

**North Bay Developmental Disabilities Services, Inc.
Board of Directors' Regular Business Meeting
Wednesday, July 2, 2014, 5:00 p.m.
North Bay Regional Center
2351 Mendocino Avenue, Santa Rosa, CA 95403**

MINUTES

NBRC BOARD MEMBERS PRESENT: Harry Matthews, President/ARCA Rep
Kelley Hanson, VAC Rep. Franklin Phillips
Joanne Tsai Bill Hall, Oaks of Hebron (Personal Assistant)
Walt Spicer (via telephone)

NBRC BOARD MEMBERS ABSENT: Rhonda Foster, Excused
Barbara Power, Resigned Herein Margi Stern, Excused

STAFF PRESENT: Kathy Newman, Exec. Assistant
Dave Johnson, Chief Financial Officer Pamela Madden Krall, Trng. Info Project Mgr.
Michi Gates, Director, Client Services January Crane, Fed Rev Dept. Mgr.
Joanne Giardello, CMS Casey Dumas, CSA
Katherine Sefton, SC Ceile Cooke, SC
Alex Williams, SC Denise Denington, SC
Celeste Selwyn, SC Heather Vail, CMS
Lynda Wheeler, CMS Micheline Justman, SC
Courtney Singleton, Associate Director

GUESTS PRESENT: Margaret Farman, UCPNB
Bob Phillips, AIVB Lauren Meiklejohn, BI
Leticia Leon, R&D Transportation Emily Davidson, R&D Transportation
Karen Farnsworth, CA Programs for Autism Lisa Rosene, GGRC
San Higgins, Oaks of Hebron Bob Phillips, AIVB

CALL TO ORDER – Harry Matthews, President, called the meeting to order at 5:09 p.m. Roll was called and a quorum was present. Board and audience introduced themselves.

CONSIDERATION OF MINUTES

M/S/C (Phillips/Hansen) Move that the minutes of May 7, 2014 regular business meeting be approved as amended. UNANIMOUS

TREASURER'S REPORT

M/S/C (Hansen/Tsai) Move that the Treasurer's Report for the period of April 1 – May 31, 2014 be approved as submitted. UNANIMOUS

ANNOUNCEMENTS: None

FEATURE PRESENTATION: – Disparity and Design Thinking (Stanford University and Golden Gate Regional Center) – Lisa Rosene, Director of Client Services, Golden Gate Regional Center (GGRC). The Design School is in the Stanford School of Business. They work with very large international companies i.e., Clorox, Proctor & Gamble, Victoria Secret, Travelocity, etc. They assist these businesses think “out of the box” to solve their business problems. They had never worked with a non-profit prior to their experience with GGRC. One of GGRC’s Early Start Manager got a scholarship to attend their three day boot camp. The Design School became very interested in how their model would apply to non-profits. They met with GGRC and agreed to sponsor them for the semester at no charge.

In 2012 a new law was added to the Lanterman Act due to concerns that regional centers did not spend money equally on consumer services based on race and ethnicity. She then referenced her April 2012 letter to the Senate Select Committee on Autism and Related Disorders that pointed out that what a regional center spends on purchase of service dollars does not tell the whole story because we are mandated to rely on generic resources first. Regional centers that have been effective in accessing generic resources and building partnerships with community agencies will, on the surface, appear to be spending less but this does not automatically translate into less support.

Golden Gate Regional Center is working with the Stanford Design School on outreach to the community as a means of informing the public of the Regional Center system, streamlining processes, restructuring the intake and assessment unit, equipping staff with mobile technology and much more, all in an effort to improve service to the people and families served.

Lisa Rosene, provided a PowerPoint outlining the Disparity and Design Thinking program through Stanford University. Does GGRC discriminate against people of color in service delivery?

Interviews were conducted to obtain users point of view which include the following:

- Staff from family resource centers
- Families with children served and not in the system
- GGRC vendors
- Pediatricians
- Psychologist
- GGRC staff

Determination

- Don't know about GGRC
- Distrust of government
- Private family matter
- Process takes too long
- Socioeconomic constraints
- System is hard to understand
- Serious shortage of bi-lingual service providers
- High caseloads result in focus on "squeaky wheel"

Ideate

- Multiple brainstorming sessions based on interviews
- What ideas have the best chance of becoming real?
- How do we do that? Prototypes generated.

