

Board of Directors Executive Committee Meeting
Monday, October 16, 2023, 6:30 pm
North Bay Developmental Disabilities Services, Inc.

Join Zoom Meeting:

<https://us02web.zoom.us/j/84374801550?pwd=VXFJU1ovbVFoeINWVEcxK3J0T2c0QT09>

Join by Phone:

Call-in: 1-669-900-6833 Meeting ID: 843 7480 1550 Password: 470780

AGENDA

- I. CALL TO ORDER – Rosemarie Pérez, President
- II. ROLL CALL AND INTRODUCTIONS – Sara Speck, Secretary
- III. PUBLIC COMMENT – 2 minutes per person unless otherwise allowed by Board Chairperson.
- IV. CONSIDERATION OF MINUTES – Rosemarie Pérez, President ACTION
Minutes of the Executive Committee Meeting of September 18, 2023 be approved as submitted.
(pgs. 1-2)
- V. CONSIDERATION OF AGENDA – Any additions or modifications to the agenda. ACTION
- VI. APPROVAL OF CONTRACTS OVER \$250,000 ACTION
 - a. E-1 Contract – Isabel Calder, CFO (pgs. 3-9)
 - b. D-3 Contract – Isabel Calder, CFO (pgs. 10-11)
 - c. Adult Residential Facility for Persons with Special Healthcare Needs (ARFPSHN)
 - i. HE&RT, LLC DBA Heart Home (pg. 12) – Courtney Singleton, Director of Community Services
- VII. FOLLOW UP ON MONITORING DATA – Courtney Singleton, Director of Community Services INFO
- VIII. REVIEW OF OCTOBER 4TH BOARD MEETING INFO
- IX. NOVEMBER 1ST BOARD MEETING PREP INFO
- X. EXECUTIVE DIRECTOR’S REPORT – Gabriel Rogin, NBRC Executive Director ACTION
 - a. December 6th Board Meeting Discussion
 - b. Board Opportunity Fund Discussion
 - i. Holiday Gift Cards
- XI. OTHER BUSINESS - Any other Board business may be brought up at this time.
- XII. PUBLIC COMMENT – 2 minutes per person unless otherwise allowed by Board Chairperson.
- XIII. CLOSED SESSION –
 - a. The appointment, employment, evaluation of performance, or dismissal of a regional center employee (20 mins) ACTION
- XIV. RETURN FROM CLOSED SESSION -
 - a. Report on any action taken during the closed session (1 min) INFO
- XV. ADJOURNMENT – Rosemarie Pérez, President

CLOSED SESSION – a) The governing board of a regional center may hold a closed meeting to discuss or consider one or more of the following: (1) real estate negotiations, (2) the appointment, employment, evaluation of performance, or dismissal of a regional center employee, (3) employee salaries and benefits, (4) labor contract negotiations, (5) pending litigation (b) Any matter specifically dealing with a particular regional center client must be conducted in a closed session. -- W&I Code 4663(a) & (b).

NEXT MEETING ANNOUNCEMENT – The next Board of Directors Executive Committee call is scheduled for November 13, 2023 at 6:30pm.

Board of Directors' Executive Committee Meeting
Monday, September 18, 2023, 6:30 pm
North Bay Regional Center - Via Zoom

NBRC BOARD MEMBERS PRESENT:

Rosemarie Pérez, Board President
Candace White, Vice President
Andrea Bednarova, Treasurer

Sara Speck, Secretary
Breeanne Kolster, VAC Representative
Carl Vinson, Solano County

NBRC BOARD MEMBERS ABSENT:

None

NBRC STAFF PRESENT:

Gabriel Rogin, Executive Director

Janelle Santana, Executive Assistant

MINUTES

CALL TO ORDER – Rosemarie Pérez, Board President, called the meeting to order at 6:32 pm.

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

PUBLIC COMMENT – None

CONSIDERATION OF MINUTES – Minutes of the Executive Committee Meeting of August 21, 2023 be approved as submitted.

