

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

Promoting Opportunities Supporting Choices

# **MEETING NOTICE**

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

DATE: November 6, 2019

**TIME**: 6:00 pm

**PLACE:** Solano County Office of Education

5100 Business Center Drive

Fairfield, CA 94534

# **Agenda Enclosed**

# **Board Related Meetings:**

- The next meeting of the Vendor Advisory Committee will be November 12, 2019, at North Bay Regional Center (NBRC) Napa from 10:00 am 12:00 pm.
- The next Legislative Advisory Committee meeting will be on November 26, 2019 at NBRC Napa from 10:00 am – 11:30 am.

**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 (707) 256 1224 for further information or to request any disability-related modifications or accommodations.

# North Bay Developmental Disabilities Services, Inc. Board of Directors' Board Meeting Wednesday, November 6, 2019, 6:00 p.m. Solano County Office of Education 5100 Business Center Drive, Fairfield, CA 94534

- I. <u>CALL TO ORDER</u> Angel Hixson, President
- II. ROLL CALL AND INTRODUCTIONS Angel Hixson, President (3 min)
- III. <u>CONSIDERATION OF MINUTES</u> Regular Business Meeting Minutes from the October 2, 2019 Board Meeting be approved as submitted. (2 min) (Pgs.1-5) ACTION
- IV. <u>GENERAL PUBLIC COMMENT</u> Sign-up sheet (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- V. <u>FEATURE PRESENTATION</u>

Kincade Fire/Public Safety Power Shutoff (PSPS) Update – Thomas Maseda, Director of Administrative Services (30 min) INFO

VI. <u>CONTRACTS OVER \$250,000</u> – Courtney Singleton, Director of Community Services (10 min) (Pgs. 6-7) ACTION

- VII. <u>TREASURER'S REPORT</u> Rosemarie Pérez, Treasurer (5 min)
  - A. Treasurer's Report be approved as submitted

(Pgs. 8-9) ACTION (Pg. 10) ACTION

VIII. COMMITTEE REPORTS

B. E-4 Contract

- A. Nominating Committee Angel Hixson, President (5 min)
  - a. Proposed Slated Board Member:
    - i. Andrea Bednarova (to serve November 2019 October 2022) (Pg. 12) ACTION
- B. Vendor Advisory Committee Ali Tabatabai, VAC Representative (3 min) (Pgs. 13-17) INFO
- IX. <u>DIRECTOR'S REPORT</u> Gabriel Rogin, Executive Director (10 min) INFO A. 2020 Board Meeting Schedule (pg. 9)
- X. GOOD OF THE ORDER Any other Board business may be brought up at this time.
- XI. <u>GENERAL PUBLIC COMMENT</u> Sign-up sheet (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- XII. CLOSED SESSION

**Executive Director Performance Evaluation** 

- XIII. RETURN TO OPEN SESSION
- XIV. <u>ADJOURNMENT</u>

<u>CLOSED SESSION</u> – 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 December 4, 2019, 6:00 p.m. at North Bay Regional Center, 610 Airpark Road, Napa, CA 94558.

# North Bay Developmental Disabilities Services, Inc. Board of Directors' Regular Business Meeting North Bay Regional Center 2351 Mendocino Avenue, Santa Rosa, CA 95403 October 2, 2019, 6:00 pm

#### **MINUTES**

# **NBRC BOARD MEMBERS PRESENT:**

Angel Hixson, President
Ali Tabatabai, VAC Representative
Lynette Stagner, Solano County
Franklin Phillips, Sonoma County

Rosemarie Pérez, Treasurer Sara Speck, Solano County Alexis Jarreau, Solano County Abel Moya, Sonoma County

#### NBRC BOARD MEMBERS ABSENT:

Jose Ayala, Napa County Rita Edmonds-Norris, Secretary Jeremy Johnson, Vice President

#### **STAFF PRESENT:**

Gabriel Rogin, Executive Director Beth Dewitt, Director of Client Services Michelline Justman, Service Coordinator Denise Denington, Service Coordinator Robyn Wilson, Service Coordinator Claudia Ritchie, Case Management Supervisor Danielle Bernardo, Executive Assistant Ashley McConnell, Case Management Supervisor Isabel Calder, Chief Financial Officer January Crane, Federal Revenue Department Manager Ana Horta, Senior Companion Program Specialist Katy Vanzant, Internal Quality Monitor

### **GUESTS PRESENT:**

Linda Plourde, Bayberry, Inc.
Jerry Corradi, United Cerebral Palsy North Bay
Paula Finley, Becoming Independent
Kathleen Miller, Family Advocates United, Parent
Flora Horwinski, Parent
Cindy Cahill, Family Advocates United, Founder of
Special Needs Prom, Parent

Alma Janssen, DDS Hue Truong, Truong Accounting Services, Sister Tobias Weare, State Council on Developmental Disabilities Len Carlson, Oaks of Hebron

# **CALL TO ORDER -**

Angel Hixson, President, called the regular business meeting to order at 6:01 p.m. and noted there are Spanish translation services available via headphones. The Board is making this a priority and would like to have Spanish translation services available at every Board meeting in the future.

# **CONSIDERATION OF MINUTES -**

M/S/C (Phillips/Speck) Move that the minutes of the September 4, 2019 regular business meeting be approved as submitted.

UNANIMOUS

## **GENERAL PUBLIC COMMENT -**

Tobias Weare, State Council on Developmental Disabilities, SCDD shared information about two upcoming events.

- October 24, 2019, 6<sup>th</sup> Annual Hiring Breakfast at Napa Valley College from 7:30 am 10:00 am.
- October 9, 2019, Job Fair at American Canyon High School that is open to everyone from 3:30 pm -4:30 pm.

Kathleen Miller, Family Advocates United noted she is very concerned about the PG&E power outages and would like more information from the Regional Center.

#### Page 2

Cindy Cahill, Family Advocates United asked the Regional Center to help find out what the emergency plan is for her son's group home. She noted they do not have a generator. She also noted the Santa Rosa Community Health Advisory Board is voicing concerns, now that it is fire season.

