



*Promoting Opportunities  
Supporting Choices*

*Sponsors of  
North Bay Regional Center  
and other programs  
for persons with developmental disabilities  
610 Airpark Road  
Napa, CA 94558  
707-256-1224  
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## **MEETING NOTICE**

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

**DATE:** October 2, 2019

**TIME:** 6:00 pm

**PLACE:** North Bay Regional Center  
2351 Mendocino Avenue  
Santa Rosa, CA 95403

### **Agenda Enclosed**

#### **Board Related Meetings:**

- The next meeting of the Vendor Advisory Committee will be October 8, 2019, at North Bay Regional Center (NBRC) Napa from 10:00 am – 12:00 pm.
- The next Legislative Advisory Committee meeting will be on October 22, 2019 at NBRC Napa from 10:00 am – 11:30 am.

**REMINDER:** Notices are posted at [www.nbrc.net](http://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, October 2, 2019, 6:00 p.m.**  
**North Bay Regional Center**  
**2351 Mendocino Avenue, Santa Rosa, CA 95403**

- I. CALL TO ORDER – Angel Hixson, President
- II. ROLL CALL AND INTRODUCTIONS – Jeremy Johnson, Vice President (3 min)
- III. CONSIDERATION OF MINUTES – Regular Business Meeting Minutes from the September 4, 2019 Board Meeting be approved as submitted. (2 min) (Pgs. 1-4)
- IV. GENERAL PUBLIC COMMENT – Sign-up sheet (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- V. PERFORMANCE CONTRACT – January Crane, Federal Revenue Department Manager (15 min)  
(Pgs. 5-15) ACTION
- VI. FEATURE PRESENTATION  
June 2019 Trailer Bill Language – Gabriel Rogin, Executive Director (30 min) (Pgs. 17-40) INFO
- VII. TREASURER'S REPORT – Rosemarie Pérez, Treasurer (10 min) (Pgs. 41-43)
  - A. Treasurer's Report be approved as submitted ACTION
  - B. A1 Contract ACTION
- VIII. COMMITTEE REPORTS –
  - A. Executive Committee – Angel Hixson, President (5 min)
    - a. Doug Cleveland Board Opportunity Fund Procedure Update (Pgs. 45-46) ACTION
  - B. Nominating Committee – Angel Hixson, President (5 min)
    - a. Proposed Slated Board Members:
      - i. Hue Truong (to serve October 2019 – September 2022) (Pg. 47) ACTION
      - ii. Andrea Bednarova (to serve November 2019 – October 2022) (Pg. 48) INFO
  - C. Vendor Advisory Committee – Ali Tabatabai, VAC Representative (5 min) (Pgs. 49-54) INFO
  - D. Legislative Advisory Committee – Ali Tabatabai, VAC Representative (5 min) INFO
  - E. Client Advisory Committee – Franklin Phillips, CAC Chairperson (5 min) INFO
- IX. DIRECTOR'S REPORT – Gabriel Rogin, Executive Director (10 min) INFO
- X. GOOD OF THE ORDER – Any other Board business may be brought up at this time.
- XI. GENERAL PUBLIC COMMENT – Sign-up sheet (2 minutes per person unless otherwise allowed by Board Chairperson). (10 min)
- XII. ADJOURNMENT

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.

<b>NEXT MEETING ANNOUNCEMENT</b> – The next Board Meeting will be November 6, 2019, 6:00 p.m. at the Solano County Office of Education, 5100 Business Center Drive, Fairfield, CA 94534.
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**North Bay Developmental Disabilities Services, Inc.  
Board of Directors' Regular Business Meeting  
North Bay Regional Center  
Solano County Office of Education, Fairfield, CA 94534  
September 4, 2019, 6:00 pm**

**MINUTES**

**NBRC BOARD MEMBERS PRESENT:**

Sara Speck, Solano County  
Ali Tabatabai, VAC Representative  
Rosemarie Pérez, Treasurer  
Jose Ayala, Napa County