M/S/C (Speck/Bednarova) Moved to approve the minutes as submitted.

**APPROVED
UNANIMOUS**

REVIEW OF THE SEPTEMBER 6TH BOARD MEETING

Gabriel Rogin, Executive Director, recapped the September 6th Board Meeting. The minutes from the meeting can be found on the NBRC website in the October 2023 Board Meeting packet.

OCTOBER 4TH BOARD MEETING PREP

Gabriel Rogin, Executive Director, reviewed a draft agenda with the Board Executive Committee.

- Closed Session to discuss the appointment, employment, evaluation of performance, or dismissal of a regional center employee. (30 minutes)
- 2024 Board Meeting Locations for approval
- 2023 Revised Board Meeting time for approval
 - o December Board Meeting time to be changed to accommodate training for board members from Circle Up Education regarding diversity, equity, and belonging.
- Committee Reports
 - o Sara Speck, Secretary, will not be in attendance at the October Board meeting.
 - Breeanne Kolster to read Sara Speck's Client Advisory Committee report.
 - o Nominating Committee
 - Breeanne Kolster's first term ends in December 2023. We need to vote on Breanne's 2nd term soon.
 - Janelle Santana, Executive Assistant, to confirm Breeanne Kolster's board term dates.
 - We potentially have a new board member to introduce, depending on how the interview goes.
- Presentation from Abigail Andrade, NBRC Community Engagement & Outreach Specialist.

EXECUTIVE DIRECTOR'S REPORT –

Gabriel Rogin, Executive Director, noted the following.

- Former NBRC employee, Randy Kitch, passed away recently. We will have a moment of silence at the October Board meeting in remembrance of him.

- NBRC Napa Office Reconfiguration
 - o We are on track to have the rest of Napa staff members to return to the office sometime in October.
- NBRC and the Union will be reopening the contract to discuss employee wages.
- NBRC will have an All Staff Meeting & Vendor Fair at the end of October.
- Gabriel Rogin, Executive Director, gave an update on the statewide conversations around standardizing regional center processes.

OTHER BUSINESS –

- Candace White, Vice President, shared about a parent’s concern around purchase orders submitted and a complaint regarding a vendor.
 - o Gabriel Rogin, Executive Director, to follow up with the parent.
- Sara Speck, Secretary, thanked the Executive Committee for rescheduling the meeting in November from the 20th to the 13th.

PUBLIC COMMENT – None

CLOSED SESSION –

The Executive Committee moved into closed session at 7:17pm to discuss the appointment, employment, evaluation of performance, or dismissal of a regional center employee.

RETURN FROM CLOSED SESSION –

The Executive Committee returned from closed session at 8:07pm and there was action taken.

M/S/C (Speck/Bednarova) Moved to recommend the Executive Director Performance Evaluation Timeline to the full Board at the October Board Meeting. **APPROVED UNANIMOUS**

M/S/C (Bednarova/Speck) Moved to propose the questions for the Executive Director Performance Evaluation survey to the full Board at the October Board Meeting. **APPROVED UNANIMOUS**

ADJOURNMENT – Rosemarie Pérez, Board President, adjourned the meeting at 8:07pm.



Date submitted to NBRC Board for review

10/16/2023

Date approved by NBRC Board Executive Committee (if applicable)

Date approved by NBRC Board

Operations

Purchase of Service

The following contracts have been reviewed by Isabel Calder, Chief Financial Officer and Gabriel Rogin, Executive Director. Both of whom recommend approval by the NBRC Board of Directors.

Purpose of Contract	Contractor Name and Vendor#	Term of Contract	Total Contract Amount	Notes
E-1 Contract for Fiscal Year 23/24	Department of Developmental Services	July 1, 2019 – June 30, 2026	\$544,658,257	The E-1 contract represents the remaining allocation for FY 23/24 and includes the following: <ul style="list-style-type: none"> • Ops: \$ 37,671,981 • POS: \$506,986,276

Operations allocation included the following:

- \$14,537,447 in general Operations which also included 2 grants: Senior Companion Program and Mental Health Services Act
- \$1,345,793 in Community Placement Program
- Total of \$15,883,240 allocation

POS allocation included \$149,208,268 general Purchase of Service which includes the rate increases and Direct Service Provider training stipends.