> Gabriel Rogin, Executive Director noted that NBRC is communicating with vendors about the need for emergency planning and will add power outages to a future Board Meeting agenda.

*Michelline Justman, Service Coordinator* thanked the Board for continuing to hold Board Meetings in Santa Rosa. The Santa Rosa staff appreciates it.

Flora Horwinski, Parent, noted her son is currently out of state and planning to return to California. She would like more information to find out what the proper channels are.

Before moving on to the next agenda item, *Angel Hixson, Board President* asked the audience to hold their questions during the presentations. If there are questions at the end of each presentation, the Board will decide whether there is enough time to address them tonight or if there needs to be follow up after the meeting.

#### PERFORMANCE CONTRACT -

January Crane, Federal Revenue Department Manager brought the Performance Contract back for a vote. The Performance Contract was also presented at the September Board meeting. The Performance Contract can be found in the October 2, 2019 board packet.

M/S/C (Speck/Jarreau) Move to approve the 2020 Performance Contract.

The motion passed with Hixson, Pérez, Tabatabai, Stagner, Moya, Speck and Jarreau voting in favor.

APPROVED

Phillips ABSTAINED

Rosemarie Pérez, Treasurer thanked January for the follow up she has done with the Performance Contract.

## **FEATURE PRESENTATION –**

**Trailer Bill Language** – (*Pgs. 17-40 of the October 2, 2019 Board Packet for reference*) *Gabriel Rogin, Executive Director* noted the following; Trailer bills are measures that accompany the annual state budget – making the necessary changes of law to implement the budget's fiscal policies. There are 26 new requirements in the Trailer Bill Language.

Gabriel divided them up into three categories – 1) DDS' responsibility 2) Pending 3) NBRC is implementing now.

## DDS' Responsibility

- Safety Net Plan Update (pg. 38)
- Report to the Legislature on indicators to track the delivery of services (pgs. 38 & 39)
- System Reform Stakeholder Meetings (pg. 39)
- Quarterly Briefings to the Legislature (pg. 40)

## Pendina

- Standardized Information Packets (pg. 18)
- Regional Center Policies, Guidelines and Assessment Tools (pg. 20)
- Protection and Advocacy Agency and Clients' Rights Advocate Internet Website Links (pg. 21)
- Section 4731 Consumers' Rights Complaints and Fair Hearing Requests (pg. 21)
- Performance Dashboards (pg. 22)
- Service Provider Corrective Action Plans and Sanctions (pg. 25)
- Specialized Caseload Ratio (pg. 26)
- Home and Community-Based Services Final Rule Compliance Data (pg. 27)
- Service Provider Rate Increases (pg. 28)
- Community Crisis Homes (pg. 29)
- Institutions for Mental Disease (pg. 31)

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# **NBRC** Implementing

\*Added to our additional workload.

- Copayments, Coinsurance and Deductibles for Early Start Consumers (pg. 18)
- Individual Program Plan List of Agree-upon Services and Supports (pg. 19)
- Public Meetings on Performance Contract Objectives and Outcomes (pg. 22)
- National Core Indicators Data and Public Meetings (pg. 23)
- Regional Center Board of Directors Composition, Attorneys and Meetings with the Department (pg. 24)
- Department Directives to Regional Centers (pg. 25)
- Uniform Holiday Schedule Suspension (pg. 25-26)
- Developmental Center and Community Facility Admissions (pg. 34)
- Notification to the Clients' Rights Advocate (pg. 38)

# TREASURER'S REPORT - Rosemarie Pérez, Treasurer

# A. Treasurer's Report be approved as submitted

A summary of the Treasurers Report can be found on pages 41 and 42 of the October 2, 2019 Board Packet.

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

**B.** A-1 Contract – (see attached)

Rosemarie Pérez, Treasurer noted we have received the A-1 contract amendment. The A-1 has an Operations total of \$21,419,785. The Purchase of Service budget has increased to \$241,289,239. The A-1 amendment did not include the Community Placement Plan funding. Staff anticipate the E-4 Contract to be arriving sometime in the near future.

M/S/C (Speck/Phillips) Move that the A-1 contract for \$262,709,144 be approved as submitted.

### **COMMITTEE REPORTS -**

- A. Executive Committee Angel Hixson, President
  - a. Doug Cleveland Board Opportunity Fund Procedure Update

    Angel Hixson, President, acknowledged this sensitive topic and that it may be uncomfortable to hear. She offered those who did not want to be a part of the conversation to leave the room.
    - Franklin Phillips recused himself.

Gabriel Rogin, Executive Director briefly summarized the purpose of the Doug Cleveland Board Opportunity Fund and suggested the following revisions:

- Remove the word "opportunities" as that does not reflect a crisis situation.
- Remove funeral expenses and other related benefits.
- Add a requirement for receipts, as needed.
- Limit ongoing requests to two months approval at a time.
- Rosemarie Pérez, Treasurer noted it does not say we cannot pay for specific things and doesn't prohibit the funding for funerals, but it does say it has to be a crisis situation.
- > Abel Moya, Sonoma County noted some concerns he had with these revisions.
- Angel Hixson, Board President noted the Executive Committee has previously discussed this and decided to focus only on crisis situations. However, the Board will continue to explore fundraising options in order to broaden the criteria for future Board Fund requests.

M/S/C (Pérez/Speck) move to approve the Doug Cleveland Board Opportunity Fund Update as submitted.

# The motion passed with Hixson, Pérez, Tabatabai, Stagner, Moya, and Speck voting in favor. APPROVED Phillips and Jarreau ABSTAINED

Franklin Phillips returned to the room.

# B. Nominating Committee - Angel Hixson, President

# a. Proposed Slated Board Member:

• Hue Truong (to serve October 2019 – September 2022)

The Nominating Committee presented Hue Truong at the September 4, 2019 Board meeting and presented her tonight for approval. If approved by the board, she will serve a three year term beginning October 2019. Ms. Truong's bio can be found on page 47. Before voting, Angel Hixson asked Ms. Truong to say a few words about why she is interested in serving on the board of North Bay Regional Center.

