

**North Bay Developmental Disabilities Services, Inc.
Board of Directors' Regular Business Meeting
Wednesday, April 2, 2014, 5:00 p.m.
North Bay Regional Center
10 Executive Court, Napa, CA 94558**

MINUTES

NBRC BOARD MEMBERS PRESENT: Harry Matthews, President/ARCA Rep
Walter Spicer, Vice President Margi Stern, Secretary/Treasurer
Kelley Hanson, VAC Rep. Franklin Phillips
Bill Hall, Oaks of Hebron (Personal Assistant) Rhonda Foster
Joanne Tsai

NBRC BOARD MEMBERS ABSENT: Barbara Power

STAFF PRESENT: Bob Hamilton, Executive Director
Kathy Newman, Exec. Assistant Dave Johnson, Chief Financial Officer
Courtney Singleton, Associate Director Thomas Maseda, Director of Administration
Deanna Heibel, Associate Director Pamela Madden Krall, Training Info Project Manager
Alexandra Frank, SC Jordan Hall, CRC
January Crane, CMS Kelly Weber, CMS

GUESTS PRESENT: Margaret Farman, UCPNB
Cindy Ruder, AIVB Martin Weil, AIVB Chair/Parent
Bob Phillips, AIVB Vallerie Birdsell, AIVB
Azalea Aguilar, Translator Kathy Brian, DDS
Loren Moale, Guest Speaker Ruth Moale, Parent
Markley Sutton, Ph.D. Lauren Meiklejohn, BI
Linda Plourde, Bayberry, Inc.

CALL TO ORDER – Harry Matthews, President, called the meeting to order at 5:06 p.m. Roll was called and a quorum was present. Board and audience introduced themselves.

CONSIDERATION OF MINUTES

M/S/C (Phillips/Spicer) Move that the minutes of March 5, 2014 regular business meeting be approved as amended. UNANIMOUS

Bob Phillips made the following amendments to the March 5th NBRC minutes: Page two under Community Input it should read that the State Council of Developmental Disabilities contracts with the Department of Developmental Services rather than NBRC contracts with National Core Indicator. Page five under Bob Phillips report Jung Phem, an investigator with Disability Rights of California, noted that his intention is to assist North Bay Regional Center to discover the system problem and not to find fault.

TREASURER'S REPORT

M/S/C (Stern/Phillips) Move that the Treasurer's Report for the period of February 1 - 28, 2014 be approved as submitted. UNANIMOUS

ANNOUNCEMENTS: Cindy Ruder, AIVB, distributed their Self Advocacy Newsletter to the Board. Cindy also noted that at the March Board meeting Spanish families noted they would like to meet with Bob Hamilton to discuss difficulty in receiving services. That meeting has been scheduled for April 10, 2014

FEATURE PRESENTATION: "About My Life" - Loren Moale

Loren Moale provided a brief overview of his life as a person with developmental disabilities.

- Loren is 22 years old and has been a client of NBRC since three years of age.
- Loren was born six and one half weeks premature.
- Loren's parents noted that he was not developing at the same rate as his peers. He had delays in language, motor, and social skills.
- Loren was enrolled in Special Education Napa Infant Program at age two. There he received Speech Therapy, Sensory Integration Therapy, and Play Therapy.
- At age three, NBRC made a diagnosis of PDDNOS. NBRC provided Loren a behaviorist who assisted with his negative behaviors, i.e., scream, cry, and tantruming.
- Loren didn't speak until approximately four years of age.

- Loren had multiple sensory issues which some which he has today such as loud noises and certain foods and smells.
- Loren noted he had a lot of trouble with toilet training. He was hooked up to a buzzer which assisted with toilet training at six years of age.
- Loren learned to tie his shoes at 13 years of age.
- Throughout Elementary, Middle School, and High School, Loren was in Special Education but fully included in a regular classroom with the assistance of a one to one aide. His hardest time was transitioning from Elementary to Middle School. Loren was in Elementary, Middle School, and High School choir.
- Loren has always been fascinated with theater, radio, and TV. He started performing in plays at age eight and he continues to this day.
- For Loren's High School senior project, he studied broadcasting and as a result now has three volunteer broadcasting gigs. Napa TV, KVON Radio, and KSBY Radio. Loren is also a member of a foundation called "Everybody is a Star" (everybodyisastar.org) based out of Sonoma where he had an opportunity to make a professional music video. He performs around the Bay Area at times.
- The things that have helped Loren the most is performing in theater, therapeutic horseback riding, saxophone, piano, and swimming.
- Currently Loren is not employed but is very busy with volunteer work and taking classes at Napa Valley College.
- Loren thanked his parents for providing him with a happy childhood. He was able to go on lengthy vacations during the summer months and short weekend trips. They have done a lot to help Loren with all his endeavors.
- Loren thanked the Board for the invitation to be the guest speaker and for all the support they have given him. Questions and discussion followed.