**NBRC BOARD MEMBERS ABSENT:**

Alexis Jarreau, Solano County (excused)  
Lynette Stagner, Solano County

**STAFF PRESENT:**

Thomas Maseda, Director of Administrative Svcs.  
Courtney Singleton, Director of Community Svcs.  
January Crane, Federal Revenue Dept. Manager  
Krystal Jack, Client Services Assistant  
Lashawn Smith, Service Coordinator  
Alison Gibson, Service Coordinator  
Jennifer Garcia, Service Coordinator

**GUESTS PRESENT:**

James Cox, Becoming Independent  
Eric Martin, Oaks of Hebron  
Alma Janssen, Department of Developmental  
Services (DDS)  
Edith Thomas, Connections for Life  
Michelle Condit, Lifehouse

Jeremy Johnson, Vice President  
Rita Edmonds-Norris, Secretary  
Rosemarie Pérez, Treasurer  
Linda Plourde, Board Mentor

Angel Hixson, President (excused)  
Abel Moya, Sonoma County (excused)

Gabriel Rogin, Executive Director  
Danielle Bernardo, Executive Assistant  
Isabel Calder, Chief Financial Officer  
Dee Heibel, Associate Director of Client Svcs.  
Angellique Douglas, Service Coordinator  
Abigail Andrade, Service Coordinator  
Janet Martinez, Service Coordinator

Brien Farrell, President, Family Advocates United/PHA  
Joe Shunk, Parent  
Tobias Weare, State Council on Developmental  
Disabilities (SCDD)  
Hue Truong, Truong Accounting Services, Sister  
Mike Lisenko, United Cerebral Palsy of the North Bay  
(UCPNB)

**CALL TO ORDER –**

*Jeremy Johnson, Vice President*, called the regular business meeting to order at 5:59 p.m.

**CONSIDERATION OF MINUTES –**

**M/S/C (Speck/Edmonds-Norris) Move that the minutes of the July 10, 2019 regular business meeting be approved as submitted.**

**UNANIMOUS**

**GENERAL PUBLIC COMMENT – N/A**

**FEATURE PRESENTATIONS –**

**A. Caseload Ratios** – Thomas Maseda, Director of Administrative Services

After thanking the Board of Directors for their time and dedication to North Bay Regional Center, Thomas started his presentation noting the following; Per statute, all Regional Centers are required to maintain caseload ratios. If unable to maintain the established ratios, the Regional Center is required to hold a public feedback session to hear from stakeholders. Public input from tonight's meeting will aid in creating a Corrective Action Plan.

This year, NBRC sent out a letter to its stakeholders inviting them to send feedback regarding caseload ratios by email (ratioinput@nbrc.net) to assist with the Corrective Action Plan. Part of the challenge is the cost involved with meeting the required caseload ratios. To be in compliance, NBRC, would need to hire an additional 22 case managers, costing approximately \$1.7 million.

### March 2019 DDS Report:

	NBRC Ratio	Required Ratio	SC's needed to meet requirement
MedWaiver	1:74	1:62	10
Early Start	1:64	1:62	2
All Others	1:83	1:66	10

\*NBRC's average is 74.66 vs. 73.33 statewide average.

- *Rosemarie Pérez, Treasurer* noted although there are quite a few Regional Centers (RC) with ratios higher than ours (page 9 of the September 4<sup>th</sup> board packet,) ours are higher than the statewide average. She asked whether NBRC has reached out to other RC's
  - *Thomas Maseda* noted that NBRC will reach out to other RC's.
- *Jeremy Johnson, Vice President* asked if we are seeing an issue within the different counties for recruitment.
  - *Thomas Maseda* noted there are lower caseload ratios in Sonoma County as well as a lower attrition rate in the Santa Rosa office.