- Hue Truong thanked the Board for the opportunity and would like to add value and looks forward to serving on the Board if approved.
- Angel Hixson, President, asked the candidate to leave the room at 7:49 pm. There was discussion prior to voting.

M/S/C (Speck/Moya) Move that Hue Truong be seated on the Board. UNANIMOUS

- ❖ The candidate was invited back into the room at 7:51 pm.
- Angel Hixson, President, informed Ms. Truong that she has been voted on to the Board of Directors.

#### Andrea Bednarova

*Gabriel Rogin, Executive Director* read Andrea's bio on page 48 of the October 2, 2019 Board packet. The candidate will be brought back in November for the Board to vote.

- Angel Hixson, President, invited Andrea to say a few words about why should would like to serve on the Board.
- Andrea Bednarova noted the following, she is from the Czech Republic. It is a real privilege to be here. Lawyers are so busy focusing on law and don't often have time to pause. She was introduced to a world serving people with Developmental Disabilities and she feels it is a good fit for her and the board.

# C. Vendor Advisory Committee -

Ali Tabatabai, VAC Representative recapped the Vendor Adivsory Committee meeting from September 10, 2019. The VAC minutes can be found on pages of the October 2, 2019 packet. Ali noted there is a big push to get the Direct Service Provider Standard Occupational Classification recognized.

# D. Legislative Advisory Committee -

Ali Tabatabai, VAC Representative recapped the Legislative Advisory Committee and noted the following;

- Senator Hassan's office has created draft legislation to compel the Bureau of Labor Statistics to create a Direct Support Professional (DSP) Standard Occupational Classification (SOC) in order to professionalize the workforce.
- Mary Eble from North Bay Housing Coalition reviewed the following housing legislation -SB330, AB1482, SB329, SB13, SB5.
- Department of Developmental Services requested applications from those interested in serving on this DS Task Force. The prior membership has been dismantled and a new task force is being established. The purpose of the DS Task Force is to look at ways to strengthen community services for people with developmental disabilities. Due to the large number of

applicants (210), DDS is taking the month of October to decide who will serve on the task force and/or on one or more of its committees.

- The following legislators/legislative offices shadowed DSPs during August and September:
  - Congressman Mike Thompson visited Bayberry, Inc.
  - Sydney Lewis from Senator Kamala Harris' Office visited Lynn and Darla Supported Living Agency.
  - Abby Ellis from Senator Diane Feinstein's Office visited UCP of the North Bay.

# E. Client Advisory Committee -

Franklin Phillips, CAC Chairperson recapped the last CAC meeting in Napa. There were 43 attendees. During the CAC meeting Courtney Singleton presented on Housing and Section 8. Ivan Arce and Katy Vanzant from the employment taskforce discussed steps to prepare for employment opportunities. It was a very interactive meeting.

# **EXECUTIVE DIRECTOR'S REPORT -**

Gabriel Rogin, Executive Director noted the following;

- Caseload sizes continue to be an issue. We still do not have clarity on our operations budget, which doesn't allow us to plan for growth.
- The Self-Determination Advisory Committee had a productive meeting. Liz Harrell from DDS presented. The committee is prioritizing getting information out to individuals and families.
  - In addition, some families have dropped out and DDS is developing a new list of participants. ARCA recommends that they prioritize siblings of those already in the program.
- Gabriel thanked everyone for participating in the Employment Summit for Day Services and employment providers.
- There was a joint meeting with PHA members and Assembly Member Mike Levine's office to discuss increasing access to dental services.
- The Housing Committee is working on a housing road map. There will be a separate meeting in January for the Board.

# GOOD OF THE ORDER - N/A

## **GENERAL PUBLIC COMMENT -**

Cindy Cahill, Family Advocates United, Special Needs Prom, Parent had a question about the restraint policy in the new Trailer Bill Language. She also asked about Brilliant Corners and getting a hold of them to make a complaint.

Gabriel Rogin, Executive Director responded noting that the Trailer Bill Language is still pending and the Department will provide further guidance. Gabriel also noted the Regional Center will follow up with Brilliant Corners' information.

**ADJOURNMENT** – Angel Hixson, President adjourned the regular business meeting at 8:20 pm.



Date submitted to NBRC Board for review

Date approved by NBRC Board Executive Committee (if applicable)

Date approved by NBRC Board

10/02/2019
N/A
10/02/2019

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	Consumers	Contractor Name	Term of	Total	Approved	M/S/C
Contract	Served	(if applicable)	Contract	Contract		
				Amount		
Contract		Department of Developmental	7/1/2019	\$262,709,114	Yes	(Speck/Phillips)
Amendment		Services A-1 Amendment	Thru			
FY 19/20			6/30/2026			

# Contracts over \$250,000 - NBRC Board of Director's Contract Descriptions - November 6, 2019

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Rate of Reimbursement
Enhanced Behavioral Supports Home-Children (New)	4	Pleiades House	11/20/19 (or upon vendorization, whichever is first)-Until Canceled	\$828,000/Total Annual Contract \$69,000/per month

This Enhanced Behavioral Home (EBSH) was developed to serve children who cannot be served in any other setting, due to the intensity of their behavioral needs. Each EBSH serves four individuals with intense behavioral needs. All staff in the home must be Licensed Psychiatric Technicians or Registered Behavior Technicians. The EBSH contract is governed by California Code of Regulations Title 17 sections §59057 through §59059. The facility budget is approved by NBRC and certified by The Department of Developmental Services. This contract is for the facility costs for the EBSH. When the first individual moves into the home, the facility cost is paid to the EBSH vendor. The below items are covered in the facility cost per month:

Rent for the property 168 hours a week of Lead Staff (salary, benefits & taxes) 40 hours a week of the home Administrator Board Certified Behavior Analyst supervision Property Taxes Insurance Phone Repairs Internet/Cable Utilities Transportation

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Rate of Reimbursement
Specialized Residential Facility-	4	Providence Residential	11/7/19-Until Canceled	\$671,454/Total Annual
Residential Care Facility Elderly		Care		Contract
(New)				\$55,954.5/per month

# **Summary:**

Providence is designed for individuals ages 60+ who may have dementia, nursing needs, and/or display some maladaptive behaviors. They are licensed with a hospice waiver, allowing the residents to stay at the facility while on hospice. This home can accommodate 4 non-ambulatory individuals who rely on wheelchairs for mobility. Each individual will have a private bedroom and wheelchair accessibility throughout the house and the backyard. Providence will provide at minimum 336 direct staffing hours per week, which includes 8 hours per day of a lead Licensed Vocational Nurse staff. Providence will provide at minimum 4 hours a month of consultation per individual. A Registered Nurse consultant provides nursing support, and a psychologist consultant provides behavior management support. Depending on clients' needs, other consultants may include Physical Therapist, Occupational Therapist, and/or a Nutritionist.