NEW BUSINESS: West Bay Housing Coalition Contract Board Approval – Kelly Weber: NBRC received funding from DDS Community Placement Plan for a total of four projects. The Board approved a Supported Living Home and the development of an Adult Residential Facility for persons with specialized health care in February. NBRC has received additional funding from DDS for the same two projects. Both homes provide unlocked settings and are set aside for people coming out of the Developmental Center, or out of state clients that may need to return to NBRCs area through the Community Placement Funds from DDS. There was a Request for Proposal (RFP) process with a total of three applicants. West Bay Housing Coalition was selected for both projects. NBRC requested additional funding from DDS for a medical home. Once the request is approved, NBRC will begin the RFP process to locate a provider.

MSC (Phillips/Spicer) Move approval of the contract submitted for West Bay Housing Coalition.

UNANIMOUS

COMMITTEE REPORTS

- A. Executive Committee – The Executive Committee meeting was held via conference call on March 31, 2014. The following items were discussed:
- Embezzlement Case – NBRC has been asked by the Sonoma County District Attorney and Police Department to refrain from releasing any details of the case as it is still under investigation.
- B. Vendor Advisory Committee (VAC) – Kelley Hanson
- The VAC met on Tuesday, March 11, 2014. Please refer to the minutes for a complete report of all agenda items.
 - Group reports were given.
 - ✓ The Napa/Solano Vendor Group met on March 5th and discussed the Legislative Conference and how many advocacy groups are working together to instill changes in the system. There was discussion around abuse reporting and information being provided to DDS.
 - ✓ Tailored Day Services was discussed and the question was raised if a program had to be licensed to provide these services.
 - ✓ Nancy and Michael Kerson, founders of Vine Village, are being honored at the FRED (Farms and Ranchers Enabling People with Disabilities) Conference in LA on March 28th.
 - ✓ The Sonoma Vendor Group discussed the Legislative Breakfast which is scheduled for March 28th. Barbara Barney, Sonoma Rotarian, is organizing an exchange with Russian Rotarians and they will be visiting programs in the Sonoma area.
 - ✓ Stan Higgins distributed the agenda for the Area IV Board's March 20th meeting.
 - ✓ Edie Thomas reported that NBHC is working with vendors to organize a mixer for clients from several different areas. They would like to have a Spring Fling event.
 - ✓ Liz Sutton reported on the Legislative Conference. Discussion topics included: Shifting vendor audits from RC's to the Department, adding money to the budget to help with the minimum wage increase,

funding in the May revise to support budget trailer bill language, addition of 10% to IHSS, funding OT, SB77 Employment First, and abolishing the 4 closure days.

- ✓ Kelley Hanson reported that the majority of the NBRC board meeting was devoted to receiving feedback on the Ethnicity and Expenditures Report.
- ✓ Elizabeth Clary reported that CARD training is scheduled for May 29th and June 5th. One of the trainings will be in Napa and one will be in Sonoma. There will be a nominal charge for this training.
- ✓ Stan reported that the agenda for the conference call for VAC Chairs included the Legislative Conference and minimum wage and overtime discussion.
- ✓ Michi Gates introduced January Crane to the group who reported that the form for SIR's has changed and the new form is posted on the NBRC website. She also confirmed that the new forms will be used during the SIR Trainings conducted at NBRC.
- ✓ Isabell Calder from fiscal reported that beginning April 1st receipts will be required for all payee distributions. Failure to turn in receipts will cause delays in reimbursements.
- Announcements were made.
 - ✓ Karen Farnsworth announced that the California Programs for the Autistic, Inc. will host a fundraiser on April 26th at Hotmonk Tavern in Sebastopol from 2:00 pm – 5:00 pm.
 - ✓ Mike Huckins announced a Full Power Workplace Safety Workshop for teens and adults with disabilities. He distributed a flyer.
 - ✓ Saanen Kerson announced that Michael and Nancy Kerson, founders of Vine Village, will be receiving a lifetime achievement award at the FRED conference later this month.
 - ✓ Elizabeth Clary reported that the Sonoma Transition Fair was successful and well attended and gave Eric Martin kudos for his leadership.
 - ✓ The Solano Transition fair is scheduled for Tuesday, March 18th at the Solano Office of Education.
- The next VAC meeting will be held on Tuesday, April 8, 2014.

