proclamation states, in part, that experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions. It is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care.

As a result of the State of Emergency declared for California, the Department of Developmental Services (Department) is authorizing, pursuant to Title 17, California Code of Regulations section 54326(a)(11), regional centers to pay vendors for absences that are the direct result of the COVID-19 outbreak in California. The applicable regulation section reads as follows:

*"[All vendors shall...] Not bill for consumer absences for nonresidential services. The Department shall authorize payment for absences which are the direct result of situations and/or occurrences for which a State of Emergency has been declared by the Governor. If payment for absences due to a State of Emergency is authorized by the Department, the vendor shall bill only for absences in excess of the average number of absences experienced by the vendor during the 12-month period prior to the month in which the disaster occurred."*

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Regional Center Executive Directors  
March 12, 2020  
Page two

If you have questions about this correspondence, please contact me at [ernie.cruz@dds.ca.gov](mailto:ernie.cruz@dds.ca.gov) or (916) 838-8960.

Sincerely,

*Original Signed by:*

ERNIE CRUZ  
Assistant Deputy Director  
Office of Community Operations

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 240, MS 2-13  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 18, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: GUIDANCE FOR REGIONAL CENTER MONITORING STAFF

On March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency for California in response to a rising number of cases of COVID-19. The health and safety of Californians, including regional center staff, is a top priority. To keep staff safe and healthy, this guidance provides information on COVID-19 symptoms and prevention, and what staff can do before, during, and after a monitoring visit.

**Required Visits by Regional Centers**

Notwithstanding any local or county shelter-in-place order, regional centers shall make in-person visits to consumers living in licensed residential facilities to check on the consumer's health, safety and well-being, and such facilities shall permit such visits by regional center employees. Such visits shall constitute essential activities and essential business functions for purposes of any shelter-in-place order.

**Stay Informed**

It is important to stay informed. Know where to turn for reliable, up-to-date information in your local community. Monitor COVID-19 websites from the Centers for Disease Control and Prevention (CDC) and the California Department of Public Health (CDPH). Both websites are updated daily with the latest information and advice for the public. In addition to the CDC and CDPH websites, staff may reference CDPH All-Facilities Letters for more information.

**Symptoms and Prevention**

Reported COVID-19 illnesses have ranged from asymptomatic (no symptoms) or mild symptoms to severe illness and even death. Symptoms may display as flu-like symptoms, such as fever, cough, and shortness of breath, and may appear 2-14 days after exposure.

There is currently no vaccine to prevent COVID-19, and the best way to prevent the illness is to avoid being exposed to the virus. The CDC recommends everyday preventive actions to help prevent the spread of respiratory diseases, including:

- Avoiding close contact with people who are sick.
- Avoiding touching your eyes, nose, and mouth with unwashed hands.
- Staying home when you are sick.
- Covering your cough or sneeze with a tissue, then throwing the tissue in the trash.

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- Cleaning and disinfecting frequently touched objects and surfaces using a regular household cleaning spray or wipe.
- Washing your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing, or sneezing. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.

### **Monitoring Activities**

When conducting monitoring activities, precautions are encouraged prior to, during and after the visit. Recommended precautions are outlined below.

#### ***Before entering the facility:***

- Verify the home or facility is safe to enter. When making an announced visit, consider calling the home or facility prior to entry to inquire whether there are any suspected or confirmed cases of COVID-19. If the home or facility is subject to quarantine by a local public health department, do not visit or enter the facility. Confirm with the provider that reporting was done of any presumptive or positive cases. Speak with your manager to discuss options and reschedule the visit and document your attempt to conduct your monitoring visit.
- If making an unannounced monitoring visit, upon entry to the home or facility, ask the licensee or administrator if there are any persons in the residence or facility staff that may have respiratory signs or symptoms of COVID-19. In addition, ask whether there have been staff in the home who have tested positive for COVID-19 or who were exposed to any individuals with COVID-19. If there are persons identified who are displaying symptoms of COVID-19 or who may have or have tested positive for COVID-19, do not stay in the home. Obtain as much information as possible for reporting purposes such as staffing levels, precautions currently taken; visualize the residents and condition, and exit the home or facility.
- When possible, have an N95 mask and hand sanitizer with you prior to entering the home, in the event you need to use protection while obtaining information from staff.

