



*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: March 3, 2021

TIME: 6:00 pm

PLACE: Via Zoom Webinar

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89709687840?pwd=QjllcTc0dzBBNXA2OEplanVjOFItUT09>

Join by Phone:

Phone Number: 1-669-900-6833

Webinar ID: 897 0968 7840

Passcode: 912329

Español traducción:

Numero: 1-707-256-1165

Código de acceso: 444444 #

Agenda Enclosed

REMINDER: Notices are posted at 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

March 3, 2021, 6:00 p.m.

Join by Zoom Webinar:

<https://us02web.zoom.us/j/89709687840?pwd=QjllcTc0dzBBNXA2OEplLWVjOFItUT09>

Join by Phone:

Phone Number: 1-669-900-6833 **Webinar ID:** 897 0968 7840 **Passcode:** 912329

- 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 February 3, 2021
Regular Business Board Meeting be approved as submitted. (Pgs. 1-6) (2 min) ACTION
- IV. GENERAL PUBLIC COMMENT – Please use the chat in the Zoom meeting to sign up, or if attending by phone, please text your name to (707) 501-0065 to sign up. (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- V. SPECIAL RECOGNITION – Franklin Phillips, Board Mentor, CAC Chair (10 min) INFO
- VI. 19-20 CPA AUDIT REVIEW – Jessica Kober, Senior Manager and Tom Huey, Partner, Windes: Accounting Firm for Tax Audit & Advisory Services (30 min) ACTION
- VII. VACCINE ELIGIBILITY UPDATE – Deanna Mobley, Director of Intake and Clinical Services (10 min) INFO
- VIII. CONTRACTS OVER \$250,000 – Courtney Singleton, Director of Community Services (5 min)
 - A. Specialized Residential Facility – Cornerstone Residential, LLC (Noel's Home) (Pg. 7) ACTION
- IX. TREASURER'S REPORT – Rosemarie Pérez, Treasurer
 - A. Treasurer's Report be approved as submitted. (Pgs. 8-9) (5 min) ACTION
- X. COMMITTEE REPORTS –
 - A. Executive Committee – Angel Hixson, Board President
 - i. Derek Hearthtower's Conflict of Interest Mitigation Plan (Pgs. 10-15) (2 min) INFO
 - B. Vendor Advisory Committee Update – Ali Tabatabai, VAC Rep. (Pgs. 16-22) (5 min)
 - i. Can the VAC have more than 10 voting members? If so, can term limits be extended through January 2022 due to COVID? ACTION
 - ii. Can a VAC member work for a different vendor within NBRC's catchment area and retain their seat? ACTION
 - C. Public Policy Advisory Committee Update – Ali Tabatabai, VAC Rep. (3 min) INFO
 - D. Cultural and Linguistic Competency Committee Update – Rosemarie Pérez, Treasurer (3 min) INFO
 - E. Client Advisory Committee Update – Franklin Phillips, Board Mentor, CAC Chair (3 min) INFO
- XI. EXECUTIVE DIRECTOR'S REPORT – Gabriel Rogin, Executive Director (5 min)
- XII. GOOD OF THE ORDER – Any other Board business may be brought up at this time.
- XIII. GENERAL PUBLIC COMMENT – Please use the chat in the Zoom meeting to sign up, or if attending by phone, please text your name to (707) 501-0065 to sign up. (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- XIV. 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.

NEXT MEETING ANNOUNCEMENT – The next Board Meeting will be on April 7, 2021 at 6:00 pm via Zoom.
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North Bay Developmental Disabilities Services, Inc.
Board of Directors' Regular Business Meeting
February 3, 2021, 6:00 p.m.
Via Zoom

NBRC BOARD MEMBERS PRESENT:

Sara Speck, Secretary, Solano County
Rosemarie Pérez, Treasurer, Sonoma County
Derek Hearthtower, Sonoma County
Franklin Phillips, Board Mentor, Sonoma County
Andrea Bednarova

Jeremy Johnson, Vice President, Solano County
Angel Hixson, President, Solano County
Ali Tabatabai, VAC Representative, Napa County
Jose Ayala, Napa County
Alexis Jarreau, Solano County
Rita Edmonds-Norris, Solano County

NBRC BOARD MEMBERS ABSENT:

Abel Moya, Sonoma County

Hue Truong, Sonoma County
Lynette Stagner, Napa County

NBRC STAFF PRESENT

Rafael Hernandez-Perez, EI Supervisor
Rick Burkett, IT Associate Director
Ashley McConnell, Federal Revenue Supervisor

Gabriel Rogin, Executive Director
Isabel Calder, Chief Financial Officer
Jennifer Crick, Acting Director of Administrative Services
Courtney Singleton, Director of Community Services
Danielle Bernardo, Executive Assistant

GUESTS: (*Based on participants names in the Zoom meeting.)