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Rate of Reimbursement
Enhanced Behavioral Support Home-Facility Costs	4	Behavioral Analysis Technologies, Inc. (BAT)-	12/1/19-until canceled	\$586,163.52- Total Annual Contract
(Renewal)		HN0435		\$48,846.96/per month

# **Summary:**

The Enhanced Behavioral Home (EBSH) was developed to serve individuals who could not be served in any other setting, due to behavior needs. This EBSH serves four individuals that have moved from Sonoma Developmental Center. All staff in the home must be Licensed Psychiatric Technicians or Registered Behavior Technicians. The EBSH contract is governed by California Code of Regulations Title 17 sections §59057 through §59059. The facility budget is approved by NBRC and certified by The Department of Developmental Services. BAT has two Psychiatric Technicians through the California State Staff Program working at this home. This contract is for the facility costs for the EBSH. When the first individual moves into the home, the facility cost is paid to the EBSH vendor. The below items are covered in the facility cost per month:

Rent for the property 168 hours a week of Lead Staff (salary, benefits & taxes) 40 hours a week of the home Administrator Board Certified Behavior Analyst supervision Property Taxes

Phone Repairs Internet/Cable Utilities Transportation

Insurance

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Rate of Reimbursement
Enhanced Behavioral Supports Home-Facility Costs (Renewal)	4	Elwyn California HN0467	7/1/19-Until canceled (Retroactive)	\$852,060/Annual Contract \$71,005/per month

# **Summary:**

The Enhanced Behavioral Home (EBSH) was developed to serve individuals who could not be served in any other setting, due to behavior needs. This EBSH serves four individuals that have moved from Sonoma Developmental Center. All staff in the home must be Licensed Psychiatric Technicians or Registered Behavior Technicians. The EBSH contract is governed by California Code of Regulations Title 17 sections 59057 through 59059. The facility cost is approved by NBRC and certified by The Department of Developmental Services. This contract is for the facility costs for the EBSH. The majority of Elwyn, CA's staff are from the California State Staff Program and were previously staff at Sonoma Developmental Center. They remain employed by The State of California through this program. This increases the facility cost. The below items are covered in the facility cost of \$71,005 per month:

Rent for the property 168 hours a week of Lead Staff (salary, benefits & taxes) 40 hours a week of the home Administrator Board Certified Behavior Analyst supervision

Property Taxes

Insurance
Phone
Repairs
Internet/Cable
Utilities
Transportation

# **Board Meeting Locations 2020** 6:00 pm - 8:00 pm

January 8	Board Training Housing and	d Cultural Competence (Time TBD)
February 5	Regular Business Meeting	Napa
March 4	Regular Business Meeting	Santa Rosa
April 1	Regular Business Meeting	Napa
May 6	Regular Business Meeting	Solano County Office of Education
June 3	Annual Board Meeting	Napa
July 8	Regular Business Meeting	Santa Rosa
August 5*	All-day	Board Retreat
September 2	Regular Business Meeting	Solano County Office of Education
October 7	Regular Business Meeting	Napa
November 4	Regular Business Meeting	Santa Rosa
December 2	Regular Business Meeting	Solano County Office of Education

<sup>\*</sup>Board Retreat in August



# North Bay Regional Center Doug Cleveland Board Opportunity Fund November 2019 Board Meeting

In the month of September 2019, NBRC's Doug Cleveland Board Opportunity Fund received donations in the amount of \$291.98. The bank fees, interest, and account credits for the savings account came to a net of \$1.22. As of September 30, 2019, the savings account balance was \$49,743.64.

There was one award issued from the checking account in the amount of \$500 during the month of September. The ending register balance of the Doug Cleveland Board Opportunity Fund checking account was **\$11,614.27** as of September 30, 2019. There was a total of \$41.00 in bank fees this month which included a stop payment fee.

NBRC is working with a bank to establish a new account that will eliminate the current bank fees. Staff will provide an update at the next board meeting.

**Ops Expenditures** 3 months 30%

# **North Bay Regional Center CFO Board Report**

As of September 30, 2019

POS Expenditures 3 months 26%

<b>OPERATIONS</b>			<b>Total Ops Allocation:</b>	\$	21,419,785
Total General Ops Contract: General Ops Amount Available	20,867,684 14,456,534	СРР	Total CPP Contract: Contract Amount Available:	•	-
					Total YTD
Operations Expense (OPS)	YTD Actual	% by category	Forecast*		Actual + Forecast
Personnel	\$ 3,711,236	57.9%		\$	3,711,236
Benefits	\$ 1,869,365	29.2%		\$	1,869,365
Facilities	\$ 543,568	8.5%		\$	543,568
Equipment	\$ 126,430	2.0%		\$	126,430
Communications	\$ 31,892	0.5%		\$	31,892
Mileage	\$ 78,457	1.2%		\$	78,457
Legal	\$ 1,953	0.0%		\$	1,953
General Office	\$ 42,588	0.7%		\$	42,588
Consultants	\$ 55,331	0.9%		\$	55,331
Bank Fee and LOC	\$ 1,931	0.0%		\$	1,931
Other Expenses	\$ 5,361	0.1%		\$	5,361
Revenue	\$ (56,962)	-0.9%		\$	(56,962)
Sub-Total General Operations					
Expense	\$ 6,411,150		\$ -	\$	6,411,150
Community Placement Plan (CPP)	-	0.0%	\$ -	\$	-
Sub-Total CPP Operations Expense	-		\$ -	\$	-
Total Operations Expenses	6,411,150	100%	\$ -	\$	6,411,150