***When the determination is made that it is safe to stay on-site during a visit:***

- Practice good hand hygiene. Wash your hands often with soap and water for at least 20 seconds or use an alcohol-based hand sanitizer that contains 60 to 95% alcohol, covering all surfaces of your hands and rubbing them together until they feel dry. Soap and water should be used preferentially if hands are visibly dirty. Avoid touching your eyes, nose, and mouth with unwashed hands.
- Put on personal protective equipment if you feel it necessary during your visit.
- Maintain social distancing of 6 feet from other individuals while on-site.
- If you think you may have been exposed to COVID-19 while visiting the home or facility, contact your manager.

***After the monitoring visit:***

- Keep vigilant of your own well-being and watch for respiratory signs or symptoms of COVID-19. If you should feel flu-like symptoms, such as fever, cough, and shortness of breath after 2-14 days, contact your local health department and health care provider.

**Certificate of Medical Clearance**

Staff with confirmed COVID-19 should be in frequent communication with a healthcare provider and the local public health department. If you have been instructed by your healthcare provider or the local public health department to quarantine or self-monitor, a certificate of medical clearance must be obtained from your healthcare provider or the local public health department before returning to work or conducting facility visits.

Monitoring staff may also recommend licensees visit the following websites for current information regarding COVID-19:

- The World Health Organization  
[www.who.int](http://www.who.int)
- Centers for Disease Control and Prevention  
[www.cdc.gov](http://www.cdc.gov)
- California Department of Public Health  
[www.cdph.ca.gov](http://www.cdph.ca.gov)
- Community Care Licensing Division  
[www.cdss.ca.gov/inforesources/community-care-licensing](http://www.cdss.ca.gov/inforesources/community-care-licensing)

Regional Center Executive Directors  
March 18, 2020  
Page four

If you have any questions regarding this guidance, please contact Christine Gephart at (916) 698-9567 or [chris.gephart@dds.ca.gov](mailto:chris.gephart@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 240, MS 2-13  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 18, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE ON REQUIREMENTS WAIVED DUE TO  
COVID-19 AND ADDITIONAL GUIDANCE

**This supersedes the March 18, 2020, correspondence on this subject.**

Pursuant to Governor Gavin Newsom's Proclamation of a State of Emergency dated March 4, 2020, and Governor Newsom's Executive Order N-25-20 issued on March 12, 2020, the Director of the Department of Developmental Services (Department) issues this Directive to regional centers waiving certain requirements of the Lanterman Developmental Disabilities Services Act (Lanterman Act) and/or certain provisions of Title 17, Division 2 of the California Code of Regulations (Title 17). The Department recognizes that to ensure the health, welfare and safety of regional center consumers and the general population, there may be instances where consumers, regional centers, and service providers will need flexibility to receive and provide services and supports.

The intent of this Directive is to provide regional centers and service providers the greatest flexibility to support consumers and their families. Services to individuals are a priority and regional centers and service providers are working with their consumers and community to identify alternative approaches to support those in greatest need during this unprecedented time.

**Flexibility in Provision of Services and Supports for Consumers and Providers**

**Lanterman Act Remote Services or Alternate Locations**

Any requirements of the Lanterman Act, Title 17, or an Individual Program Plan (IPP) requiring delivery of the services in a specific location or in-person are hereby waived when, due to concern related to exposure to COVID-19, a consumer, parent, guardian, or other authorized legal representative of the consumer requests that one or more of the services listed on the Enclosure be provided in an alternate location or through remote electronic communications, including Skype, Facetime, video conference, or telephone conference.

Prior to, or no later than seven days after, the delivery of a service in an alternate location or by remote electronic communications, the service provider must notify the regional center that the individual requested and/or agrees to either receive services in an alternate location or through remote electronic communication in lieu of in-person services. The regional center shall send a follow-up letter to the individual, in their preferred language, confirming that at their request, services will be provided in an alternate location or through remote electronic communication. The letter shall include contact information for the consumer's service coordinator and their supervisor.

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The agreement to provide services in an alternate location or through remote electronic communication shall not change the frequency or duration of any IPP service absent the agreement of the consumer's IPP team.