C. Nominating Committee – Walt Spicer, Chair – Nothing to report. The Nominating Committee continues to search for Solano County Board applicants to serve on the Board. Requested suggestions from the community and/or Board.

EXECUTIVE DIRECTOR'S REPORT

Bob Hamilton, Executive Directors Report:

- Overtime and minimum wage. The Legislative Analyst Office has done some work on this issue and suggests that the Regional Center system use a model called Cash and Counseling versus In-home Support Services. Under the Cash and Counseling model consumers receive available funds have more flexibility in using the funds than they would with IHSS; making it easier to live at home. Under the Cash and Counselor model, a counselor will assist them in crafting a plan. There will also be a financial services manager who will assist in disbursements and keep track of their services. January Crane noted that the State of Oregon has a similar self-determination program where care plans are budget based. All services are approved through the planning team with a cap on the budget. The Department of Labor has made recommendations currently being analyzed by ARCA. Discussion followed.
- Senate Bill 1178 (Correa). This bill would move money from the Developmental Center budget to the community when a resident relocates. A senate hearing is scheduled for April 22 where Bob Hamilton and Rick Rollins will testify in support of this bill. This bill would also establish the California Developmental Disabilities Community Support Housing Fund, which would be administered by the State Department of Developmental Services, who would continuously appropriate all moneys in that fund to the Department. The bill would require the Department to distribute moneys in the fund to the Department of Housing and Community Development and to regional centers, to be used for specified purposes, i.e., creation of community-based housing options for individuals with developmental disabilities.
- Senate Bill 391 (DeSaulnier). This is a second year bill which will provide a \$75 fee for all Real Estate transactions that will go into a fund for low income housing. Bob recommended checking ARCA's website (www.arcanet.org) to view all current legislation. Discussion followed.

Courtney Singleton, Director of Client Services:

NBRC recently decided to require two unannounced quarterly visits for individuals receiving SLS services just as NBRC is required to do for clients in licensed residential settings and FHAs. The intent of this was to ensure that individuals were receiving the services reflected in their IPP and that their health and safety needs were being met. NBRC has since received complaints from individuals in SLS who feel this is a violation of their privacy. We

cannot be flexible about unannounced quarterlies mandated in licensed settings, but we can adjust our protocol for SLS given that the regulations requiring us to monitor SLS services do not specify unannounced visits at this time.

We will not be requiring two unannounced quarterly visits for everyone in SLS as a standard practice across the board. If you have an individual in SLS who objects to unannounced visits the planning team can discuss this and indicate that unannounced visits will only be done when we have a concern about services. This can be documented in the IPP. Discussion followed.

Dave Johnson, Financial Report:

The Purchase of Service (POS) section of the dashboard reflects expenditures for the first eight months of the fiscal year, 67% of NBRC's fiscal year. POS expenditures are currently 71% of the allocation through the E-3. Based on the current POS forecast NBRC will overspend its POS allocation through E-3. We are anticipating additional funds will be allocated by DDS in the future to make up this shortage

NBRC's YTD (July - Feb) POS spending is 2% higher than the same period last year (see below). However NBRC spending is currently 4% higher than our current DDS allocation as noted above. You can see the most rapid growth areas are SLS and behavior services categories.

NBRC is projecting SLS services expenditures to exceed \$34 million, up 42 % from two years ago while day programs spending are almost the same as two years ago, and community care facilities POS expenditures are actually down 4%. Discussion followed.