GRANT INFORMATION								
		YTD Actual				Forecast*		Actual + Forcast
Mental Health Services Fund - Grant								
\$212,192.00	\$	46,611			\$	165,581	\$	212,192
Senior Companion Program - Grant								
\$339,909.00	\$	56,513			\$	283,396	\$	339,909
Sub-Total Grant Expense	\$	103,124	\$	-	\$	448,977	\$	552,101

<b>PURCHASE OF SERVI</b>	S		Tota	al POS Allocation	\$	241,289,329	
Total POS Contract: POS Contract Amount Available:		241,289,329.00 177,843,470.00	СРГ	• Contra	Total CPP Contract	_	-
			%				Total YTD
Purchase of Services (POS)		YTD Actual	YTD Total		Forecast*		Actual + Forecast*
Community Care Facilities	\$	19,655,224	31.0%	\$	-	\$	19,655,224
Supported Living Services	\$	14,898,109	23.5%	\$	-	\$	14,898,109
Day Programs	\$	10,962,012	17.3%	\$	-	\$	10,962,012
Behavioral Services	\$	8,071,321	12.7%	\$	-	\$	8,071,321
Other	\$	4,249,342	6.7%	\$	-	\$	4,249,342
Transportation	\$	3,648,447	5.8%	\$	-	\$	3,648,447
Respite	\$	1,493,876	2.4%	\$	-	\$	1,493,876
Medical Services	\$	466,901	0.7%	\$	-	\$	466,901
Total NON-CPP POS services	\$	63,445,232		\$	-	\$	63,445,232
Community Placement Plan (CPP)	\$	627	0.0%	\$	-	\$	627
TOTAL POS AND CPP EXPENSES	\$	63,445,859	100.0%	\$	-	\$	63,445,859

<sup>\*</sup>This budget reflects through the A-1 amendment.

**Total Regional Center Budget\*:** 



Date submitted to NBRC Board for review	11/06/2019	Operations 🗵
Date approved by NBRC Board Executive Committee (if applicable)	N/A	Purchase of Service ⊠
Date approved by NBRC Board		

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	Consumers	Contractor Name	Term of	Total Contract	Notes
	Served	(if applicable)	Contract	Amount	
Increase for FY 18/19		Department of Developmental Services	7/1/2014	\$262,174,284	FY 18/19 E-4
DDS contract			Thru		OPS (\$111,796) –
			6/30/2021		Deallocation of CPP unfilled
					positions
					POS <b>\$7,169,854</b> –
					\$4,217,546 General POS
					\$2,952,308 SDC



610 Airpark Rd, Napa, CA 94558 Phone: (707) 256-1100 • TTY (707) 252-0213

www.nbrc.net

2351 Mendocino Ave, Santa Rosa, CA 95403 Phone: (707) 569-2000 • TTY (707) 525-1239

Proposed Slated Board Member:

Andrea Bednarova (ACTION)

Andrea Bednarova is an Attorney in the Labor & Employment Group of Seyfarth Shaw LLP's San Francisco office.

Andrea represents clients in all aspects of labor and employment litigation matters, as well as in administrative proceedings before California and Federal agencies. Her litigation practice focuses primarily on representing clients in the health care field. She has extensive experience working with organizations who serve people with Developmental and Intellectual Disabilities. Andrea also advises a broad variety of clients, including small local businesses, non-profits and start-ups, regarding labor and employment law compliance matters, performance management, interactive process issues, and development of company policies. Andrea leverages her previous focus on insurance coverage matters to advise her clients regarding Employment Practices Liability Insurance (EPLI) coverage issues and other contractual matters. She holds a law degree from University of California, Hastings College of the Law and a B.A. Degree from the University of California, Berkeley.

The Nominating Committee recommends Andrea Bednarova to serve on the North Bay Regional Center Board of Directors.

# **Meeting Minutes**

NBRC Vendor Advisory Committee North Bay Regional Center, Napa

October 8<sup>th</sup>, 2019



I. Introductions and Acceptance of Minutes	
☐ Call to Order Holly Pagel, VAC Co-Chair, called the meeting to order at 10:00 am	VAC Co-Chairs  ☐ Holly Pagel, Connections for Life (VAC Facilitator) ☐ Linda Plourde, Bayberry, Inc. (VAC Board Representative Advisor) ☐ Ali Tabatabai, New Leaf Solutions (VAC Board Representative)
<ul> <li>□ quorum met</li> <li>□ previous meeting minutes: Ali Tabatabai</li> </ul>	VAC Membership  ☐ Jamie Freymuth Thompson, North Bay Industries ☐ Michelle Condit, Lifehouse ☐ James Cox, Becoming Independent ☐ Kelley Hanson, Pace Solano ☐ Mike Lisenko, UCP of the North Bay ☐ Eric Martin, Oaks of Hebron ☐ Stacey Martinez, The ARC-Solano ☐ Andrea Mendoza, REI/CHDC ☐ Michelle Ramirez, On My Own  NBRC Staff Gabriel Rogin, Executive Director Isabel Calder, Chief Financial Officer Maura McDonough, Quality Assurance Supervisor January Crane, Dept Manager, Fed Programs & Agency Training Dee Skrzypczak, Fiscal Supervisor
II. Agenda changes/Additions/Trainings	
	Thomas Maseda presented on fire season and PG&E outages. He said everyone should be signed up on Nixel. Most of the 3-county area of NBRC is going to be impacted by upcoming power outages. More information will be circled through VAC. If NBRC is contacted by client who is impacted, the client will be instructed to call 911. DDS is to send a list on re-charging stations for phones and mobile devices. There are potential power outages in Napa and Santa Rosa and other cities in the area and could start as early as tomorrow 4am, to Thursday at noon. PG&E says once power is down, they will keep it off until risky weather ends, and they can check powerlines. The power won't be going off and on, it will be off until red flag warning is over. Kelley Hanson raised question about reimbursement by DDS for fire outages two years ago and whether there is any conversation with DDS about reimbursements during times facilities have to shut down for coming power outages. Isabel Calder said the funding comes after emergencies, Gabriel said he will be calling DDS today. They are trying to prevent an emergency. Question from VAC member: "Will there be notification to inform community that regional

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center is close?" January Crane said closures will be post on the NBRC website. Dee Skrzypczak said it is safe to assume that NBRC will be closed. Kelley Hanson asked who the emergency point is-- it will be Thomas. Almost every major city in 3 counties is on the list for shutdowns. Isabel says the PGE website has an address locator for shutdowns and reminded everyone to have cash on hand, gas tanks full, etc.