Breeanne Burris, 24 Hour Home Care
Joe Shunck, Community
Cindy Cahill, Community
Paula Finley, Becoming Independent

Edie Thomas, Connections For Life
Eric Vanderville, AIS
Orlando O'Shea, Community
Maxine Milam, DDS
Michelle Ramirez, On My Own

MINUTES

CALL TO ORDER – *Angel Hixson, President*, called the regular business meeting to order at approximately 6:00pm.

ROLL CALL AND INTRODUCTIONS – *Sara Speck, Secretary*, conducted roll call and a quorum was present.

CONSIDERATION OF MINUTES – Regular Business Meeting Minutes from the December 2, 2020 Regular Business Board Meeting be approved as submitted.

M/S/C (Speck/Hearthtower) Move to approve the December 2, 2020 board meeting minutes with the change Derek suggested of replacing “meant” with “doesn’t necessarily mean.” **UNANIMOUS**

GENERAL PUBLIC COMMENT –

Orlando O'Shea, Community, noted the following; during Mr. O'Shea's sons stay at Telecare he wrote letters to NBRC regarding the inadequate staffing, training, and neglect. Mr. O'Shea continuously advocated for his son due to safety concerns. After a meeting with NBRC management, he heard an individual in management state, “if the parent is going to be difficult, we will be difficult.” Mr. O'Shea addressed this in a 4731 complaint. Mr. O'Shea noted he will always advocate for adequate housing options for clients so that family and loved ones can oversee their needs and ensure their safety.

COVID-19 TESTING AND VACCINATIONS –

Deanna Mobley, Director of Intake and Clinical Services presented COVID-19 Testing and Vaccinations. (Please see attachment)

CONTRACTS OVER \$250,000 – Courtney Singleton, Director of Community Services (5 min)

- A. COVID-19 Surge Housing – Kreative Community Services
M/S/C (Edmonds-Norris/Speck) Move to approve the Kreative Community Services contract noted on the attached spreadsheet. The motion passed with Johnson, Speck, Hixson, Pérez, Hearthtower, Ayala, Jarreau, Edmonds-Norris and Bednarova voting in favor. APPROVED
Tabatabai ABSTAINED
- B. Specialized Residential Facility – National Mentor Health Care, LLC
Courtney Singleton, Director of Community Services noted she is asking for a four month extension to be able to work with the home and bring the contract back in June for additional approval.
Gabriel Rogin, Executive Director noted due to privacy concerns, additional questions can be addressed in a closed session.
M/S/C (Speck/Pérez) Move to approve the contract noted on the attached spreadsheet. The motion passed with Johnson, Speck, Hixson, Pérez, Hearthtower, Ayala, Jarreau, Edmonds-Norris and Bednarova voting in favor. APPROVED
Tabatabai ABSTAINED

TREASURER’S REPORT – Rosemarie Pérez, Treasurer

- A. **M/S/C (Speck/Johnson) Move to approve the Treasurer’s Report be approved as submitted. UNANIMOUS**
- B. **A-7 Contract**
M/S/C (Edmonds-Norris/Speck) Move to approve the A-7 Contract noted on the attached spreadsheet. UNANIMOUS

COMMITTEE REPORTS –

- A. **Executive Committee –**
- a. **2021 Board Meeting Calendar**
Please see the Board Calendar on page 9 of the February 2021 board packet for reference.
M/S/C (Speck/Jarreau) Move to approve the dates as noted, and add a short business meeting without a feature presentation or committee reports in December 2021. UNANIMOUS
 - b. **Removal of Board Member, Abel Moya**
Gabriel Rogin, Executive Director noted Mr. Moya was having challenges attending meetings consistently in 2020. He requested to take an indefinite leave. The Executive Committee decided it would be best to remove him from the roster.
M/S/C (Johnson/Speck) Move to approve the removal of Abel Moya from the NBRC Board of Directors. UNANIMOUS
- B. **Vendor Advisory Committee Update –**
Ali Tabatabai, VAC Representative, reviewed the previous VAC meeting. The minutes can be found on page 11-18 of the February 2021 board packet.
- C. **Legislative Advisory Committee Update – Ali Tabatabai, VAC Rep.**
- a. **Proposed Name Change to Public Policy Advisory Committee**
M/S/C (Johnson/Jarreau) Move to approve the name change of the committee to the Public Policy Advisory Committee.
The motion passed with Johnson, Speck, Hixson, Pérez, Hearthtower, Ayala, Jarreau, Edmonds-Norris and Bednarova voting in favor. **APPROVED**
Tabatabai ABSTAINED
 - b. **Proposed Committee Rules**
M/S/C (Johnson/Speck) Move to approve the proposed committee rules on pages 19-20 of the February 2021 board packet. The motion passed with Johnson, Speck, Hixson, Pérez, Hearthtower, Ayala, Jarreau, Edmonds-Norris and Bednarova voting in favor. APPROVED
Tabatabai ABSTAINED
- D. **Cultural and Linguistic Competency Committee Update – Rosemarie Pérez, Treasurer**
- a. **Revised Proposal of CLCC Structure and Purpose**
M/S/C (Edmonds-Norris/Speck) Move to approve the CCL Structure and Purpose

noted on pages 21-22 of the February 2021 board packet.