Thomas gave examples of somethings NBRC has done to help service coordinators be more efficient. For example, all Service Coordinators have laptops, as well as receive a cell phone reimbursement stipend. They can also utilize DocuShare which allows access to client charts while out in the community. They have access to SignNow for the use of electronic signatures. Also, NBRC management is prioritizing Labor Relations to bring the attrition rate down and improve the work environment.

The audience gave the following suggestions –

- *Tobias Weare, SCDD* – Visit local universities and junior colleges to inform them that NBRC is part of CalPERs as a selling point.
- *Brien Farrell, Family Advocates United* noted his sister lived at the Sonoma Developmental Center for 60 years and they received outstanding service. He suggested getting families to visit key legislators to share what that experience has been like.
- *January Crane, Federal Revenue Department Manager* - Interns in Masters of Social Work (MSW's) programs are always looking for practicum hours.
- *Jeremy Johnson, Vice President* - Weighted caseloads based on the needs of people receiving services.
- *Ali Tabatabai, VAC Representative* - Echoed the idea of using interns in an administrative function.
- *Abigail Andrade, Service Coordinator* - Mention this job meets the requirement for student loan forgiveness when recruiting.
- *Jeremy Johnson, Vice President* suggested getting feedback from the Service Coordinator's in the form of an anonymous survey.

Thomas closed out the presentation by thanking everyone for their input and expressing appreciation to DDS for all that they do to keep Regional Center's going and to keep money flowing to the system.

\*Public feedback/suggestions can be submitted at any time to [ratioinput@nbrc.net](mailto:ratioinput@nbrc.net).

### A. Performance Contract –

*January Crane, Federal Revenue Department Manager* presented a draft of the Performance Contract. The presentation is required annually in a public meeting. January noted every item with a star on the draft is an area that North Bay Regional Center has improved in over the prior year, or is exceeding the statewide average.

(A draft of the Performance Contract can be found in the September 2019 board packet.)

- *Jeremy Johnson, Vice President*, asked to see how we compare to other regional centers in the area of Purchase of Service Disparities. He also requested there be two icons, one for improvement and one for exceeding the statewide average.
  - Staff will get that information to the Board.

The following public input was provided –

- *Edie Thomas, Connections for Life* noted the difference from her first NBRC Board Meeting experience to the systematic changes being made now, are refreshing.
- *A Parent* noted she still needs to interact aggressively to get services and wait months to even receive the service.
  - *James Cox, Becoming Independent* noted he understands the frustration, and as a provider he hates to tell families the waitlist is 4-5 months out because they don't have the staff.
- *Ali Tabatabai, VAC Representative* commented in regards to the Competitive Integrated Employment data and that no one should limit the amount of hours people can work.
- ❖ The Performance Contract will be brought back in October for a vote.

#### **TREASURER'S REPORT - Rosemarie Pérez, Treasurer**

*(Please refer to page 23 of the September Board Packet for the Doug Cleveland Board Opportunity Fund update.)*

- NBRC received the 2020 fiscal year A-Preliminary contract which included \$17,842,080 for Operations.
  - NBRC should receive the A-1 Amendment in early September which will include the remaining Operations allocation for core staffing.
- Due to efficient management of the budget there is a discretionary balance that staff was able to use to cover upfront costs for the coming year.
- NBRC also used the discretionary balance to pay an additional 5% towards NBRC's CalPERS balance.

**M/S/C (Edmonds-Norris/Phillips) Move that the Treasurer's Report be approved as submitted.**

**UNANIMOUS**

#### **COMMITTEE REPORTS –**

##### **A. Nominating Committee – Rita Edmonds-Norris, Secretary**

###### **a. Proposed Slated Board Member:**

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

The Nominating Committee presented Hue Truong for membership on the Board. She was introduced and will be brought back for a vote in October. If approved by the Board, she will serve a three year term beginning October 2019.

❖ Rita read Ms. Truong's bio (*page 27 of the September Board Packet*)

- *Hue Truong* noted the following; she would like to serve on the board and thanked the board for inviting her to a meeting to see the action. She appreciates the work that's being done and is looking forward to the opportunity.