Purchase of Services (POS)	<u>2014</u>	<u>2013</u>	<u>Var</u>	<u>%</u>
	\$	\$	\$	
Day Programs	23,346,852	22,910,687	436,165	2%
Community Care Facilities	19,327,019	19,771,277	(444,258)	-2%
Supported Living Services	22,420,561	18,820,784	3,599,777	16%
Behavioral Services	10,639,274	9,243,727	1,395,547	13%
Transportation Services	5,341,148	5,187,207	153,941	3%

LIAISON REPORTS

A. Association of Regional Center Agencies (ARCA) – Bob Hamilton (10 minutes): Meeting held March 20 and 21st in Sacramento. The following was discussed:

- Board delegate and Executive Director of each Regional Center met on Friday, March 21. Nancy Bargmann, Deputy Director, Department of Developmental Services spoke. Santi Rogers, new Director of the Department also spoke. Prior to this meeting Bob noted that he met with a DDS delegation regarding cash flow issues. DDS, through John Doyle, Chief Deputy Director, who is working with the Department of Finance to increase the level of loan authority that the Department has based on the Federal dollars the Regional Center System receives.
- NBRC is up in Medicaid Waiver enrollment. We are 19 ahead of the quarterly goals we set. Thanks to January, Jordan, and her team.
- Delayed egress regulations which are approved and filed with the Secretary of State as of March 12, 2014. We are now able to move forward on those projects.
- DDS will provide informational security training.
- NBRC recently turned in Community Placement Plan (CPP) plan for 14/15.
- Currently there are 78 clients residing at Lanterman Developmental Center. LDC will be laying off staff in the next month or so.
- The Department of Developmental Services will have the Self Determination information CMS by December 2014.
- John Doyle, Santi Rogers, Patricia Flannery, and Nancy Bargmann testified at both the Assembly and Senate budget hearings.
- May Revise is forthcoming. DDS is rebuilding the budget based on cash flow issues and allocation methodology. The May Revise is expected to be submitted to The Department of Finance by April 10, 2014.
- President Fernando is working with Disneyland to modify their disability policy/access.
- Grass Roots and individual pieces of legislation. Lanterman Coalition is strong this year, i.e., everyone is

working hard increase provider rates and to restore cuts that have come to day programs. Solidarity is refreshing. The challenge will be to getting Governor Brown to release some of the surplus. The Governor told the democratic leadership that he wasn't going to sign any restoration bills. Discussion followed.

B. Area IV Board – Bob Phillips, Executive Director (10 minutes):

- Bob Phillips distributed a letter from the State Council on Developmental Disabilities addressed to the chairs of both the Senate Budget Subcommittee number 3 and the Assembly Budget Subcommittee number 1 regarding the 2014/2015 State Budget affecting people with disabilities.
- Martin Weil, Chairperson of the AIVB, introduced himself as a parent of an adult child living in Marin County and stated the following:
 - ✓ Alarmed by the NBRC embezzlement issue.
 - ✓ Mr. Weil noted that through reading Board minutes and a statement from Harry Matthews, Board President, that there is an injunction against speaking about the embezzlement issue publically.
 - ✓ NBRC and the Board are fiduciary stewards and caretakers of many clients' finances. The Board and the Center should be putting their interests first and assure they receive payment in full for the money that was stolen from them. The Board should instigate a resolution of restitution to all affected clients, which will not violate the injunction. The Board has a moral and fiduciary obligation to do so.
 - ✓ Systems issue: DRC will be conducting an independent analysis of this case. Mr. Weil asked that the independent investigation report to the Board directly and not through management. Discussion followed.
- Bob Hamilton noted that all clients wronged in the embezzlement case have Service Coordinators who are assuring their needs are being met. NBRC is the payer last resort. If any clients are suffering any short fall, their needs are being met.
- Harry told Mr. Weil that the Board will take his remarks under consideration.

GENERAL PUBLIC COMMENT: Vallerie Birdsell, who receives services from North Bay Regional Center and sits on the Area IV Board, noted that she strongly objects to the requirement that she submit a copy of all monetary receipts in order to receive her SSI money. She said it makes her feel like a child. She noted that she has filed a 4731 complaint with NBRC as it her business alone as to how she spends her money. Discussion followed

GOOD OF THE ORDER – None

NEXT MEETING ANNOUNCEMENT – The next Board meeting is a Regular Business Meeting scheduled for May 7, 2014 in the Napa office at 5:00 p.m. Meeting reassigned to the Napa NBRC office due to lack of space in Solano County.

ADJOURNMENT – M/S/C (Phillips/Hansen) Move to adjourn the meeting at 6:40 p.m.

UNANIMOUS