This waiver is necessary to limit the risk of exposure to COVID-19 and provide individuals with access to services and supports. Providing services and supports in alternate locations or through remote electronic communications enables services and supports necessary for the health, welfare and safety to be delivered.

#### Supplemental Staffing for Residential Providers

Recognizing that residential providers in all licensing categories, including community care facilities, may need supplemental staffing to support consumers remaining at home to mitigate the spread of COVID-19, the Department reiterates the March 12, 2020, delegation to regional center Executive Directors to grant rate adjustments for residential services and/or supplemental services in residential settings, consistent with Welfare and Institutions Code (WIC) sections 4681.6, 4689.8 and 4691.9, to protect a consumer's health or safety as a result of the outbreak of COVID-19. Further, intermediate care facilities, licensed by the California Department of Public Health (CDPH), may be vendored to provide residential supplemental services, as noted above and to the extent that funding for supplemental staffing is not available through the Medi-Cal program.

Regional centers are directed to work with affected providers to expedite vendorization for the new or additional supplemental services (e.g. Supplemental Residential Program Support) appropriate to provide supplemental staffing required as a result of COVID-19.

#### Day Program Services

To protect public health and slow the rate of transmission of COVID-19, services must be provided in alignment with the [guidance issued by CDPH on March 16, 2020](#).

To the extent possible, services may be provided in an alternate location or through remote electronic communications, including Skype, Facetime, video conference, or telephone conference.

The Department reiterates the March 12, 2020, directive to regional centers, "State of Emergency Statewide," authorizing regional centers to pay vendors for absences that are a direct result of the COVID-19 outbreak, pursuant to Title 17 section 54326(a)(11).

## **Administrative Flexibility for Regional Centers**

### Public Meetings

Any requirements of the Lanterman Act, the Department's regional center contract or other requirements to hold in-person public meetings are hereby waived, with the exception of regional center board meetings held pursuant to WIC section 4660, which shall continue to occur in-person or through use of remote electronic communications.

To the extent feasible, attempts should be made to conduct meetings using remote electronic communications, including Skype, Facetime, video conference, or telephone conference options. If remote electronic communications are not feasible, the meeting should be delayed so the public can participate.

The requirement of WIC section 4519.5(e) that regional centers hold public meetings within three months of compiling purchase of service disparities data with the Department, and the requirements of WIC section 4519.5(f) and the Department's contracts with regional centers requiring submission of a report to the Department regarding the meetings and recommendations by May 31, 2020, are waived. Regional centers shall hold their public meetings by August 31, 2020, and submit associated reports to the Department by December 31, 2020.

This waiver is necessary because the Department finds that gatherings may contribute to the spread of COVID-19. However, limiting gatherings may result in less attendance at public meetings. Regional center public meetings should be in alignment with CDPH's March 16, 2020, guidance on gatherings as referenced on page two, "Day Program Services."

### WIC §4731 Consumers' Rights Complaints

The 20-working day requirement for investigating and providing a written proposed resolution to a complainant pursuant to WIC section 4731(b) is waived. The regional center director shall investigate and send a written proposed resolution to a complainant and service provider, if applicable, as soon as possible within 40 working days of receiving the complaint.

This waiver is necessary to allow regional centers flexibility to prioritize work associated with COVID-19 response.

## **Additional Areas of Relief**

### Departmental Audits and Programmatic Monitoring Reviews

Any on-site Departmental fiscal audits or programmatic monitoring reviews not directly related to the oversight of health, welfare and safety of consumers, and scheduled within forty-five days of the date of this letter are postponed. The Department will determine the feasibility of using remote electronic communications to complete some monitoring activities on a case-by-case basis.

### Home and Community-Based Services (HCBS) Self Assessments

The requested completion date for provider HCBS self-assessment has been extended to June 30, 2020.

### Direct Support Professional Training

The Department is temporarily placing the Direct Support Professional Training (DSPT) on hold until June 30, 2020. DSPT is required by WIC section 4695.2(a). Direct support professionals are encouraged to use online resources posted on the Department's website at <https://www.dds.ca.gov/services/dspt>, to keep abreast with current practices and procedures to provide the best care to consumers.