UNANIMOUS

- b. Covenant for Brave Space

M/S/C (Speck/Jarreau) Move to approve the Covenant for Brave Space on page 23 of the February 2021 board packet. UNANIMOUS

E. Client Advisory Committee Update –

Franklin Phillips, Board Mentor, CAC Chair noted the next CAC meeting will be on 2/26/21 at 1:30 pm. There will be presentations on COVID-19 Vaccinations and Testing, Social Sexual Education Project and Franklin requested Ali come to the meeting to discuss the Public Policy Advisory Committee visits with Legislators.

EXECUTIVE DIRECTOR'S REPORT –

Gabriel Rogin, Executive Director noted the following:

- DDS issued a directive requiring staff to reach out to all the individuals served on their caseloads within the next 30 days.
- NBRC continues to closely track positive COVID cases and reports them daily to DDS.
- The State Budget Proposal looks positive for our system.
- NBRC is wrapping up our DDS audit and our CPA audit. Both audits look very clean.
- There will need to be a nominating committee meeting soon to fill a vacant VAC position.
- The final presentation to wrap up the Georgetown Cultural and Linguistic Project will be on February 18th.

GOOD OF THE ORDER –

- *Angel Hixson, President*, asked for an update on Thomas Maseda, Director of Administrative Services.
- *Gabriel Rogin, Executive Director* noted Thomas is one of the strongest people you will ever meet. He is committed to staying positive although he is dealing with a serious cancer. He really appreciates all of the positive thoughts and well wishes.

GENERAL PUBLIC COMMENT –

- *Cindy Cahill, Community*, noted there is a town hall zoom meeting tomorrow about vaccine equity and accessibility from 3-5pm. The link can be found on Disability Voices United Facebook Page. They are trying to advocate for people with disabilities be moved up in the tier system. Ms. Cahill noted when a parent is struggling and trying to advocate for their child, it is disheartening to make it harder on the family. She hopes the regional center is working on changing that attitude and mindset for the good.

ADJOURNMENT – *Angel Hixson, President*, adjourned the regular business board meeting at 8:45 pm.

Date submitted to NBRC Board for review

02/03/21

Date approved by NBRC Board Executive Committee (if applicable)

N/A

Date approved by NBRC Board

02/03/21

Operations ☐

Purchase of Service ☒

The following contracts have been reviewed by Isabel Calder, Chief Financial Officer, Courtney Singleton, Director of Community Services 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	Approved	M/S/C	Notes
COVID-19 Surge Housing	9	Kreative Community Services HN0555	03/01/21-02/28/22	Yes	(Edmonds-Norris/Speck) Tabatabai Abstained	\$59,636/per month \$715,632/Annual Contract

Summary:

Surge housing was developed due to the COVID-19 pandemic to serve individuals that are COVID-19 positive with no medical complications and are in need of urgent housing. Due to COVID-19 Community Care Licensing amended their regulations to allow for licensed day program sites that are closed due to COVID-19, to transition into surge housing sites. Kreative Community Services typically operates a day program for individuals with intense behaviors. Kreative Community Services Rohnert Park site has been turned into a surge site and is now providing care for COVID-19 positive individuals 24 hours a day until the individual can return home. This site serves individuals who are COVID-19 positive on an emergency basis when an individual needs urgent housing due to COVID-19 positive diagnosis. The surge housing provides the following staff, based on individual client needs: Direct Care Staff, Registered Behavior Technicians, Lead Staff, Licensed Vocational Nurse, and a Registered Nurse. This site is able to serve nine individuals each in their own individual bedroom. The program turned all offices and classrooms into bedrooms in order to allow each person to quarantine in their own room. This program is located in Sonoma County.

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Approved	M/S/C	Notes
Specialized Residential Facility	5	National Mentor Health Care, LLC	03/01/21-06/30/21	Yes	(Speck/Pérez) Tabatabai Abstained	\$13,988.63/Per client per month \$671,454 Total Annual Contract

Summary:

A specialized residential facility is a home licensed by California Social Services, Department of Community Care Licensing and vendored by North Bay Regional Center to serve individuals with some medical needs. This home has Licensed Vocational Nurses in the home 8 hours per day, Registered Nurse consultation, a staffing ratio of at minimum of 2 staff to 4 individuals and additional consultation by licensed professionals based on individual needs. Additional consultants can be psychologists, occupational therapists, physical therapist, speech therapists etc. This home is monitored/visited on a quarterly basis by each client's NBRC Service Coordinator, on an annual basis by Quality Assurance Staff and annually unannounced by Community Care Licensing.