Explanation of Items Allocated for FY 2023-24 E-1 Amendment

Operations (OPS)

Core Staffing Personal Services: Allocation utilizing updated budgeted caseload and other statistics (e.g., number of consumers in a Community Care Facility (CCF) or Developmental Center; on the Waiver or enrolled in Early Start; participating in the Family Cost Participation Program or Representative Payee initiative, etc.) as applied to the core staffing formula.

Operating Expenses: Allocation equals prior year allocation plus the incremental increase in operating expense funds pro-rated based on each regional center's projected caseload.

Facility Rent: Allocation for rent and utilities based on regional centers' requests, discussions with regional centers and approvals by the Department of Developmental Services (Department).

Enhanced Caseload Ratio of 1:45 for Developmental Center (DC) Movers 12 to 24 Months: Allocation for DC movers based on each regional center's number of placements in FY 2022-23.

Staffing for Collection of Federal Financial Participation (FFP) for Contracted Services: Allocation for one Community Program Specialist I and one Account Clerk II position for each regional center.

Unallocated Reductions/Savings Target

Intake and Assessment, 60 to 120 Days: (-\$4,465,000) Allocation savings target based on each regional center's pro-rata share of monthly intake for individuals age three (3) years and over per the 2023 May Revise Spring Survey, Exhibit B.

FY 2009-10 Savings Target #23 Eliminate Triennial Quality Assurance Review: (-\$1,500,000) Allocation savings target based on each regional center's pro-rata share of projected consumer counts of CCF Consumers for FY 2023-24.

FY 2009-10 Savings Target 25 (ii) Early Start Intake & Assessment: (-\$5,500,000) Allocation savings based on each regional center's pro-rata share of projected High Risk Caseload consumers by regional center for FY 2023-24.

The following Unallocated Reductions are based on each regional center's pro-rata share of total Core Staffing:

FY 2001-02 and prior years Unallocated Reduction: (-\$10,559,000)

FY 2004-05 Cost Containment: (-\$5,968,000)

FY 2009-10 Savings Target #24 Reduction of One-Time RC Funding: (-\$3,500,000)

Operations Continued

Explanation of Items Allocated for FY 2023-24 E-1 Amendment

FY 2009-10 Savings Target #25 (i) One-Time RC Funding: (-\$1,500,000)

FY 2011-12 Cost Containment Measures: (-\$3,486,000)

FY 2011-12 \$174m Unallocated Reduction: (-\$5,400,000)

Federal Compliance

HCBS Waiver: Allocation based on consumers enrolled on the Home and Community-Based Services (HCBS) Waiver from July 2022 to June 2023.

Compliance with HCBS Waiver Requirements: Allocation based on consumers enrolled on the HCBS Waiver from July 2022 to June 2023. (Excludes OE&E, which is allocated separately).

Increase in Case Managers to Meet HCBS Waiver Requirements: Allocation based on consumers enrolled on the HCBS Waiver from July 2022 to June 2023. (Excludes OE&E, which is allocated separately).

Targeted Case Management: Allocation based on the total actual billable units, from November 2022 to April 2023.

Nursing Home Reform: Allocation based on total actual expenditures from July 2022 to June 2023.

Federal Medicaid Requirements for Regional Centers to Vendor Providers of HCBS Services: Allocation based on active vendors in FY 2022-23, by regional center of \$100,000 or less, excluding service codes 065, 400, 655, and 660.

Projects

Information Technology System Hardware and Software Maintenance: Allocation for computer system hardware and software maintenance.

Foster Grandparent/Senior Companion Program: Allocation for volunteer service years as agreed upon with regional centers.

Increased Access to Mental Health Services: Allocation based on approved Mental Health Service Fund projects.