###### **b. Proposed VAC Members:**

- Michelle Condit
- James Cox
- Eric Martin

❖ Rita Edmonds-Norris read the three candidates bios.

❖ Before voting, Jeremy Johnson, Vice President, asked the three candidates to leave to room at 7:41 pm. There was discussion prior to voting.

**M/S/C (Speck/Edmonds-Norris) Move to approve James Cox as a VAC Member.**

**The motion passed with Johnson, Edmonds-Norris, Speck, Tabatabai, Pérez, and Ayala voting in favor.**

**APPROVED  
Phillips ABSTAINED**

**M/S/C (Pérez/Speck) Move to approve Michelle Condit as VAC Members.**

**The motion passed with Johnson, Edmonds-Norris, Speck, Tabatabai, Pérez, and Ayala voting in favor.**

**APPROVED  
Phillips ABSTAINED**

**M/S/C (Edmonds-Norris/Speck) Move to approve Eric Martin as VAC Members.**

The motion passed with Johnson, Edmonds-Norris, Speck, Tabatabai, Pérez, and Ayala voting in favor.

**APPROVED  
Phillips ABSTAINED**

- ❖ The candidates were invited back into the room at 7:46 pm.
- *Jeremy Johnson, Vice President* congratulated James, Michelle, and Eric.

**B. Vendor Advisory Committee –**

*Ali Tabatabai, VAC Representative* noted this is his first Board Meeting serving as the VAC Representative. He is excited to serve in this capacity and for this community. He noted it is a great honor and he looks forward to learning more as the VAC Rep. Ali commended his predecessor David Mauger for the wonderful work he did for the board and VAC to raise awareness in the Residential Community. David will be retiring and will be missed dearly.

- ❖ Ali recapped the August 13<sup>th</sup> Vendor Advisory Committee meeting. (*The VAC minutes can be found on pages 29-32 of the September 4<sup>th</sup> board packet.*)

**C. Legislative Advisory Committee –**

*Linda Plourde, Board Mentor* noted the Legislative Advisory Committee has been fun lately. The committee followed ANCOR's footsteps by asking members of congress and senators to shadow DSP's for a day. Congressman Mike Thompson shadowed DSP's at one of Bayberry's locations. Sydney Lewis from Senator Kamala Harris' office and Aby Ellis from Senator Feinstein's office will be joining and shadowing DSP's later this month at Lynn & Darla, and UCPNB WineBev.

**D. Client Advisory Committee –**

*Franklin Phillips, CAC Chairperson* recapped the last CAC meeting in Santa Rosa. During the last meeting, clients talked about what they can do to get proper housing and Section 8. The next meeting is on September 12<sup>th</sup> in the Napa office and there will be another housing presentation as well as a presentation from the Employment Taskforce.

**EXECUTIVE DIRECTOR'S REPORT –**

*Gabriel Rogin, Executive Director* noted the following;

- He thanked the members of the board that participated in the Employee Appreciation Picnic.
- There will be a public meeting on September 17, 2019 to receive input from the public regarding our disparity funding.
  - NBRC is partnering with The State Council on Development Disabilities and Georgetown University's National Center for Cultural Competence and would like interested Board Members to attend.
- DDS will host HCBS webinars on 9/9/19 and 9/10/19.
- Gabriel and Angel attended ARCA meetings in August and ARCA is looking into developing a board academy to give board members the opportunity for more formal training.
- DDS sent out a 25 page summary of the New Trailer Bill Language requirements. Staff plan to present to the Board next month.

**GOOD OF THE ORDER – N/A**

**GENERAL PUBLIC COMMENT –**

- *Jeremy Johnson, Vice President* thanked Linda Plourde with flowers and a card from the board for her time as a Board Mentor.