Date submitted to NBRC Board for review

02/03/2021

Date approved by NBRC Board Executive Committee (if applicable)

N/A

Date approved by NBRC Board

02/03/2021

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	Approved	M/S/C	Notes
A-7 Amendment for Fiscal Year 19/20	Department of Developmental Services	July 1, 2019 – June 30, 2026	Yes	(Edmonds-Norris/Speck)	Total contract amount: \$312,173,629 This amendment increases the contract in the amount of \$81,482 as follows: <ul style="list-style-type: none"> • Ops: \$46,724 for COVID related expenditures. • POS: \$34,758 for general COVID • Start Up funds.

Date submitted to NBRC Board for review

03/03/21

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 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
Specialized Residential Facility	4	Cornerstone Residential, LLC (Noel's Home)	05/01/21-12/31/22	\$14,955/per month per client 717,839/Annual Contract Amount	Medical and Behavioral Home
This specialized residential facility is licensed by California Social Services, Department of Community Care Licensing and vendored by North Bay Regional Center to serve individuals with some medical and behavioral needs. The administrator/licensee of this home is a Licensed Vocational Nurse with years of experience working in specialized residential facilities. The home will provide a 3 staff to 4 client ratio during awake hours with a 2 staff to 4 client ratio overnight. Professional Consultation services (15 hours per client per quarter) include: A Registered Nurse, Board Certified Behavior Analyst, Occupational Therapist, Registered Dietician, Recreational Therapist and/or Physical Therapist. This home will be monitored/visited on a quarterly basis by each client's NBRC Service Coordinator, on an annual basis by Quality Assurance Staff and annually unannounced by Community Care Licensing. Location: Solano County					



**North Bay Regional Center
Doug Cleveland
Board Opportunity Fund
March 3, 2021 Board Meeting**

The Doug Cleveland Board Opportunity Fund ending balance as of January 31, 2021 was **\$72,652.39**.

There were two awards issued in the month of January for a total of \$1,291.58 which included the donation made for the Senior Companion Program approved by the Board for the DDS audit. There were no deposits for this month.

Ops Expenditures 7 months 56%	North Bay Regional Center CFO Board Report As of January 31, 2021 58% of the fiscal year has elapsed				POS Expenditures 7 months 58%
OPERATIONS		Total Ops Allocation: \$ 23,761,066			
Total General Ops Contract: \$ 22,723,920		Total CPP Contract: \$ 677,892			
General Ops Amount Available: \$ 9,452,343		CPP Contract Amount Available: \$ 677,892			
Total YTD					
OPERATIONS EXPENSE (OPS)	YTD Actual	% by category	Forecast*	Actual + Forecast	
Personnel	\$ 9,390,524	70.76%	\$	9,390,524	
Benefits	\$ 2,356,577	17.76%	\$	2,356,577	
Facilities	\$ 1,141,647	8.60%	\$	1,141,647	
Equipment	\$ 231,832	1.75%	\$	231,832	
Communications	\$ 96,849	0.73%	\$	96,849	
Mileage	\$ 3,588	0.03%	\$	3,588	
Legal	\$ 6,727	0.05%	\$	6,727	
General Office	\$ 13,010	0.10%	\$	13,010	
Consultants	\$ 62,864	0.47%	\$	62,864	
Bank Fee and LOC	\$ 13,067	0.10%	\$	13,067	
Other Expenses	\$ 20,999	0.16%	\$	20,999	
Revenue	\$ (66,107)	-0.50%	\$	(66,107)	
Community Placement Plan (CPP)	\$ -	0.00%	\$	677,892	
Total Operations Expenses	13,271,577		\$ -	13,949,469	
Senior Companion Program - Grant					
	YTD Actual	% by category	Forecast*	Actual + Forecast	
Senior Companion Program - Grant					
Grant	\$ 128,863		\$ 230,391	\$ 359,254	
PURCHASE OF SERVICES					
Total POS Allocation: \$ 313,703,720					
Total POS Contract: \$ 313,670,120		Total CPP Contract: \$ 33,600			
POS Contract Amount Available: \$ 131,045,478		CPP Contract Amount Available: \$ 33,600			
Total YTD					
PURCHASE OF SERVICES (POS)	YTD Actual	% YTD Total	Forecast*	Actual + Forecast*	
Community Care Facilities	\$ 61,489,947	33.7%	\$ 44,548,219	\$ 106,038,166	
Supported Living Services	\$ 45,199,731	24.8%	\$ 32,795,509	\$ 77,995,240	
Day Programs	\$ 30,663,216	16.8%	\$ 23,086,491	\$ 53,749,707	
Behavioral Services	\$ 18,613,550	10.2%	\$ 14,478,917	\$ 33,092,467	
Other	\$ 12,288,487	6.7%	\$ 8,202,061	\$ 20,490,548	
Transportation	\$ 6,788,560	3.7%	\$ 5,046,963	\$ 11,835,523	
Respite	\$ 4,966,761	2.7%	\$ 3,675,317	\$ 8,642,078	
Medical Services	\$ 2,614,390	1.4%	\$ 2,149,608	\$ 4,763,998	
COVID and Rate Increases			\$ 3,861,221	\$ 3,861,221	
Community Placement Plan (CPP)	\$ -	0.0%	\$ -	-	
TOTAL POS EXPENSES	\$ 182,624,642	100.0%	\$ 137,844,306	\$ 320,468,948	
*This budget reflects through the B-1 amendment.					
Total Regional Center Budget:			\$ 337,464,786		