Sherry S. Court Case: Allocation based on May 2023 Regional Center Survey reported for hop/conservatorship.

Operations Continued

Explanation of Items Allocated for FY 2023-24 E-1 Amendment

Miscellaneous: Allocation per agreement with specific regional centers.

Community Placement Plan/Community Resource Development Plan (CPP/CRDP), DC Closure/Ongoing Workload: Allocation based on Department approvals.

Policy Items

Psychological Evaluations for Behavioral Health Treatment Fee-for-Service (FFS)

Consumers: Allocation based on each regional center's pro-rata share of FFS consumers under the age of 21 who are being served in the community.

Oversight and Accountability: Allocation for one position at \$114,000, with the remainder on a pro-rata basis based on June 2023 Client Master File caseload for both Status 1 and Status 2.

Self Determination Program (SDP): Allocation of \$3,800,000 based on the following:

1. Participant Supports: \$2,040,009, comprised of \$1,000,000 divided equally among all regional centers and the remainder allocated based on each regional center's share of consumers who identify as non-white.
2. Regional Center Operations/Salary: \$1,817,991 in FY 2023-24 to offset the costs to the regional center in implementing the SDP. Allocation divided equally among all 21 regional centers.

Specialized Caseload Ratio: Allocation for one position per regional center, with the balance based on each regional center's pro-rata share of Status 2 consumers as of the June 2023 Client Master File (CMF) report.

Specialized Home Monitoring: Allocation based on a ratio of one (1) staff for every four (4) completed and in progress ARFPSHN, EBSH and CCH.

Regional Center Emergency Coordinators: Allocation of one position for each regional center.

Tribal Engagement of Early Start Services: Allocation per agreement with specific regional centers.

Health and Safety Waiver Assistance: One position to each regional center to support facilitation of applications and related activities to each regional center. (2021 TBL, AB 136, WIC §4620.4).

Forensic Diversion: Allocation based on each regional center's share of consumers incarcerated as of August 2023.

Operations Continued

Explanation of Items Allocated for FY 2023-24 E-1 Amendment

Early Start Part C to B Transitions: Allocation for one position for each regional center.

Disparities with the Developmental Services System: Allocation for one position for each regional center.

Enhanced Service Coordination: Allocation based on regional center consumer populations (Status 1 and 2 as of June 2023), as follows:

- Four (4) positions to each of the seven (7) regional centers with the lowest populations;
- Five (5) positions to each of the seven (7) regional centers with populations between the lowest and highest populations; and
- Six (6) positions to each of the seven (7) regional centers with the highest populations.

Performance Incentives: Allocation for the following two purposes:

1. Regional Center Implementation Resources: \$3,676,000; Allocated, \$2,491,440 for one position at \$118,640 per regional center. Allocated the balance based on each regional center's pro-rata share of consumers in Status 1 and 2 CMF report.
2. Reduced Caseload Ratios: \$84,358,800, based on January 2022 caseload and February 2022 Service Coordinator survey.

Reduced Caseload Ratio for Children through Age 5: Allocation based on each regional center's June 2023 Status 1, 2 and U individuals.

AB 2083 Trauma Informed Services for Foster Youth:

Allocation for one (1) position for administrative functions associated with working with counties on Memorandum of Understanding development.

For regional centers with 7% or more of their FY population, an additional one (1) PY is allocated.

For regional centers with 5 (five) or more counties, an additional one (1) PY is allocated (maximum of two [2] PY for any regional center).

- NLACRC, IRC, SCLARC, SDRC, HRC: One (1) county served, caseload over 7%, 2 (two) PY.
- CVRC, ACRC, VMRC, FNRC: Five (5) counties served, no more than 7% of the caseload, will receive 2 (two) PY.

Early Start Eligibility: Allocation based on each regional center's pro-rata share of the statewide Status 1 caseload as of the June 2023 Client Master File (CMF).