### Frequently Asked Questions (FAQs)

The Department will post answers to frequently asked questions related to COVID-19 directives online at <https://www.dds.ca.gov/corona-virus-information-and-resources>.

This Directive remains in effect for 30 days unless extended by the Director of the Department. Consumers, family members or providers should contact their local regional center with any questions regarding this Directive. Questions from regional centers should be directed to Brian Winfield at (916) 654-1569 or [brian.winfield@dds.ca.gov](mailto:brian.winfield@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

Enclosure

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

## Services Eligible for Alternate Location or Remote Access

Service Code	Description
017	Crisis Team
028	Socialization Training Program
048	Client/Parent Support Behavior Intervention Training
055	Community Integration Training Program
062	Personal Assistance
063	Community Activities Support Service
091	In-Home Day Program
094	Creative Arts Program
102	Individual or Family Training Services
106	Specialized Recreational Therapy
108	Parenting Support Services
110	Supplemental Day Program Support
115	Specialized Therapeutic Services (Age 3-20)
116	Early Start Specialized Therapeutic Services
117	Specialized Therapeutic Services (Age 21+)
505	Activity Center
510	Adult Development Center
515	Behavior Management Program
520	Independent Living Program
525	Social Recreation Program
605	Adaptive Skills Trainer
612	Behavior Analyst
613	Associate Behavior Analyst
615	Behavior Management Assistant
616	Behavior Management Technician
620	Behavior Management Consultant
625	Counseling Services
635	Independent Living Specialist
691	Art Therapist
692	Dance Therapist
693	Music Therapist
694	Recreational Therapist
707	Speech Pathology
772	Physical Therapy
773	Occupational Therapy
780	Psychiatrist
896	Supported Living Service

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 240, MS 2-13  
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(916) 654-1897



March 20, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: CALIFORNIA DEPARTMENT OF SOCIAL SERVICES LICENSED  
FACILITIES FINGERPRINT CLEARANCE AND EXEMPTION  
TRANSFERS

The California Department of Social Services (CDSS) has established an expedited process to transfer a CDSS background clearance or exemption from one licensed facility to another. The process, as detailed in the enclosure applies to any staff with either a CDSS background clearance or exemption. The purpose of providing an expedited process is to assist CDSS licensed facilities (homes, day programs, etc.) in obtaining staff during the current COVID-19 outbreak.

Please notify your providers of this process. If you have any questions regarding this expedited process, please contact Tamara Kidwell at (916) 651-6311 or [Tamara.Kidwell@dds.ca.gov](mailto:Tamara.Kidwell@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

Enclosure

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies  
Kim Johnson, CDSS  
Pam Dickfoss, CDSS

### **Process for Transferring a California Department of Social Services (CDSS) Clearance or Exemption to a New Facility Number**

If an individual has an active clearance or exemption, they should not be re-fingerprinted as this may delay the processing of the transfer. Licensees may contact their local Community Care Licensing (CCL) office to verify the individual's status. [Here](#) is a list of local office contact information.

Individuals seeking to transfer to the same facility type or from one facility to another location under the same licensee will be allowed to work at the new facility while the transfer request is pending.

1. To request a clearance transfer between state licensed facilities, a Licensee must submit the [Criminal Background Clearance Transfer Request LIC 9182](#) to the local CCL office or fax it to the Caregiver Background Check Bureau (CBCB) at (916) 754-4584.
2. To request an exemption transfer between state licensed facilities, a Licensee must submit the [Criminal Record Exemption Transfer Request LIC 9188](#) by fax to CBCB at (916) 754-4584.

Transfers to more than one facility may be requested on one form. Licensees may attach a list of each facility number to which the individual is to be transferred. All transfer requests must be submitted to CDSS before the individual who is subject to the transfer has client contact in order for the licensee to be in compliance with the law. An individual need not wait for a confirmation of the transfer before they can begin work or be present in the facility.

If you have questions about the status of a transfer, contact CBCB by sending an email to [CBCBCust@dss.ca.gov](mailto:CBCBCust@dss.ca.gov) or calling 1 (888) 422-5669.