CONFLICT OF INTEREST REPORTING STATEMENT

DS 6016 (Rev. 08/2013)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Derek Hearthlower Regional Center: North Bay

Regional Center Position/Title: ☒ Governing Board Member ☐ Executive Director
☐ Vendor Advisory Committee sitting on Board ☐ Employee
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☐ Annual ☒ New Appointment (date): 10/01/2020
☐ Change of Status¹

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.
 Board Member, attends board and committee meetings

¹ Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
☒ yes ☐ no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

At Dungarvin I am a Direct Support Professional. It is a day program for people with developmental disabilities and a North Bay Regional Center vendor.

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

At Dungarvin I am a Direct Support Professional. It is a day program for people with developmental disabilities and a North Bay Regional Center vendor.

4. Are you a regional center advisory committee board member? ☐ yes ☒ no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☐ yes ☐ no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☐ no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].
☐ yes ☒ no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? ☒ yes ☐ no -- If yes, please explain.

Yes, for contracts over \$250,000.

8. Do you have a financial interest in any contract⁶ with the regional center? ☐ yes ☒ no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
☐ yes ☒ no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no -- If yes, please explain.

B. ATTESTATION

I Derek Hearthtower (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 10/14/2020

INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual ☒ does ☐ does not have a ☒ present ☒ potential conflict of interest

Signature of Designated Reviewer



Date Review Completed

10/16/2020

If you clicked "Yes" to any item above, you must click the checkbox below this message.



Law Concerning Governing Board Member Conflict of Interest

The prohibition against a Regional Center governing board member having a conflict of interest is derived from Welfare and Institutions Code section 462(a). The conflict of interest definition is set forth in more detail in the California Code of Regulations, Title 17.

Title 17 section 54520(a) “A conflict of interest exists when a regional center governing board member ... or a family member of such a person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations, except to the **extent such position is permitted by Welfare and Institutions Code sections 4622 and 4626.**” (Emphasis added)

Welfare and Institutions (“W&I”) Code section 4622(e) “A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the board shall be persons with developmental disabilities.”

Section 54520 concludes: “(b) No regional center governing board member who has a conflict of interest shall continue to serve as a board member in violation of these provisions unless the board member has eliminated the conflict of interest or **obtained a waiver pursuant to these regulations.**” (Emphasis added)

Disclosure of Conflict of Interest for Mr. Derek Hearthtower

Potential or Actual Conflict of Interest

Derek Hearthtower was elected to the North Bay Regional Center Board by the Board of Directors in October 2020. His welcomed membership on the Board helps North Bay Regional Center to meet the requirements of W&I Code section 4622(c) which provides an exception to the requirements of Title 17, section 54520(a).

Mr. Hearthtower is a consumer of North Bay Regional Center who is employed by Dungarvin, a vendor of the Regional Center. Mr. Hearthtower is a Direct Support Professional at Dungarvin, a day program for individuals with developmental disabilities.

Request for Waiver of Conflict of Interest

This information is being provided to the Department along with a proposed Waiver should the Department determine that Mr. Hearthtower has a conflict of interest as defined in the W&I Code and Title 17.

For the reasons that follow, pursuant to Title 17, section 54523, North Bay Regional Center requests a Waiver of any potential or actual conflict of interest given that:

- a) Mr. Hearthtower was elected by the Board of Directors;
- b) Mr. Hearthtower fulfills North Bay Regional Center’s compliance requirements under W&I section 4622(c) and (e);
- c) Mr. Hearthtower’s employer is a vendor of North Bay Regional Center; and
- d) Mr. Hearthtower does not have any financial interest in, or decision-making authority related to, Dungarvin.

Proposed Plan of Action

North Bay Regional Center's suggested plan of action for resolving this "conflict of interest" is as follows:

1. As a governing North Bay Regional Center Board Member, Mr. Hearhtower will not participate in any discussion, or vote on any matter, involving Dungarvin.
2. North Bay Regional Center's governing board and management staff will be informed of this Plan of Action, and will be informed of the need to ensure that Mr. Hearhtower does not participate in any discussion, or vote on any issue relating to Dungarvin.
3. The Executive Committee of the North Bay Regional Center Board has been informed of, and has approved, the submission of this proposed Plan of Action for Waiver of Conflict of Interest.
4. North Bay Regional Center's Board of Directors itself will be responsible for ensuring that the above plan and limitations are applied and monitored.
5. This request for Waiver packet is also being served on the North Bay Regional Office and the State Council as required by Title 17, section 54523.