Operations Continued

Explanation of Items Allocated for FY 2023-24 E-1 Amendment

Lanterman Act Provisional Eligibility: Allocation based on each regional center's pro-rata share of the statewide caseload for those determined to meet the Lanterman Act Provisional Eligibility criteria.

Resources to Support Individuals Who Are Deaf:

Allocation of \$2,379,000 for one position for a Deaf Access Specialist per regional center at \$113,285, and \$2,126,000, for interpretation service costs at \$100,048 per regional center.

SDP Ongoing Implementation: (\$7,603,074) Allocation of 97% of total funds available for two (2) positions for SDP Specialists for each regional center and the remaining balance distributed evenly to all 21 regional centers.

Service Provider Rate Reform: Allocation for three (3) positions for each regional center to support rate reform implementation and additional resources consistent with the FY 2021-22 allocation using 2021 Status 1 and 2 consumer populations. (2021 TBL, AB 136, WIC §4519.10).

Service Provider Rate Reform -Rate Study Acceleration: Allocation based on each regional center's pro-rata share of Status 1 and 2 consumers as of the June 2023 CMF report.

START Training: Allocations per agreement with specific regional centers.

Compliance with Federal HCBS Requirements: Allocation of \$161,760 for two (2) positions to each regional center, and an additional position to the eight (8) regional centers with the highest Status 2 caseload as of the June 2023 CMF.

UFS CERMS: Allocation for one Research Data Specialist I and Research Data Specialist II positions, as agreed upon with the Association of Regional Center Agencies.

Family Resource Centers (FRC)

FRC/Networks: Allocation for family resource center/network services to implement Part C.

Family Resource Services (FRS)

FRS: Allocation to provide services for infants and toddlers with developmental delays, disabilities, or conditions specified in Government Code 95001.

Operations Continued

Explanation of Items Allocated for FY 2023-24 E-1 Amendment

Purchase of Services (POS)

Base Allocation: Allocation based on each regional center's pro-rata share of:
(1) Non-CPP POS claims for July 2022 through June 2023 and the first and second Supplemental Claims for prior year FY 2021-22; and
(2) ICF-DD SPA paid claims for July 2022 through May 2023.

Continuation Allocation: Allocation based on each regional center's pro-rata share of prior year placements from July 2022 through May 2023.

Part C Allocation: Allocation based on total FY 2022-23 POS for individuals ages 0-3 (from POS Claims Summary updated May 2023) minus service codes 028, 048, 055, 102, 110, 115, 117, 605, 612, 613, 615, 616, 620 and 805.

Community Placement Plan/Community Resource Development Plan (CPP/CRDP): Allocation based on 50% of FY 2022-23 placement expenditures or a flat amount if regional centers had low UFS expenditures.

CPP Reappropriation Allocation: Allocation based on Department-approved start-up of projects utilizing FY 20/21 re-appropriated funds.

Policy Items

SB3 Minimum Wage Effective January 1, 2023: Twelve (12) month impact. Allocation based on FY 2022-23 State Claims data for January 2022 through May 2023.

SB3 Minimum Wage Consumer Price Index Effective January 1, 2024: Six (6) month impact Allocation based on prior year FY 2022-23 State Claims data for January 2023 through May 2023.

Early Start Eligibility: Allocation based on each regional center's pro-rata share of Status 1 caseload (ages 0-3) as of June 2023 CMF.

SDP Ongoing Implementation: Allocation based on each regional center's pro-rata share of FY 2022-23 SDP Participants.

Service Provider Rate Reform: Allocation based on each regional center's pro-rata share of FY 2022-23 expenditures.

ABX2-1 Community Based Services Increases, Competitive Integrated Employment (CIE) Incentive Payments: Allocation based on FY 2021-22 C-1 allocation, which was based on each regional center's pro-rata share of FY 2020-21 State Claims data for July 2020 through March 2021.

Forensic Diversion: Allocation based on contract with YAI – (CVRC).