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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(916) 654-1897



March 20, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE ON PLACEMENTS IN LICENSED  
RESIDENTIAL SETTINGS

Welfare and Institutions Code (W&I Code) section 4639.6 authorizes the Director of the Department of Developmental Services (Department) to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with W&I Code section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

Pursuant to W&I Code section 4639.6, to limit the risk of exposure and spread of COVID-19, the Director of the Department is requiring regional centers to submit to the Department, prior to a consumer moving into any residential setting licensed by the California Department of Social Services or California Department of Public Health, a request for approval to place the individual in the residence. The request must be sent to [PlacementReview@dds.ca.gov](mailto:PlacementReview@dds.ca.gov), and must include the following information:

- Consumer name
- Consumer UCI
- Current residence
- Proposed residence
- Reasons the request should be approved

The Department will make every effort to respond to each request within two hours of receiving the e-mail. If you have questions regarding this Directive, please contact Brian Winfield at (916) 654-1569 or [brian.winfield@dds.ca.gov](mailto:brian.winfield@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**“Building Partnerships, Supporting Choices”**

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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(916) 654-1897



March 23, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE 01-032320: IMMEDIATE COVID-19 RISK  
MITIGATION STRATEGIES FOR ARFPSHN AND ICF/DD-CN

Welfare and Institutions Code (W&I Code) section 4639.6 authorizes the Director of the Department of Developmental Services (Department) to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with W&I Code section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

Pursuant to W&I Code section 4639.6, to protect high risk individuals and limit the risk of exposure and spread of COVID-19, the Director of the Department is directing regional centers and administrators of Adult Residential Facilities for Persons with Special Health Care Needs (ARFPSHN) and Intermediate Care Facilities/Developmentally Disabled-Continuous Nursing (ICF/DD-CN) serving regional center consumers to take immediate action to ensure facilities adhere to the following guidelines until further notice. Regional centers shall monitor ARFPSHN and ICF/DD-CN compliance with this Directive.

Guidelines for ARFPSHN and ICF/DD-CN

- Providers shall follow applicable guidance from their licensing entity.
- All individuals, including residential staff and monitoring agencies, seeking to enter the home shall be screened for fever and respiratory symptoms prior to entering the home. Screening shall include temperature and the following questions:
  - a. In the last 14 days, have you been in contact with anyone who is a Person Under Investigation (PUI) or has/had COVID-19?
  - b. Have you had recent onset of any of the following: cough, fever, sore throat, shortness of breath, unexplained muscle aches?
- Individuals with fever of 100.4° F or greater or common COVID-19 symptoms shall not be allowed into the home.
- Staff or contracted staff screened with fever or common COVID-19 symptoms shall be allowed to return to work when cleared by local county public health departments.
- Consumer screening shall include taking vital signs and monitoring for respiratory symptoms every eight hours.
- All consumers should be isolated within their own rooms. In settings where this is not possible, social distancing and heightened universal precautions must be practiced.

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**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 23, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE 02-032320: VISITS TO LICENSED RESIDENTIAL FACILITIES

Welfare and Institutions (W&I) Code section 4639.6 authorizes the Director of the Department of Developmental Services (Department) to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with W&I Code section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

Pursuant to W&I Code section 4639.6, to limit the risk of exposure and spread of COVID-19, the Director of the Department is directing regional centers to take immediate action to advise facilities and consumers, families or authorized representatives of consumers residing in any licensed residential facility that effective immediately, visits shall be limited to individuals who need entry, as necessary for prevention, containment, and mitigation of COVID-19, such as medical personnel, and government agencies responsible for protecting the health, safety, and welfare of consumers, including Department and regional center staff.

To the extent feasible, regional center staff should attempt to conduct monitoring visits using remote electronic communications, such as Skype, Facetime, video conference, and/or telephone conference. When in-person monitoring visits are necessary, staff should consider applying social distancing strategies such as observing the consumer from a distance or wearing personal protective equipment. Regional center staff should refer to the [Department's March 18, 2020, guidance](#) when conducting monitoring visits.

Facilities shall make reasonable efforts to offer families the option to visit through use of remote electronic communications.