**North Bay Regional Center
Vendor Advisory Committee**

Name	Organization	Category	County	Term Expiration	# term
Ali Tabatabai	New Leaf Solutions	Support Services	Napa	Sep-22	2
Michelle Ramirez	On My Own	Member at Large	Napa	Dec-22	2
Mike Lisenko	UCP of the North Bay	Skill Development	Napa	Dec-22	2
James Cox	Becoming Independent	Support Services	Napa	Sep-22	1
Stacey Martinez	The Arc Solano	Support Services	Solano	Oct-21	1
Holly Pagel	Connections for Life	Living Arrangements	Solano	Sep-21	2
Kelley Hanson	Pace Solano	Skill Development	Solano	Nov-21	2
Linda Plourde	Bayberry, Inc.	Member at Large	Solano	Jan-21	2
Jamie Thompson	North Bay Industries	Member at Large	Sonoma	Oct-21	1
Andrea Mendoza	CHD/Redwood Empire Industries	Skill Development	Sonoma	Sep-21	2
Michele Condit	LifeHouse	Living Arrangements	Sonoma	Sep-22	1
Eric Martin	Oaks of Hebron	Support Services	Sonoma	Sep-22	1

Minutes

February 9th at 10:00 am - 11:30 am

A. CALL TO ORDER



- a. Roll Call of Voting Members
 - i. Holly Pagel, Ali Tabatabai, Andrea Mendoza, James Cox, Jamie Collins, Kelley Hanson, Mike Lisenko, Michelle Condit, Michelle Ramirez, Stacey Martinez, Eric Martin (excused).
- b. Establish Quorum

B. CONSIDERATION OF AGENDA:

- a. Additions or modifications to this agenda by voting members
 - i. None
 - ii. Motion to accept: Michelle Ramirez; second: Kelly Hanson



C. APPROVAL OF MINUTES: *Action Item for voting VAC members*

- a. January 12, 2021, Meeting Minutes
 - i. Motion to accept: Stacey Martinez; second: Andrea Mendoza

D. SPECIAL PRESENTATIONS

- a. Vaccine Presentation: Deanna Mobley
 - i. NBRC Director of Intake & Clinical Services, Deanna Mobley, presented a PowerPoint on Testing and Vaccinations that is to be distributed following the presentation through the NBRC Vendor Connection. She provided information on vaccinations updates from each county, barriers, testing and a slide on resources. NBRC is partnering with vendors to set up testing opportunities, starting with 10 vendors initiating a trial this week. The opportunity will then expand to other residential, SLS and ILS vendors that are interested. She also provided information within the slide show on who was eligible for vaccinations within the current tier of 1a and about

advocacy efforts undertaken by DDS to move all clients out of phase 1c and into 1b. Deanna can be reached through email at: DeannaM@nbrc.net.

- b. GT Independence, an FMS agency for SDP: Valerie Bane
 - i. Valerie Bane presented a PowerPoint explaining the services GT Independence, a Financial Management Service (FMS), has to offer. The PowerPoint is to be distributed following the presentation through the NBRC Vendor Connection. She discussed aspects of self-determination that has the person supported as the CEO of his or her own life, allowing for more choice resulting in better outcomes. She provided an overview of the FMS model that had three options: bill payer, co-employer and sole employer, each offering different supports as a person selects areas that will enhance his or her quality of life. Valerie can be reached through email: vbane@gtindependence.com. The GT Independence website is GTindependence.com/ca/.

E. GROUP REPORTS

- a. Napa-Solano Vendor Group
 - i. Kelley H.: Met January 29th and discussed vaccines, testing, new reporting requirements for transportation, ASD billing, and a later announcement to be made by Edie Thomas.
- b. Sonoma Vendor Group
 - i. Jamie C.: No formal meeting, but informally discussed vaccines, including resources and testing info. Jamie is planning to coordinate a future meeting through zoom to reestablish formal meeting.
- c. Residential (NBRC Housing Coalition, SLS/ILS, Group Homes)
 - i. Edie T.: The City of Vacaville is working on a project for low-income, high-density housing, 3-4 stories high. Further meeting specifics were unknown at the time of the VAC. Also, the City of Fairfield Budget Advisory Committee is meeting on the 11th for low income housing. She indicated the City Council website could provide further information:
http://www.fairfield.ca.gov/gov/comms/budget_advisory_committee/default.asp