Date submitted to NBRC Board for review

10/16/2023

Date approved by NBRC Board Executive Committee (if applicable)

Date approved by NBRC Board

Operations

Purchase of Service

The following contracts have been reviewed by Isabel Calder, Chief Financial Officer and Gabriel Rogin, Executive Director. Both of whom recommend approval by the NBRC Board of Directors.

Purpose of Contract	Contractor Name and Vendor#	Term of Contract	Total Contract Amount	Notes
D-3 Contract for Fiscal Year 22/23	Department of Developmental Services	July 1, 2019 – June 30, 2026	\$535,547,623	The D-3 contract for FY 22/23 decreases the amount for Ops by a net total of (\$157,520) <ul style="list-style-type: none"> • Ops: \$ 33,223,054 • POS: \$502,324,569

Operations:

The Ops Deallocation totaled a net **(\$157,520)** which included the following:

- \$139,293 Rent allocation for new Santa Rosa office
- \$190,172 Language Access and Cultural Competency
- (\$487,553) Deallocation out of the Reduction to Caseload Ratio for Children 0-5 years of age

There were no POS allocations. The Total Contract amount represents the net de-allocation.

Explanation of Items for FY 2022-23 D-3 Amendment

Operations (Ops)

Rent: Allocated per agreement with specific regional centers.

Miscellaneous: Allocated per agreement with a specific regional center.

Policy Items:

Enhanced Community Integration for Children and Adolescents: Allocated per agreement with specific regional centers.

Language Access and Cultural Competency: Allocated based on regional center language and culture data and Department approved regional center Language Access and Cultural Competency Plans.

Reduced Caseload Ratio for Children through Age Five Deallocation: Amounts determined utilizing prorated share of weighted CMF caseload (Status 1, Provisional Eligibility and Status 2 ages 0-5) and service coordinator survey data.

EIP APRA Part C

Increase Technical Assistance and Monitoring: Funds allocated per agreement with specific regional centers.

Family Wellness Pilot Program: Funds allocated per agreement with specific regional centers.



Date submitted to NBRC Board for review

10/16/23

Date approved by NBRC Board Executive Committee (if applicable)

Date approved by NBRC Board

Operations

Purchase of Service

The following contracts have been reviewed by Courtney Singleton, Director of Community Services, Isabel Calder, Chief Financial Officer and Gabriel Rogin, Executive Director. All recommend approval by the NBRC Board of Directors.

Purpose of Contract	Consumers Served	Contractor Name and Vendor# (if applicable)	Term of Contract	Contract Amounts	Notes
Adult Residential Facility for Persons with Special Healthcare Needs	4	HE&RT, LLC DBA Heart Home	Upon licensure- 12/31/2025	\$27,565.83/per client per month* \$1,323,160/Annual Contract	Existing Home licensee retiring. Sonoma County

Summary:

This Adult Residential Facility for Persons with Special Healthcare Needs (ARFPSHN) and behavioral needs, is a four bedroom home licensed by the Department of Social Services-Community Care Licensing, certified by The Department of Developmental Services and vendored by North Bay Regional Center (NBRC). This ARFPSHN provides care to individuals that require 24 hour licensed nursing care, as well as behavioral support, in a home setting. Staffing requirements for this home, at a minimum are 2 staff to four individuals, with 24 hours a day of licensed nursing, of which 40 hours a week must be a registered nurse. Individuals also receive 60 day visits by their physician. Professional Consultation services may include: A Registered Nurse, Board Certified Behavior Analyst, Occupational Therapist, Registered Dietician, Recreational Therapist and/or Physical Therapist. Individuals in these homes are some of NBRC's most medically fragile. This home are monitored/visited on a monthly basis by NBRC's Registered Nurses, quarterly by each client's NBRC Service Coordinator, on an annual basis by NBRC Quality Assurance Staff, semiannually by The Department of Developmental Services and annually unannounced by Community Care Licensing.

*NBRC will request a Health and Safety Waiver from the Department of Developmental Services once this home is licensed, certified and vendored, due to the specific needs of the individuals in this home.