# **III. Group Reports**

# **Summary**

# Napa-Solano Vendor Group:

Kelley Hanson ---- spoke about rates paid, workers' comp and options others are using, encryption services, Solano County inclusion project, and websites. She said that staffing issues persist. Next meeting is scheduled on Nov 7th at 9AM at Pride Industries in Fairfield.

# **Sonoma Vendor Group:**

Jamie Freymuth ---- Did not meet. Oct 23rd will be next meeting. Jamie said the group usually talks about staffing issues, offering hiring bonuses and other options for retention as well. She had a question about new rate structure, based on DDS rate study. Gabriel said we're waiting more info that is expected sometime in October.

# **North Bay Housing Coalition:**

Mary Eble – spoke about City of Santa Rosa approving ordinance to ban discrimination of section 8. Statewide efforts to build on the issue. Changes to housing report, with new link for housing with roommates or no roommates. Will direct people to areas based on pricing and availability. She said I/DD housing needs to be carved out specifically along with other housing advocacy efforts (alongside homelessness etc). Renee Fanin provided other opportunities to attend a forum and advocate. Jacquie Dillard-Foss added a comment that rental assistance and subsidies as a focus and greatest need in the legislative front, as opposed to just building housing. Gabriel added, that at Client Advisory Committee meeting, the group discussed issues with having to compete for housing with people without disabilities. Clients need more preparation to help get portfolios ready – resume, credit, information that helps with an application. Gabriel said there is nothing in Lanterman that covers housing in the independent setting in this area to give I/DD people special consideration. He stated that they are competing with everyone at same level for housing. Jacquie reiterated that there is not a housing guarantee in the Lanterman Act

# **Trade Associations:**

Jacquie Dillard-Foss – CSLN – spoke about person center advocacy paid project – advisory group to study outcomes and put outcomes in to action with a stakeholder group in December to meet. Public policy conference to be held in January. She stated that the State Council is interested in a bill on allowing regional centers more flexibility on rent subsidies. At Lanterman Housing Alliance meeting, rental subsidies were the number one concern. She said, we as community are not at the forefront of housing advocacy and housing crisis issues. I/DD community is a very small voice, and at the capitol they only hear about rates and not housing. For I/DD people their crisis is housing and trying to find it.

# **NBRC Report: Ali Tabatabai**

Meeting held at North Bay Regional Center's Santa Rosa office on Oct. 2nd

Public attendance was mixed, family members from parent advocacy groups, DDS and state council reps, NBRC staff and local to Santa Rosa There was appreciation for the meeting being held in Santa Rosa

#### Public comments:

- 1. Parent Advocate Power outages concern. Asked about requirements for backup generators, not just at medical based homes but in IL/SL settings. Stated there should be clear plans, not just for evacuation plans in emergencies, but also how to deal with the outages. Gabriel stated that licensed group homes are required to have a disaster preparedness plan. The topic will be on next month's board meeting agenda.
- Tobias from State Council provided info on employment and hiring fair opportunities for our population. Thurs. 10/24 730AM-10AM, the 6th annual hiring breakfast hosted by the Napa Valley Committee on Disabilities will be held at the Napa Valley College Library Communication Room.

Feature Presentation – Performance Contract – January Crane, Fed Rev Manager

- 1. Updates on performance contract updates made to the format. Continue to focus on improving areas in spending disparities categorized by language preferences.
- Percentage of adults who reported having competitive integrated employment as goal in their IPP (based on NCI data) is up 14 percent in the last 7 years. Now 39 percent or nearly 4 out of 10 people have employment as a goal in their IPP.
- 3. Perspective question of families by ethnicity report a positive difference in keeping family member at home. "moving out isn't always a sign of success for many families, sometimes keeping the person at home is the family's goal." A shift and change in perspective that acknowledges cultural differences. It sparked a bit of confusion with some audience's members who took the point as if it were a goal of the regional center or state.

Trailer bill -- Aug 21 2019

- a. Uniform Holiday Schedule suspension
- b. HCBS Final Rule
- c. Service Provider Rate Increases

Doug Cleveland Board Opportunity Fund – update on procedures of funding, funds starting to get depleted on funeral expenses, board will be focused on using funds for vital needs of clients (housing, food, clothing, etc).

Hue (way) Truong – voted in as new board member, sister advocate with strong business background

Nomination of Andrea Bednarova to the board, she is a litigation attorney.

Directors report – Need more clarity on OPS budget in order to address staffing and caseload sizes, until more word from DDS – conservative posture at the moment

a. Increase access to dental services as focus

Next Meeting on 11/6 at Solano County office of Education in Fairfield.

# ARCA and NBRC report: Gabriel Rogin

Gabriel stated his thanks for participation in employment summit and was impressed by knowledge and commitment. He spoke about partnership with State Council and Georgetown Center on Cultural Competence -- meeting coming up and said he wants service providers to participate in meeting. The meeting will be Oct 23 and 24th from 9-5am at NBRC, Ideal if same person participates on both days. Stipend available to family members individuals who can participate.

Self Determination – individuals and families need to participate in training. DDS is doing another draw to fill in for people who have dropped out.