- ii. Mary E.: A 2-bedroom is available at Carillo Place in Santa Rosa (not a ground floor unit). Rent is \$513/month, with a minimum of 2 people and a maximum of 5. Email Mary if interested: mary@northbayhousing.org
- d. Trade Associations
 - i. CDSA
 - 1. Michelle R.: CDSA discussed the public policy agenda for next year. Topics included: sunset of rate increase, safety of employees and vaccination efforts, series of tech support trainings through THRIVE initiatives, alternative billing and alternative services.
 - ii. CCLN: No one was present
 - iii. ANCOR
 - 1. Linda P.: ANCOR had a governmental relations retreat Jan 28th and 29th and discussed an agenda for the coming year. An interesting presentation on the legislative process was included and Linda is coordinating a way to share it with VAC. Occupational classification for DSP workforce is an area of focus. DOL indicates it will not examine this until 2028, so efforts are being made to focus on pushing legislators to address sooner. Allison Barkoff, Director for Advocacy for the Center for Public Representation in DC, is now working for the Administration for Community Living and is an amazing resource for updates.
 - iv. ARC/UCP
 - 1. Michael L.: No items presented.
 - 2. Stacey M.: Registration is open for annual IDD conference held in March.
- e. NBRC Board Report- Ali T.
 - 1. Ali T.: A main presenter was Deanna on testing and vaccinations. Also, contracts approved included a purchase for surge housing in Sonoma County for people who test positive. There is a pending board vacancy, with requirements related to board composition currently met related to representation by parents and people supported.

f. ARCA

- i. Gabriel R.: The number of cases of Covid is trending in the right direction at this time, with only 2 positive cases since February 4th. This is a dramatic decrease from December and January. It is a testament to the hard work of staff. Also, there is a good presentation from Catholic Charities on emergency preparedness at no cost.

g. Committees/Subcommittees

i. Legislative Committee- *Linda P.*

1. Linda P.: Jessica Sadowsky from Bayberry is chairing a committee to invite assembly members and senators to meet and learn about services and needs. Several meetings are to be scheduled to take place over 2 weeks in the latter part of March. A flyer created by a DSP subcommittee chaired by Jeremy Hogan will be shared with legislators. Focus will be on professionalizing the workforce, and standard occupational classifications. Gabriel indicated he feels the proposed action is more directed and intentional and is excited about the plan.

ii. DSP Subcommittee- *Holly P.*

1. Holly P.: Names of DSPs have been submitted to the subcommittee for recognition at the next VAC meeting and each will receive a gift card and certificate of recognition signed by Gabriel. Further submissions are encouraged. The DSP Subcommittee meets the 4th Tuesday of each month at 2 pm if anyone is interested in participating.

F. NBRC UPDATES:

a. Fiscal

i. Updates on billing for ASD- *Isabel C.*

1. The new rates have been entered with ~90% completion of authorizations. The fiscal team is reaching out the remaining providers.

2. If only doing traditional services and need to do ASD at some point, with no ASD authorized, click defer button for traditional and it will generate a ASD line.
 3. It was noted traditional services can be billed if the services provided are what traditionally could have been done in person. Conversely, delivering PPE is an example of not a traditional service.
- ii. The quarantine isolation rate for SLS is a flat rate to replace the standard hourly rate in the case of someone testing positive and isolating for up to 14 days. Each SLS provider has already had the rate added for easy access by service coordinators. If needed coordinate with the service coordinator.
- b. Vendor Relations
 - i. Courtney: QA and other NBRC representatives are reaching out to SLS and ILS weekly. Two SLS trainings on provision of Covid protocols have been held with one more training on the topic to be provided. Almost all contracts are signed, with only a few outstanding. There is an abundance of hand sanitizer available through NBRC. Contact them if there is a need.
 - c. Quality Assurance
 - i. Courtney: Maura's team is handling PPE for regular delivery. N95 and gowns will now be part of the automatic/routine deliver so providers can reduce the need to ask for immediate supplies in cases of an outbreak of Covid.

G. NEW BUSINESS

- a. None

H. OLD BUSINESS

- a. None

I. GENERAL ANNOUNCEMENTS

- a. Training/Events
 - i. Edie T: Solano Commission for Women & Girls Event to celebrate women in leadership is being held in March at 4-5:30p every Thursday. It is free of charge and by zoom. The site is <https://www.solanocommissionwomengirls.com/who-we-are>
- b. Community concerns

- i. None
- c. Reminders
 - i. None

J. AGENDA ITEMS FOR FUTURE MEETINGS

- a. None

K. ADJOURNMENT

- a. Motion to accept: Kelley Hanson; second: James Cox

AGE RANGE	NUMBER	% TO TOTAL	GENDER	NUMBER	% TO TOTAL	RESIDENCE TYPE	NUMBER	% TO TOTAL
0 - 2	1,213	12.6 %	MALES	6,199	64.8 %	OWN HOME	7,043	73.6 %
3 - 17	2,923	30.5 %	FEMALES	3,367	35.1 %	ILS	634	6.6 %
18 - 40	3,471	36.2 %				SLS	639	6.6 %
41 - 60	1,222	12.7 %				DC	10	.1 %
61 - 80	708	7.4 %				SNF	39	.4 %
						ICF	198	2.0 %
80 & OLDER	29	.3 %				CCF	751	7.8 %
						FOSTER CARE	188	1.9 %
						OTHER	64	.6 %
TOTAL:	9,566	100.0 %	TOTAL:	9,566	100.0 %	TOTAL:	9,566	100.0 %