Prototypes

- Mobile assessment – go to the applicant
- Open intake hours
- Welcome cards – we got your application
- Restructure intake/assessment Unit
- KPIX, Muni ads
- Equip GGRC staff with mobile technology
- Video on GGRC for refers
- Welcome video from Social Worker
- Access grant funding

Other Activities

- Translate available services and post on website
- Language links for GGRC website
- Partner to increase outreach
- Language preference forms
- Cultural competency training

Onward

- Weekly design meetings with GGRC staff
- Test all prototypes
- Empathize/Ideate based on test feedback
- Design new prototypes

Discussion followed

NEW BUSINESS:

NBRC Contract Approval – Dave Johnson/Leticia Leon with R&D Transportation

Leticia Leon, Director of Operations, R&D Transportation Services Inc., provided a PowerPoint identifying routing and progress of transportation throughout the NBRC catchment area.

R&D Role & Responsibilities

- Transportation Access Plan
- Route Design and Scheduling
- Vendor Contract and Administration
- Vendor Billing Administration
- Quality Assurance i.e., customer service, field operations

NBRC Transportation System Overview – 2014

- 20 service contract renewals generated as compared to 23 in 2012
- Month-end May 2014 total ridership: 1,489 i.e., 87% of total riders scheduled with 880 SC and 13% of total riders scheduled with 875 SC.
- Only 9 of 20 contracts exceed value of \$250,000 per year, i.e., 880 SC additional component (day programs): 7; 875 SC commercial transportation: 2; collectively provide transportation for 1,299 riders (87%) compared to 2012: 1,253 NBRC riders (83%) in 2012.
- R&D has nine contract renewals pending Board of Director approval.

875 SC & 880 SC Contract Overview

- Purpose
- Term
- Regulatory, programmatic, and financial specifications
- Compensation
- Nondiscrimination and individual complaints
- Record maintenance and retention
- Right of access to service provider records
- Fiscal audit provisions
- Disclosure requirements
- Insurance and indemnification
- Independent capacity
- No assignment
- Early termination
- Termination on breach
- Dispute
- Governing law, severability, and integration
- Waiver of breach
- Amendment
- Time of the essence
- Notices
- Authorized signatories
- Counterparts

Regulatory Updates Included in 2014 Renewals

- Section 2 – TERM: changed request for termination notice to 90-days instead of 60-days.
- Section 4 – Compensation: New subsection (b) Funding Contingency
- Section 6 – Records Maintenance and Retention: New subsection (f) HIPAA Compliance
- Attachment A – Service Design: New section 13 Zero Tolerance Policy on Abuse

State Trailer Bill Language Updates Included in 2012 Renewals

- Fiscal audit provisions
- Disclosure requirements
- Financial/legal specifications

Regulatory – Attachment A Service Design

- Service provided
- Renewal of agreement
- Vehicle requirements
- Driver vehicle requirements
- Role of R&D Transportation
- Vehicle attendant
- Accident reports
- Discipline on the vehicle
- Authorized personnel riding on the vehicle
- Refusal to transport
- Payment
- Force majeure
- Other government restrictions

Action Requested

- Pursuant to California Welfare and Institutions Code Section 4625.5, NBRC hereby requests Board approval to renew the nine contracts indicated. Discussion followed

M/S/C (Tsai/Phillips) Move approval of renewal of the R&D Transportation contract (Walt Spicer participated via telephone). UNANIMOUS with one abstention

COMMITTEE REPORTS

A. Executive Committee – Harry Matthews – The Executive Committee met via conference call on June 24th and discussed the following:

- Discussed the Board slate of officers for Fiscal Year 7/14 – 6/16.
- Extended Bob Hamilton's contract (expires June 30th) for 90 days in order to obtain further information. Thomas Maseda will contact NBRC Management and NBDDS Board members for input. Once the information is received the Board will report back.