DDS is doing trainings on HCBS --- next, coming out with training on self-assessment tools.

DDS roundtable discussions on safety net - Are there any gaps in safety net? They are looking for people to participate.

# Services and Vendor Relations & SLS Subcommittee: Courtney Singleton

No update

# **Legislative Committee:**

The Senate Resolution (S. 312) recognizing DSP Week passed in September with the following co-sponsors: Senators Collins, King, Brown, Markey, Murphy, Menendez, Klobuchar, Blumenthal, Hassan, Jones, Van Hollen, Casey, Baldwin, Harris, Murray, Rosen, and Kaine.

Many state Governors declared resolutions as well. Although a request was made to Governor Newsom, The state did not review or approve a resolution. We will revisit this again next year.

Senator Hassan's (D-NH) office has created draft legislation to compel the Bureau of Labor Statistics (BLS) to create a Direct Support Professional (DSP) Standard Occupational Classification (SOC). It is critical that other Senators and Members of Congress support and co-sponsor this bill in order to professionalize the workforce.

DDS Developmental Services Task Force Reorganization: The Department of Developmental Services requested applications from those interested in serving on this task force. The prior membership has been dismantled and a new task force is being established. Its focus will be the provision of services moving forward given the results of the Burns and Associates Rate Study, the need to ensure that all services comply with The Center for Medicaid Services (CMS) requirements, and the Lanterman Act. The purpose of the DS Task Force is to look at ways to strengthen community services for people with developmental disabilities. Due to the large number of applicants (210), DDS is taking the month of October to

IV. Community
Concerns/Clarifications/ Presentations
None
V. NBRC Policies and Summary Procedures
Policies and Procedures: January Crane
January Crane filling in for Courtney Singleton. She stated that 23 vendors showed up to task force on employment. There will be a Supportive Living Services vendor workshop on Nov 12, more info will be coming out. Alexis Williams has left NBRC and specialized referrals has been reassigned. EVV – flyers available for recipients and providers. Training to be provided, EVV will start January 1st. Original intent has completely changed, says January, gone from tracking everything to just logging in and logging out. NCI – National Core Indicators – next mail out of survey in early winter – mailed to family members looking at family and guardian of adult folks in next survey. January stated that a few of the questions on performance contract come from NCI data.
VI. New Business Summary
None
VII. Announcements Summary
Jamie F. Thompson - NBI – annual BBQ and open house – rep's from local legislators' offices will attend this coming Friday.  Edie Thomas – Solano county inclusion projected, continues to raise money towards goal.
Crosswalk Community Church – housing forum – at 5:30 and RSVP –this
Thursday.  Stacev Martinez– Sprout Film Festival Sat Oct 19 <sup>th</sup>
Thursday.  Stacey Martinez- Sprout Film Festival Sat Oct 19 <sup>th</sup>

# Become an NBRC Vendor! Visit NBRC's website:

http://nbrc.net/service-providers/becomeavendor/

# Resource Development

The Resource Development Department received 6 requests for vendorization during the month of September and completed 5 new vendorizations. Please join NBRC in welcoming the new vendors below to the North Bay Regional Center vendor community. Welcome

# New Vendors

- RRR Loving-Adult Residential Facility Level 3-Solano County
- Meadow Lark Manor-Adult Residential Facility Level 4i-Solano County
- People's Care-In Home/Mobile Day Program-Solano County
- Stayman Estates, LLC.-Residential Care Facility for Elderly-Napa County
- Mark Oribello-Adult Residential Facility Level 4i-Solano County

# NBRC Quality Assurance Work September 2019

19 QA Annual or Quarterly Vendor Reviews 67 Vendors received QA technical assistance 55 NBRC staff received QA technical assistance

**Recognizing Suspected Abuse and Neglect: Mandated Reporting** 

Wednesday, November 20th NBRC Santa Rosa, 2351 Mendocino Ave 1:00-2:00pm Immediately following SIR Training 2:00 pm-4:00 pm

California law mandates that certain individuals report known or suspected instances of child, elder, or dependent adult abuse. Learn how to spot abuse and report to authorities, provided by Sonoma County APS staff.

RSVP to SIR@nbrc.net

Sign up for NBRC's **VENDOR CONNECTION** Newsletter https://nbrc.net/service-providers/

# From NBRC's Employment Taskforce,

Thank you again to our Vendor Community and Community Partners for making our First Employment Summit a great SUCCESS!

We had a great turnout of over 55 participants, of which 23 vendor organizations were represented. A huge thank you to our Panelist Individuals & Vendors, who shared their inspiring experiences of transitioning to Competitive Integrated Employment in their community. We are fortunate for our communities' commitment and having kicked off a well-attended first Summit. Stay tuned for future Summits!

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610 Airpark Rd, Napa, CA 94558 Phone: (707) 256-1100 • TTY (707) 252-0213

www.nbrc.net

2351 Mendocino Ave, Santa Rosa, CA 95403 Phone: (707) 569-2000 • TTY (707) 525-1239

# FAIR HEARING & MEDIATION UPDATE OCTOBER 1, OCTOBER 31, 2019

Eligibility Reason for Appeal: Claimant appeals denial of eligibility.

(19-05) <u>Ruling</u>: Fair Hearing request pending.

Eligibility Reason for Appeal: Claimant appeals denial of eligibility.

(19-06) Ruling: Fair Hearing request pending.

Eligibility Reason for Appeal: Claimant appeals denial of eligibility.

(19-08) <u>Ruling</u>: Fair Hearing request pending.

Eligibility Reason for Appeal: Claimant appeals denial of eligibility.

(19-09) <u>Ruling</u>: Fair Hearing request pending.

Services Reason for Appeal: Claimant appeals denial of funding transportation for requested activities.

(19-10) <u>Ruling</u>: Fair Hearing request withdrawn.

Eligibility Reason for Appeal: Claimant appeals denial of eligibility.

(19-12) <u>Ruling</u>: Fair Hearing request pending.

Eligibility Reason for Appeal: Claimant appeals denial of eligibility.

(19-13) <u>Ruling</u>: Fair Hearing request withdrawn.