If you have questions regarding this Directive, please contact Brian Winfield at (916) 654-1569 or [brian.winfield@dds.ca.gov](mailto:brian.winfield@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**“Building Partnerships, Supporting Choices”**

Regional Center Executive Directors  
March 23, 2020  
Page two

- Providers shall frequently train support staff on universal precautions.
- Providers shall make all efforts to dedicate site-specific staff and consultants, i.e., staff and consultants should be assigned to one home and not travel between homes. The intent is to limit exposure between multiple congregate settings. Furthermore, providers shall make all necessary efforts to assign support staff to one consumer, but no more than two consumers.
- Understanding the importance of consumer mental health, it is reasonable for consumers to enjoy outdoor activities with their dedicated staff, but they should not share common space with other individuals.
- Providers may submit to their regional center, alternative plans to achieve safety practices for Department approval, but approvals will only be made for the plans that meet strict protections and precautions for the safety of consumers.
- Regional centers shall immediately work with providers to review staffing needs and where needed approve additional staffing support and/or health and safety waivers.

Please share this Directive with ARFPSHN and ICF/DD-CN administrators. If you have any questions regarding this Directive, please contact Christine Gephart at (916) 698-9567 or [chris.gephart@dds.ca.gov](mailto:chris.gephart@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 25, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE 01-032520: REPORTING INCIDENTS  
RELATED TO COVID-19 IN SANDIS

Welfare and Institutions (W&I) Code section 4639.6 authorizes the Director of the Department of Developmental Services (Department) to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with W&I Code section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

Pursuant to W&I Code section 4639.6, to identify high risk events and incident trends related to the COVID-19 pandemic and to swiftly implement risk mitigation activities, the Director of the Department is directing regional centers and all providers to complete a special incident report (SIR) for any of the following events, even if the incident does not otherwise meet California Code of Regulations, Title 17 reporting criteria:

- An individual has had direct contact with any person who has tested positive for COVID-19, including provider staff, family, and other individuals;
- An individual is exhibiting COVID-19 symptoms and has visited a hospital for any related symptoms or has been tested for COVID-19;
- An individual was recommended to be tested for COVID-19;
- An individual tested positive for COVID-19; or
- An individual is exhibiting COVID-19 symptoms and was instructed to quarantine.

A new "non-reportable" incident type "COVID 19 VIRUS" has been added to SANDIS. Regional centers should select this incident type when entering any SIR related to COVID-19. When an incident is reportable pursuant to Title 17 and also related to COVID-19, regional centers should select "COVID 19 VIRUS" and any applicable incident type(s). The incident description shall specify the type of event, as provided above, and include any additional relevant information.

The system has been programmed to transmit to the Department any SIR in which "COVID 19 VIRUS" is selected, as part of the daily transmission of reportable incidents.

Regional Center Executive Directors  
March 25, 2020  
Page two

Please share this Directive with all providers and your staff. If you have any questions regarding this Directive, please contact Leslie Morrison at (916) 214-3706 or [leslie.morrison@dds.ca.gov](mailto:leslie.morrison@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 240, MS 2-13  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1897



March 25, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE 02-032520: REQUIREMENTS WAIVED DUE TO COVID-19

Pursuant to Governor Gavin Newsom's Proclamation of a State of Emergency dated March 4, 2020, and Governor Newsom's Executive Order N-25-20 issued on March 12, 2020, the Director of the Department of Developmental Services (Department) issues this Directive to regional centers waiving or modifying certain requirements of the Lanterman Developmental Disabilities Services Act (Lanterman Act) and/or certain provisions of Title 17, Division 2 of the California Code of Regulations (Title 17). The Department recognizes that to ensure the health, welfare and safety of regional center consumers and the general population, there may be instances where consumers, regional centers, and service providers will need flexibility to receive and provide services and supports.

The intent of this Directive is to provide consumers, regional centers and service providers the greatest flexibility to support consumers and their families.

Lanterman Act Eligibility

Any requirements of the Lanterman Act or Title 17 requiring in-person meetings for determining regional center eligibility are hereby waived. Consistent with Governor Newsom's Executive Order N-33-20 issued on March 19, 2020, ordering individuals living in California to stay at home except for certain essential workers, a regional center may conduct intake meetings, evaluations and assessment activities by remote electronic communications provided that the regional center determines the integrity of the intake process will not be compromised.