B. Vendor Advisory Committee (VAC) – Kelley Hanson

- The VAC met on Tuesday, June 10, 2014. Please refer to the minutes for a complete report of all agenda items.
- The VAC discussed proposed legislation that will affect who is eligible for Medicaid waivers. This legislation will impact individuals living on farms and ranches and could lead to fewer choices for individuals wanting to live and work in that environment. The group also discussed the renewal of the transportation contracts. The contract period will be from July 1, 2014 through June 30, 2016. The contracts are boiler plate and if a vendor would like changes made to their contract they need to work with NBRC on a contract addendum. As of August 1st, Sutter Sacramento has eliminated operating room time for Dr. Bughao who provides dental services to clients in six Northern California Regional Centers. He is one of the only dentists left that provide these services. There is an article in California Health Line regarding this situation and the challenge it presents to individuals with developmental disabilities that need to be sedated or receive anesthesia in order to have dental work done. Bob Phillips of Area Board IV mentioned that certain legislators were speaking up regarding this important issue.
- Group reports were given:
 - ✓ The Napa/Solano Group discussed transportation, ILS & SLS 40 hour work week, and IHSS issues around over time reimbursement. They also discussed vendor relations with NBRC.
 - ✓ The Sonoma Vendor Group did not meet.
 - ✓ Bob Phillips, Area IV Board, announced that Mike Clark is the new Interim Executive Director of the State Council. He also stated that funding is starting to flow in and rent and PG&E is being paid at the various offices. He said if AB 1595 passes there will be a local office and regional advisory councils.
 - ✓ Mary Eble from NBHC reported that the housing element plans are happening, ensuring that people with developmental disabilities are being accounted for. The NBHC Sonoma roommate mixer will be on July 8th. The vendor fair is scheduled for September 18th at the Sonoma Veterans Building following the NBRC all staff meeting.
 - ✓ Linda Plourde reported that ANCOR requested that Department of Labor delay the companionship rule for 18 months allowing vendors more time to put plans in place. There was also discussion around how compensation for the minimum wage increase will be determined.
 - ✓ Stan directed the group to the DDS website as there is instructions detailing how the vendors should submit requests to the Department for minimum wage adjustments. Information must be submitted to DDS by September 2, 2014.
 - ✓ Bob Hamilton indicated that NBRC is waiting for direction from DDS in terms of reimbursement for the vendors.
 - ✓ Mike Huckins reported that many advocacy groups are working with the Lanterman Coalition to rally for government support and additional money to address the following issues: minimum wage, the overtime law, early start, and a 5% increase.
 - ✓ Linda summarized her meeting with a US Department of Labor attorney. She indicated that he struggled to understand the Lanterman Act and that it was interesting to hear how they came up with the companionship rule. Linda also reported that longevity awards were presented at the NBRC Board Meeting and the Foundation for NBRC held a function following the meeting honoring significant donors.
 - ✓ Bob Hamilton reported that the Annual Meeting for ARCA is scheduled for June 19th and June 20th in Burbank.
 - ✓ Elizabeth Cleary reported that the CARD training was a useful hands on training.
 - ✓ Stan reported that the agenda for the conference call for VAC Chairs included primarily a discussion of the State budget and how the Lanterman Coalition recommendations were not included in the budget.

They also discussed DC closures and that a task force will be implemented to look at the current rate structure for work programs. They also discussed legislation proposed to have Crisis homes at SDC when the preference is to have them in the community.

- ✓ Dave Johnson reported that R&D Transportation will be completing transportation purchases for NBRC and said that meetings are taking place currently to figure out the reimbursement process for the minimum wage adjustment.

- Announcements were made. Becoming Independent is having a Luau event on July 22, 2014 at Lagunitas Brewing Company in Petaluma. Flyers were distributed.
- The next VAC meeting will be held on Tuesday, July 8, 2014.

M/S/C (Phillips/Tsai) Move approval of Darellyn Pazdel, PRIDE Industries; Solano County, for a second three-year term on the Vendor Advisory Committee. UNANIMOUS

- C. Nominating Committee – Walt Spicer, Chair; Joanne Tsai – Harry noted that the Nominating Committee continues to search for Solano County Board applicants to serve on the Board. Requested suggestions from the community and/or Board.

The Proposed NBDDS Slate of Officers are as follows:

Harry Matthews – President 7/14 – 6/16

Walt Spicer – Vice President 7/14 – 6/16

Margi Stern – Secretary 7/14 – 6/16

Vacant – Treasurer 7/14 – 6/16

M/S/C (Tsai/Phillips) Move approval of the Board slate of officers for FY 14-16. UNANIMOUS

Franklin Phillips nominated himself to fill the vacancy as treasurer. The Action will be taken at the September Board meeting.

EXECUTIVE DIRECTOR'S REPORT

Michi Gates, Executive Directors Report:

- NBRC participated in a conference call with the Department regarding the Community Placement Plan (SDC residents and difficult to serve clients) for Fiscal Year 14-15. It involves development of resources funding, placement of people who are in locked facilities. The Community Placement Plan has been completed as of June 30, 2014. Kelly Weber presented all the things NBRC has been successful in accomplishing for FY 13-14.
- Each Regional Center has a Medicaid Waiver goal to meet each Fiscal Year (by June 30th) in order to bring in Federal funding to the state. If that goal is not met, then the Regional Center is penalized and may lose some Operations funding. NBRC met and exceeded our goal. Michi congratulated the Medicaid Waiver team.
- NBRC's Executive Team and Union Leadership participated in an all-day training with a mediator for the purpose of assisting in mending fences and proceeding on a more positive note. The group specifically discussed how to specifically structure the labor management committee meetings which happen on a quarterly basis.
- Kelly Weber will be representing NBRC on the ARCA Housing Committee.
- Dental Services through Sutter Sacramento have been extended through September 30th. Michi thanked Karen Farnsworth, CA Program for the Autistic, for her interview with the Sacramento Bee newspaper regarding this issue. Bob and Michi will collaborate on increasing dental resources in NBRC's catchment area. NBRC is dependent on Sacramento Sutter due to the lack of resources.

Dave Johnson, Financial Report:

NBRC's 2013/14, POS expenditures were \$139 million vs. \$133 million during 2012/13, a 5% increase. NBRC's SLS services increased by \$5 million reflecting an increase of 45 clients. This was partially offset by a reduction in CCF services of \$2 million. Behavioral services increased by \$2 million. This reflects an increase of \$769k in Community Integration Training, a \$465k increase in Client/Parent support and a \$205k increase in CBEM services reflecting their 1st full year of their new contract with NBRC.

On the Operations side, 2013/14, expenditures were \$16.7 million vs. \$16.0 million during 2012/13, a 4% increase. The largest increases in expenditures were in payroll of \$299k reflecting the new Cola, computer equipment purchases made up the majority of the \$228k increase in equipment expenses. Legal expenses declined by \$166k reflecting the end of union negotiations and other expenses increased by \$268k reflecting the end of retro ICF payments.

NBRC signed the contract with New Leaf with an effective date of 9/1/14. The contract amount is \$840,000 and will cover full administration for up to 1400 clients. Case Management training and vendor communication will be conducted in September. Files and data will be transitioned in October. The goal is to have ILS and SLS transitioned over in November.

NBRC's dependency on Federal funding increased from 58 to 61 percent. The Medicaid Waiver Team assures NBRC receives the federal funding deserved.

As usual, NBRC's mission is to improve the lives of our clients.

LIAISON REPORTS

A. Association of Regional Center Agencies (ARCA) – Harry Matthews (10 minutes): ARCA met June 19-20.

- Bob and Harry attended the three day ARCA meeting in Southern California. There is a different culture now that Santi Rogers is the Director of the Department of Developmental Services. There appears to be more willingness to collaborate as Regional Centers.
- Early Start is now a part of the Regional Center budget.

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

- Bob extended kudos to Alisha Gutierrez, North Bay Regional Center's Dental Coordinator. She has been invited to participate on two work groups that Senator Steinberg has established. One is dealing with the issue of the insufficiency of MediCall rate. They are also analyzing the way services are coordinated as well as providing services in the least restrictive/intrusive manner.
- Bob also extended kudos to Karen Farnsworth for her interview with Sacramento Bee.
- Recent legislation established the Sacramento Medical Dental Advisory Committee. The Committee's charge is to resolve the dental inefficiencies not only in Sacramento County but also statewide. Bob attended their last meeting where Alisha urged people in their regions to improve dental services for our clients.
- A Self Determination bill was passed and signed into law. The Department will submit a Waiver request in late September 2014 to add Self Determination to the waiver. Following the approval and implementation process, approximately 2500 people statewide will be eligible to enter into the Self Determination program. Bob suggested a future presentation to the Board.
- Employment First Conference was held May 27th at NBRC. Vendor agencies, supported employment providers, the AIVB all collaborated with approximately 80 people in attendance.

GENERAL PUBLIC COMMENT: Karen Farnsworth noted that currently there is only one dentist in all of Northern California serving clients who require dental procedures while under general anesthesia. Karen also noted that she provides services to 12 young men with autism, 10 of which meet this criteria. This is the only time they get blood work done, flu shots, vaccines, x-rays, or any other medical procedures done. The Doctor traveling from hospital to hospital to provide these services has been virtually kicked out because of the lack of MediCal reimbursement. Kaiser in Vacaville and Sacramento, and Sutter in Sacramento are the only hospitals he is allowed to operate in. Dental work is extremely traumatic without anesthesia. There is a group of traveling anesthesiologists out of Los Angeles who are now going into dental offices to perform work under anesthesia due to the difficulty to find available operating room time in local hospitals. Karen urged everyone to contact local Legislators regarding this issue. Discussion followed.

GOOD OF THE ORDER – No Board meeting in August due to a scheduled Board Retreat. Micheline Justman thanked the Board for holding the Board meeting in the Santa Rosa office.

NEXT MEETING ANNOUNCEMENT – The next Board meeting is scheduled for September 3, 2014r in the Napa office at 5:00 p.m.

ADJOURNMENT – M/S/C (Phillips/Hansen) Move to adjourn the meeting at 7:21 p.m.

UNANIMOUS