STATUS CODES SELECTED: 0 P 1 2 3 8 CONSUMER STATISTICS COUNTIES SELECTED: \*\* ALL \*\*

TOTAL 9,610 100.0 %

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TOTAL

9,610 100.0



# Federal Revenue Department Board Report for Quarter 1, July – Aug - Sept 2019

The Federal Revenue Department consists of the HCBS/Medicaid Waiver program, 1915(i) State Plan Amendment (SPA) program, Self Determination Program (SDP), Nursing Home Reform (NHR), Audit preparation for all DDS and CPA Audits, CMS Setting Rules/HCBS Compliance, and Agency trainings re: all federally related programs and supports

# • HCBS Medicaid Waiver and 1915(i) SPA programs:

**Medicaid Waiver:** Annual targets have not been established by DDS for several quarters; instructions are to continue to add clients monthly. Not adding monthly can result in the withholding of federal funds in our Operations budget and less POS (purchase of service) reimbursement.

# 1915 (i) SPA:

The 1915(i) SPA will allow California to receive federal funding for POS services for individuals who may not qualify for Medicaid Waiver, but does not provide funds for operational expenditures.

**Status**: 97% of all active clients verified as eligible for Federal Financial Participation (FFP) are enrolled in the Medicaid Waiver program and 100% of clients eligible for SPA are enrolled and management by the Department.

As of August 2019, 4433 clients are enrolled on the Medicaid Waiver and 1630 are enrolled on the 1915(i) SPA.

# • Audits:

# **HCBS Audit**

DDS and Department of Health Care Services (DHCS) biannual HCBS Medicaid Waiver audit concluded at the end of May.

**Status:** Preliminary results have been very positive; draft report to be completed by end of 2019.

# **Independent/CPA Audit**

The CPA/Independent Audit will start at the end of October. The Federal Revenue team continues to assist in gathering client charts and information requested by the auditors.

- **Training:** Department Manager and Federal Revenue staff provided New Employee and unit trainings for Service Coordinators in the 1st quarter of the 19/20 fiscal year, to include:
  - Overview of all Federal Programs
  - o Title 19/Targeted Case Management (TCM) notes and documentation requirements
  - o Client Development and Evaluation Reports (CDER) requirements and instructions

# • DDS/NBRC updates:

# **CMS HCBS Settings Rule**

**Status:** Federal Revenue staff have completed the oversight of the first group of vendors that received funding for the FY 16/17 CMS compliance grants. They are currently supporting the FY 17/18 and FY 18/19 grant recipients on budget monitoring, billing requirements, and overseeing milestones that meet the Proposal objectives.

At this time, all agencies either are on target or are receiving technical assistance from NBRC to stay in compliance.

# **Nursing Home Reform:**

DDS continues to capture additional FFP by requesting LTC facilities to provide Pre Admission Screening and Resident Reviews (PAS/RRs) to be sent to DDS upon discharges, not just upon admission. The additional workload of processing these Level II PASRRs has increased and is being absorbed by the Federal Revenue unit.

- NBRC Agency Support: The Federal Revenue Department consists of a Department Manager, Supervisor, 2.5 FTE Internal Quality Monitors and 2 FTE Client Services Assistants who continue to provide trainings and support to service coordinators and supervisors in order to assist with compliance requirements and Federal regulations. The Federal Revenue Department will do so by:
  - o Providing support with ongoing Medicaid Waiver enrollment
  - o Providing support with ongoing 1915(i) State Plan Amendment (SPA) enrollment
  - o Track the Client Development Evaluation Report (CDER) for timely completion
  - o Track compliance with timely monitoring of services provided in Family Home Agency settings
  - o Provide ongoing support to staff during all audits
  - Outreach and trainings regarding the CMS HCBS Final Settings Rule to vendors in collaboration with the Quality Assurance and Community Resource Development teams

# NBRC Support:

o Federal Revenue Department Manager continues to co-chair the DDS/ARCA Federal Revenue subcommittee and provide consultation to DDS re: Regional Center practices.

Prepared by January Crane, MPA
Department Manager, Federal Programs



# HCBS Overview and Compliance Grant Training

Home and Community-based Settings (HCBS) rules and regulations require changes to all levels of our system by March 17, 2022. Examples of services that must come into compliance include: care homes, day programs and employment programs.

HCBS rules require full access to the benefits of community living and focus on the quality of a person's experience, such as informed choice, meaningful community integration and opportunities to seek employment.

# Unsure of how your agency will come into compliance? \$\$ There is money available to help! \$\$

Our vendors have received thousands of dollars to fund their projects.

A few examples include:

- funding for Person-Centered Thinking training and consulting
  - staff positions to increase employment
  - technology to increase informed choice
  - home modifications to assist individuals to age in place
    - vehicles for increased community integration

All it takes is some creative thinking and paperwork... we are happy to assist!

# The deadline to apply for HCBS compliance funding is November 22<sup>nd</sup>, 2019

NBRC is offering 2 trainings to assist you with the application process. To reserve your spot, please RSVP to <a href="mailto:deannal@nbrc.net">deannal@nbrc.net</a>

Tues, 11/5/19 NBRC Napa Office 610 Airpark Rd 10:30 am – 12:30 pm Thurs, 11/7/19 NBRC Santa Rosa Office 2351 Mendocino Ave 10 am – 12 noon

DDS is also offering 2 one-hour webinar trainings. If you are interested in participating, please register here: <a href="https://www.dds.ca.gov/HCBS/">https://www.dds.ca.gov/HCBS/</a>

Mon, 10/28/19 10 am – 11 am Wed, 11/6/19 1 pm – 2 pm

NBRC invites you to the

# Mary Ida Cook Annual Holiday Arts & Crafts Fair

Join us in celebrating the art, crafts, and music of our clientele on

Thursday, December 12, 2019 10 am- 1 pm

> North Bay Regional Center-610 Airpark Rd. Napa

Questions?
Please
Contact
Amanda Levy
707-256-1160

Make sure to bring CASH & reusable bags for your goodies!