If the regional center is reasonably certain the individual is eligible for regional center services, but due to the circumstances the regional center is unable to make a definitive determination, the regional center may determine the individual presumptively eligible. If following reassessment, a regional center later determines that an individual found eligible during the effective period of this directive does not have a developmental disability as defined in the Lanterman Act, the requirement that the regional center show the original finding of eligibility was clearly erroneous is hereby waived.

The regional center shall send a follow-up letter to the consumer, parent, guardian, or other authorized legal representative, in their preferred language, confirming that due to the statewide shelter-in-place order, intake meetings, and eligibility evaluations or assessments will be conducted by remote electronic communications in lieu of face-to-face meetings, evaluations or assessments. The letter shall include contact information for the intake worker and their supervisor. All other intake, evaluation and assessments requirements remain unchanged.

**“Building Partnerships, Supporting Choices”**

Regional Center Executive Directors

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This waiver is necessary to prioritize delivery of Lanterman Act services to eligible individuals during the COVID-19 response. This waiver supports the timely determination of regional center eligibility, and subsequently, the delivery of needed support services.

In-Home Respite Workers

To increase available workforce and support consumers and families at home, the Department waives Title 17 section 56792(e)(3)(A) requirements for in-home respite workers to possess first aid and cardiopulmonary resuscitation training prior to employment when the consumer receiving services does not have chronic or presenting health concerns.

This waiver is necessary to prioritize delivery of Lanterman Act services to eligible individuals during the COVID-19 response.

Family Cost Participation Program and Annual Family Program Fee

Any requirements related to the Family Cost Participation Program (FCPP) pursuant to Welfare and Institutions (W&I) Code section 4783, and the Annual Family Program Fee (AFPF) pursuant to W&I Code section 4785, are waived. Retroactive to March 12, 2020, regional centers shall not conduct assessments and families shall not be required to pay costs or fees associated with FCPP or AFPF.

The Department finds that the effects of COVID-19 may result in negative economic impacts to families. This waiver is necessary to lessen the economic burden on families and to allow regional centers to prioritize work associated with COVID-19 response.

This directive remains in effect for 30 days unless extended by the Director of the Department. Consumers, family members or providers should contact their local regional center with any questions regarding this Directive. Questions from regional centers should be directed to Brian Winfield at (916) 654-1569 or [brian.winfield@dds.ca.gov](mailto:brian.winfield@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies

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March 25, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS, THE COURTS,  
DISTRICT ATTORNEYS, PUBLIC DEFENDERS, AND ALL OTHER  
INTERESTED PARTIES

SUBJECT: DEPARTMENT DIRECTIVE 03-032520: ADMISSIONS TO AND  
DISCHARGES FROM FACILITIES UNDER THE JURISDICTION OR  
CONTROL OF THE DEPARTMENT

Pursuant to Governor Gavin Newsom's Executive Order N-35-20 issued on March 21, 2020, the Director of the Department of Developmental Services (Department) issues this Directive regarding admissions to and discharges from the Porterville Developmental Center, the Canyon Springs Community Facility, and Stabilization, Training, Assistance, and Reintegration (STAR) homes under the jurisdiction and control of the Department.

Notwithstanding the Penal Code, the Welfare and Institutions Code, or any other statute or regulation, the Department is denying admission to and delaying discharge of all individuals, judicially or otherwise committed to the Porterville Developmental Center, the Canyon Springs Community Facility, and all STAR homes under the jurisdiction and control of the Department. This Directive is necessary to protect the health, safety and well-being for individuals already committed to the Department's facilities and the clinical, security and other staff at these facilities. Given the scope of the outbreak of COVID-19 in California and the difficulty in identifying infected individuals, this Directive is necessary to prevent the spread of COVID-19 into Department facilities to the detriment of current consumers and staff and to protect the general public health.

Nothing in this Directive prevents Department staff, regional center staff, and others from continuing to prepare for admissions to or discharges from a Department facility when it is medically safe and appropriate. For those individuals currently in active community transitional planning, the regional resource development project will continue to engage in conversations with the individual, regional center and identified community provider to ensure where feasible that such planning continues.

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This Directive remains in effect for 30 days from March 21, 2020, unless extended by the Director of the Department. If you have any questions regarding this Directive, please contact Dawn Percy at (916) 654-1963 or [dawn.percy@dds.ca.gov](mailto:dawn.percy@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies