

**North Bay Developmental Disabilities Services, Inc.
Board of Directors' Regular Business Meeting
Wednesday, October 2, 2013, 5:00 p.m.
Sonoma Developmental Center
15000 Arnold Drive, Eldridge, CA 95431**

MINUTES

NBRC BOARD MEMBERS PRESENT:

Walter Spicer
Franklin Phillips
Bill Hall, OADS Personal Assistant

Harry Matthews, Vice President/ARCA Rep
Margi Stern, Secretary
Joanne Tsai

NBRC BOARD MEMBERS ABSENT:

Barbara Power (Excused)

Rhonda Foster, (Excused)
Kelley Hanson, (Excused)

STAFF PRESENT:

Kathy Newman, Exec. Assistant
Courtney Singleton, Section Manager
Deanna Heibel, Section Manager
Kathy Graves, CPC
Richard Greenwood, CPC, SEIU
Ben Kaplan, CPC
Anna Hiser, CMS
Micheline Justman, CPC
Chad Graham, CPC
Chelsea Newton, CPC

Bob Hamilton, Executive Director
Dave Johnson, Chief Financial Officer
Thomas Maseda, Director of Administration
Michi Gates, Director Client Services
Diana Tucker, QA
Vivian Woll, CPC
JC Andrade, EIS
Kelly Weber, CMS
Ceile Cooke, CPC
Lynda Wheeler, CMS

GUESTS PRESENT:

Irene Rosario, SEIU
Lauren Meiklejohn, BI
Steve Westemeier, CBEM
Molly Dillon, PHA
Greg Marro, Parent
Martin Weil, AIVB
Dave Dutton, Casa Allegra

Bob Phillips, AIVB
Elizabeth Clary, OADS
Sherri Kimbell, CBEM
Karre Williams, CBEM
Kathleen Miller, PHA
Stan Higgins, Oaks of Hebron
Michael Arbios, Person Rec. Services

CALL TO ORDER – Harry Matthews, Vice President, called the meeting to order at 5:05 p.m. Roll was called and a quorum was present. Board and audience introduced themselves.

CONSIDERATION OF MINUTES

M/S/C (Spicer/Stern) Move that the minutes of September 4, 2013 regular business meeting be approved as submitted. **UNANIMOUS**

TREASURER'S REPORT

M/S/C (Stern/Spicer) Move that the Treasurer's Report for the period of August 1 - 31, 2013 be approved as submitted. **UNANIMOUS**

ANNOUNCEMENTS: Micheline Justman announced that Charlene Alvarez's husband Serapio "Big Mole" (of Alvarez Care Home) recently passed away. Micheline noted that the Alvarez Care Home is a wonderful care home. Charlene Alvarez started in a Nursing Home in the 1970s and progressed to a care home for people with developmental disabilities.

FEATURE PRESENTATION: Creating Behavioral and Educational Momentum (CBEM) Update – Sherri Kimbell, Program Director.

Harry Matthews and Kelly Weber introduced the CBEM and the presenters. NBRC contracted with CBEM November 1, 2012. Sherri outlined services provided in the last year.

CBEM served 136 individuals (66 Sonoma, 12 Napa, 58 Solano) in NBRC's three county catchment area last year. Critical Intervention Specialists take crisis calls. An individual's entire circle of support as well as the person in crisis is served.

ACTIVE – Referral to three months includes weekly face-to-face visits and phone calls. Three to six months includes monthly check-ins, face-to-face or via telephone. After six months the Purchase of Service (POS) expires. Once stability is achieved, transition to inactive. If the individual continues to be in crisis, the POS is extended.

Why change in case status?

- From active crisis to active only:
 - Successful stabilization
 - Goals achieved and CBEM monitoring stability
- From active to hold:
 - Circumstances precluding frequency of CBEM visits/support
 - Transitioned to other location such as a hospital, jail, or out of region
 - Goals not effectively identified or achieved due to barriers to progress.
- From active crisis only to close:
 - Maintained stability
 - CBEM services no longer needed as goals have been achieved
 - POS expired along with reported stability.
- CBEM Napa has responded to crises and served individuals in:
 - Family Homes
 - Adult Residential Facilities
 - Hospitals
 - Skilled Nursing Facilities
 - Schools
 - Group Homes
 - Day Programs
 - Day Programs
 - Police Departments/Jails
 - In the Community
- Direct client related services, i.e., 65 face to face; phone intervention; drop in clinics
- Original contract of 24 consumers baseline. Quickly moved to a much higher level of individuals served.
- Why change in case status
 - From active to active crisis only
 - Successful stabilization
 - Goals achieved and CBEM monitoring stability
 - From Active to Hold
 - Circumstances precluding frequency of CBEM visits/support
 - Transitioned to other location hospital jail out of region
 - Goals not effectively identified or achieved due to barriers to progress
 - From Active Crisis Only to Close
 - Maintained stability
 - CBEM services no longer needed. Goals achieved
 - POS expired along with reported stability.
- Common barriers to progress include:
 - Location such as jail, hospital, or out of region
 - Circle of support resisting CBEM services
 - Frequent cancellations in meeting with CBEM
 - Mental health/resource challenges
- Outreach
 - NBRC internal presentations
 - Police Departments
 - County Mental Health
 - Hospitals
 - Courts/Jails
 - Day Programs/Work Placements
 - Residential Placements (ARF, SNF, Group Homes)
 - Schools
 - Supported Living Agencies/Behavioral Agencies
- Nicole, Joshua, Randy, provided testimonials of how much CBEM has assisted them in stabilizing behaviors.
- Age range is from young to old! Large number living in family environments.
- Crises tend to occur during a time of transition, i.e., end of school year; Thanksgiving or Christmas break, any change in schedules. Friday night starts the weekend which also ends the structure of the week.
- Support all behavioral plans. When in crisis a client may hear information and process information differently.
- Assist clients transition out of acute settings i.e., Sonoma Developmental Center (SDC).

- Looking for collaborative partners in mental health who have an affinity for people with developmental disabilities.
- A Client Program Coordinator complimented CBEM for their services.

NEW BUSINESS

- A. CBEM Contract Renewal Approval – Michi noted that NBRC is very happy with the services that CBEM has provided this last year. Staff have provided positive feedback. CBEM has improved the value of many clients lives. Part of the presentation included testimonials from three clients one of which (Nicole) moved out of a placement that was approximately \$35K per month. Nicole is now living independently in the community and doing very well. Michi expressed happiness with Nicole's progress as she had very problematic behaviors. This is all due to the help provided by CBEM. Another client who consistently called the police yelling and screaming. Due to the help of CBEM staff time and stress for these individuals has been reduced significantly. The contract with CBEM includes outreach. The NBRC team meets periodically with CBEM staff to address service needs and outreach needs. As a result, NBRC is successful in developing new resources for clients.
- M/S/C (Spicer/Tsai) Move approval of the CBEM contract for another year. UNANIMOUS**

COMMITTEE REPORTS

- A. Executive Committee – Margi Stern proposed that Harry Matthews fill in as the interim Board President through June 30, 2013.
- M/S/C (Stern/Phillips/Tsai) Move approval that Harry Matthews serve as President through the end of the term 6/30/2013. UNANIMOUS**
- B. Vendor Advisory Committee (VAC) – Stan Higgins – Stan noted that the VAC and vendor community hosted a Vendor Faire on September 24th following the NBRC All Staff meeting. The vendors were very pleased with the attendance of NBRC staff/CPCs. Very positive feedback.
- It was noted that the VAC report and minutes are available for review in the October Board packet.
- C. Nominating Committee – Walt Spicer – When the Board met in August at the Annual Retreat, the feature presenter, Judith Enright, Attorney at Law, directed the Board to hold off on any Board changes until the Bylaws have been updated to reflect new trailer bill language. Other changes will include adjustment of the required number of Board members from each County. Until then the interviews and applications for Board membership are on hold. Board members requested this item be "high priority" for the November Board meeting. It was suggested the Board hold an Executive Committee meeting to discuss this issue.

EXECUTIVE DIRECTOR'S REPORT

Bob Hamilton, Executive Directors Report:

- Bob thanked the VAC for hosting the Vendor Faire following the NBRC all staff meeting on September 24th. Bob thanked Stan Higgins of Oaks of Hebron and requested he extend his gratitude to the VAC.
- NBRC has been chosen by the Department to select a child between the ages of 5-9 to participate in the 81st Capitol Christmas Tree Lighting Ceremony in December. The child needs to have received Early Start Services and continues to receive Regional Center services. The child needs to be higher functioning, i.e., able to go up and down stairs without assistance, able to tolerate the lights and crowds, and able to follow directions to help the Governor light the Christmas tree and hang the ornament. The parents must be able to pass security check be reliable and responsive to requests for the required information and releases. The Department feels we are a worthy Center and will be able to represent them well. The family has the opportunity to have dinner with the Governor.
- Bob noted that he briefed NBRC staff and the VAC on a few legislative bills that ARCA supports. The Governor must sign or veto by October 13. There is an option to email the Governor on the State website under pending legislation. Bob encouraged everyone to email the Governor.
 - AB1041 (Chesbro) Employment First Policy. ARCA supports.
 - SB126 (Steinberg) Health Care Coverage for Autism Spectrum. This bill will require more specificity and penalties for insurance companies for not providing coverage.
 - SB391 (DeSaulnier) California Homes and Job Act 2013. This bill will deposit a \$75 fee for every real estate transaction into a fund for low income housing. Senator Steinberg. This bill is in suspense and will come back next year.
 - SB579 (Barryhill) Commission for Oversight Efficiency and Enhancement. This bill would require oversight that is currently required of the Regional Center and Community Care Licensing to be streamlined to perhaps one agency. This would require vendors to answer to one agency versus multiple agencies. Currently there is a two year taskforce in place to identify a process and the actual protocol next year. Stan Higgins estimated Fiscal Year 2015 for implementation.
 - SB468 (Emmerson) Self Determination Program. This bill would require the department, to establish and implement a state Self-Determination Program that would provide participants and their families, within an

individual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their IPP. The statewide program would be phased in over five years, initially serving up to 2,500 regional center consumers, and thereafter would be available on a voluntary basis to all regional center consumers.

- “Friends of North Bay Regional Center” is a newly developed 501(c)(3) foundation with former NBRC Board members serving as the Board of Directors, i.e., Walt Hampe, Matt Bloom, and Pete Sanchez. They are in the process of sending out contact information regarding the foundation. The purpose of “Friends” is to fund gaps in client services that currently exist.

Michi Gates, Director of Client Services:

- Michi thanked the Board for approving renewal of the CBEM contract.
- NBRC received approval from the Department for the Community Placement Plan. DDS approved almost all projects requested on behalf of difficult to serve clients. They also provided funding for an additional resource developer.
- Michi called attention to a success story (on page 15 of the Board packet) regarding a young man named JT who had severe behavioral issues at school and home. Due to the continued assistance of his case manager, Becky Erickson and JT’s circle of support, he is doing extremely well now. Thank you Becky!!

Dave Johnson, Financial Report: - Dave noted NBRC’s dashboard for the two months ending August 31, 2013.

The Purchase of Service (POS) section of the dashboard reflects expenditures for the first two months of the fiscal year which represents 17% of NBRC’s fiscal year. POS expenditures are currently 19% of the allocation through the E-2. Based on the September POS forecast NBRC will overspend its POS allocation through E-2. We are anticipating additional funds will be allocated by DDS in the future to make up this shortage. For the first time at NBRC Supported Living Services (+11%) spending is forecasted to exceed Community Care Facilities (-4%).

NBRC’s last fiscal year, 2012/13, POS expenditures were \$133 million vs. \$124 million during 2011/12, a 7.2% increase (of which 3% represents the restoration of prior budget cuts). NBRC has overspent its allocation through the D-5. That means NBRC has paid vendors even though NBRC does not have the budget authority from DDS to do so. We are anticipating additional funds will be allocated by DDS in the future to make up this shortage but will not be able to process any additional claims from 2012/13 until NBRC receives the additional budget authority we are seeking.

On the Operations side, NBRC’s allocation through the E-2 is \$16,663,560 for 2013/14 vs. \$16,472,681 for 2012/13, (a 1% increase). As you can see on the dashboard NBRC just received the E-2 allocation which reduced the Ops budget by \$78,456. NBRC is waiting for the CPP operations allocation before we can finish our operations budget for 2013/14. Discussion followed.

LIAISON REPORTS

- A. Association of Regional Center Agencies (ARCA) – Harry Matthews (10 minutes): Harry noted that Bob previously covered the legislative bills that will go before the Governor for signing or veto by October 13th. By November Board meeting there will be a more detailed report. All Regional Centers are supporting these bills, most of which come with an unfunded mandate. Legislature is mandating services with no resources or money to do them.
- B. Area IV Board – Bob Phillips, Executive Director (10 minutes):
- How will the Affordable Care Act (ACA) affect people with intellectual and developmental disabilities? ACA includes a core set of benefits.
 - Health plans can not discriminate on who they enroll.
 - Pre-existing condition exclusions are banned.
 - Health plans will not be able to impose limits on how much money can be spent on a patient.
 - People can not be dropped from coverage.
 - Stops health plans from imposing limits on the amount of money a health plan will pay for health care annually and lifetime for an individual.
 - Stops health care plans from charging higher rates due to their health status.
 - Children can stay on their parents health plan until age 26.
 - Eliminates co-pays for preventive services.
 - Creates health insurance exchanges for individuals and small employers to purchase insurance.
 - The exchanges will provide subsidies to assist low income individuals purchase covers.
 - The exchanges must ensure that all plans include the 10 essential benefits.

- Plans must offer varying levels of coverage between 60% and 90% of the cost of coverage (four categories of plans; platinum, gold, silver, bronze with a sliding scale between what the individual pays for the plan and their deductible. The cheaper the plan, the higher the deductible.
- Requires US citizens and legal residents to have health coverage. Imposes a tax penalty which is annually the greater of either \$95 or 1% of taxable income in 2014. The penalty rises each year to \$695 or 2.5% in 2017.
- Provides cost sharing subsidies to eligible low and middle income individuals and families.
- Provides credits to eligible individuals and families with incomes between 100% and 400% of the federal poverty level towards the cost of insurance plan.
- Ensures all plans have ten essential benefits:
 - Hospitalization
 - Emergency services
 - Outpatient services
 - Prescription drugs
 - Rehabilitative and habilitative services and devices
 - Mental health and substance abuse services, including behavioral health treatment
 - Pediatric services, including dental and vision care
 - Laboratory services
 - Maternity and newborn care
- Many people with intellectual and developmental disabilities will benefit from the inclusion of habilitative and rehabilitative services and devices as well as mental health and behavioral health treatment. There is debate what these terms mean. Habilitative services are “health care services that help a person keep, learn, or improve skills and functioning for daily living...” Rehabilitative services refers to regaining skills that have been lost, or improving or preventing deterioration of skills.
- Expands Medicaid to 138% of the federal poverty level. In California this expansion is expected to add about 1.4 million persons as newly eligible for MediCal. 135% of the federal poverty level is about \$15,800 for an individual and \$32,500 for a family of four. Medicaid expansion is optional for states.
- If one wishes to contact the Governor to voice support of SB468, or AB1041, the Governor’s phone number is (916) 445 2841.
- Bob requested a copy of the letter ARCA wrote to the Governor regarding SB 468.
- The Regional Self-Advocacy meeting will be held Friday October 18 10:00 a.m. to 1:00 p.m. at Solano County Office of Education. Assembly Mariko Yamada will be the guest speaker.

GENERAL PUBLIC COMMENT:

- Kathleen Miller is the President of the Parent Hospital Association at Sonoma Developmental Center (SDC). She appealed to the NBRC Board of Directors to maintain a Board position for an SDC parent in order to assure the lines of communication remain opened as well as assure a bright future for Developmental Center residents. She noted that this is a critical time for SDC and that there is a taskforce reviewing a timeline for closure or restructure of SDC. The residents at SDC are behaviorally challenging and dual diagnosed and are difficult to care for thus it is imperative for SDC and NBRC to collaborate. SDC needs to have a voice and implement a plan for the residents.
- Greg Morro is a father of two adult daughters 21 and 26 years of age who receive services from NBRC. He recommended expanding membership on the NBRC Board to include a family member advocate. Mr. Morro also noted a lack of communication to guardians/parents of clients receiving services, suggesting a bi-monthly newsletter. Mr. Morro outlined his professional expertise and offered his assistance to the Board and Management in an attempt to resolve Labor Negotiations and high caseload ratios. Mr. Morro suggested ongoing monthly meetings before there is a disruption in services.
- The Union and some employees made presentations regarding bargaining issues.
 - Richard Greenwood, Client Program Coordinator and Union Chapter President
 - Vivian Woll, Client Program Coordinator
 - Irene Rosario, SEIU Representative
 - Micheline Justman, Client Program Coordinator
 - Kathy Graves, Client Program Coordinator
 - JC Andrade, Early Intervention Specialist
 - Ceile Cooke, Client Program Coordinator

GOOD OF THE ORDER – Bob reminded the Board of the quarterly ARCA meeting on October 16 – 18 in Los Angeles. It was suggested that a Board Executive Committee meeting be scheduled on Wednesday October 23 at 5:00 p.m. via conference call.

NEXT MEETING ANNOUNCEMENT – The next Board meeting is a Regular Business Meeting scheduled for November 6, 2013 at North Bay Regional Center, Napa Office at 5:00 p.m.

ADJOURNMENT – M/S/C (Phillips/Spicer) Move to adjourn the meeting at 7:22 p.m. UNANIMOUS