ETHNICITY	NUMBER	% TO TOTAL	DISABILITY	NUMBER	% TO TOTAL CONSUMERS	COUNTY	NUMBER	% TO TOTAL
MIXED	603	6.3 %	AUTISM	2,916	30.4 %	28. NAPA	1,202	12.5 %
ASIAN	238	2.4 %	EPILEPSY	1,053	11.0 %	48. SOLANO	4,057	42.4 %
BLACK	841	8.7 %	CEREBRAL PALSY	906	9.4 %	49. SONOMA	4,196	43.8 %
FILIPINO	355	3.7 %	MENTAL RETARDATION	4,751	49.6 %			.0 %
NATIVE AMERICAN	44	.4 %	OTHER	972	10.1 %			.0 %
POLYNESIAN		.0 %						.0 %
SPANISH/LATIN	2,405	25.1 %	CONSUMERS MAY HAVE MULTIPLE DIAGNOSES					.0 %
WHITE	4,308	45.0 %						.0 %
OTHER	259	2.7 %						.0 %
UNKNOWN	513	5.3 %						.0 %
						OTHER	111	1.1 %
TOTAL:	9,566	100.0 %				TOTAL:	9,566	100.0 %

PRIMARY LANGUAGE	NUMBER	% TO TOTAL	Status	Count	% TO TOTAL
SIGN LANGUAGE	27	.2 %	0	330	3.4
ENGLISH	7,877	82.3 %	1	1,065	11.1
SPANISH	1,531	16.0 %	2	8,161	85.3
OTHER LATIN LANG.	1	.0 %	3		
CANTONESE CHINESE	6	.0 %	8	10	
MADARIN CHINESE	3	.0 %			
JAPANESE	2	.0 %			
VIETNAMESE	14	.1 %			
KOREAN	3	.0 %			
LAOTIAN	2	.0 %			
CAMBODIAN	3	.0 %			
OTHER ASIAN LANG.	5	.0 %			
RUSSIAN	2	.0 %			
ALL OTHER LANG.	90	.9 %			
TOTAL	9,566	100.0 %	TOTAL	9,566	100.0



Join us for a Public Disparity and Equity Community Panel with a Round Table Dialogue!



Hear from your local community about their experiences with the Regional Center. You'll also have an opportunity to identify challenges to accessing and using NBRC services, explore suggestions for overcoming barriers in service delivery, and share successes!

We hope to see you there!

Saturday, March 6, 2021

10am- 12pm: Spanish Round Table

Join Zoom Meeting

<https://us02web.zoom.us/j/86950581627?pwd=LzJhZ3VyY0w1MFEhNDVJMzlxThxQT09>

Meeting ID: 869 5058 1627

Passcode: 387873

1pm- 3pm: English Round Table

Join Zoom Meeting

<https://us02web.zoom.us/j/82056190529?pwd=ckZzOHk0VTF4NTI4TzZM3ODNoVjdndz09>

Meeting ID: 820 5619 0529

Passcode: 740292

For more information, contact:

Lindsay Franco, Diversity & Equity Specialist, LindsayF@nbrc.net



¡Acompáñenos en un Panel de Comunidad de Disparidad y Equidad con una Mesa Redonda!



Escuche a su comunidad local acerca de sus experiencias con el Centro Regional. También tendrá la oportunidad de identificar las dificultades de acceder y usar los servicios de NBRC, explorar ideas para superar las barreras en la prestación de servicios, ¡y compartir los éxitos!

¡Esperamos verte allí!

Sábado, 6 de marzo de 2021

10am- 12pm: Mesa Redonda en español

Unirse a la reunión de Zoom

<https://us02web.zoom.us/j/86950581627?pwd=LzJhZ3VyY0w1MFEyNDVJMzlxXThxQT09>

Identificación de la reunión: 869 5058 1627

Código de acceso: 387873

1pm- 3pm: Mesa Redonda en inglés

Unirse a la reunión de Zoom

<https://us02web.zoom.us/j/82056190529?pwd=ckZzOHk0VTF4NTI4TzM3ODNoVjdndz09>

Identificación de la reunión: 820 5619 0529

Código de acceso: 740292

Para obtener más información, póngase en contacto con:
Lindsay Franco, Especialista en Diversidad y Equidad, LindsayF@nbrc.net



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FAIR HEARING & MEDIATION UPDATE

FEBRUARY 1 – FEBRUARY 28, 2021

Eligibility (19-12)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing request pending.
Eligibility (20-06)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing request pending.
SLS Denial (20-08)	<u>Reason for Appeal:</u> Claimant appeals denial of SLS. <u>Ruling:</u> Fair Hearing request pending.
Eligibility (20-09)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing request pending.
Eligibility (21-01)	<u>Reason for Appeal:</u> Claimant appeals denial of eligibility. <u>Ruling:</u> Fair Hearing request pending.