**ADJOURNMENT –** *Jeremy Johnson, Vice President* adjourned the regular business meeting at 8:11 pm.





## Performance Contract Plan 2020






Board Approved: TBD





North Bay Regional Center (NBRC) promotes opportunities and supports choices for people with developmental disabilities, or at risk of developmental disabilities, in Solano, Sonoma, and Napa Counties. This Plan for 2020 reflects targeted activities NBRC will engage in to continue to improve outcomes related to Public Policy Measures and Compliance Requirements as a result of both internal review and external feedback sessions. Data referenced is as of June 2019 unless otherwise noted.






NBRC's Performance Goals are achieved when NBRC data exceeds the statewide average (★) or has improved over the prior year (↑)

Public Policy Performance Measures	Statewide Averages	NBRC Outcomes	Planned Activities for 2020
<i>Number and percent of regional center caseload in Developmental Center</i>	0.26% 2017	86/1% 2017	<ul style="list-style-type: none"> <li>NBRC will continue to support those that have transitioned into the community from a developmental center</li> <li>NBRC will increase resource development to address individual's support needs</li> </ul>
	0.16% 2018	50/0.57% 2018	
	0.10% 2019	↑ 10/0.11% 2019	
<i>Number and percent of minors residing with families – own home, foster home, with guardian</i>	99.28% 2017	3492/99.20% 2017	<ul style="list-style-type: none"> <li>NBRC continues to monitor family and children's support needs around health, living arrangements, school, and community integration</li> <li>Service Coordinators will continue to assess for behavior, respite, and daycare supports, durable medical equipment, and other services and supports to maintain children in the family home</li> </ul>
	99.34% 2018	3561/99.39% 2018	
	99.42% 2019	↑ 3721/99.41% 2019	

<i>Number and percent of adults residing in independent living arrangements, with or without services</i>	10.89% 2017	594/11.75% 2017	
	10.60% 2018	625/12.08% 2018	
	10.36% 2019	★ 611/11.55% 2019	
<i>Number and percent of adults residing independently, with Supported Living services</i>	5.49% 2017	702/13.88% 2017	<ul style="list-style-type: none"> <li>• NBRC will continue identifying supported living options and advocating for affordable housing options</li> <li>• NBRC to monitor quality outcomes and ensure access to all generic services, e.g., IHSS</li> <li>• Service Coordinators will conduct quarterly monitoring visits to ensure quality services</li> </ul>
	5.45% 2018	649/12.54% 2018	
	5.33% 2019	★ 644/12.18% 2019	
<i>Number and percent of adults residing in adult Family Home Agency (FHA) homes</i>	0.98% 2017	75/1.42% 2017	<ul style="list-style-type: none"> <li>• NBRC will continue to identify FHAs as a living option, working with vendors to ensure quality services and supports meet individuals' needs</li> <li>• Service Coordinators will conduct quarterly monitoring visits, with a minimum of 2 unannounced visits a year</li> </ul>
	0.97% 2018	70/1.35% 2018	
	0.96% 2019	↑★ 81/1.53% 2019	
<i>Number and percent of adults residing in family homes – home of parent/guardian</i>	61.92% 2017	2602/51.45% 2017	<ul style="list-style-type: none"> <li>• NBRC will examine available data to anticipate future resource development needs</li> </ul>
	62.93% 2018	2752/53.19% 2018	
	63.89% 2019	↑ 2848/53.85% 2019	

<i>Number and percent of adults residing in home settings – independent living, supported living, adult FHA, and family homes</i>	79.27% 2017	3970/78.51% 2017	<ul style="list-style-type: none"> <li>NBRC continues advocating for individual to assert their rights to access the living arrangement of their choice</li> </ul>
	79.9% 2018	4088/79% 2018	
	80.54% 2019	 4184/79.11% 2019	
<i>Number and percent of minors living in facilities service more than 6</i>	0.04% 2017	3/0.09% 2017	<ul style="list-style-type: none"> <li>NBRC will continue developing alternative living arrangements that meet children's support needs in the least restrictive setting</li> </ul>
	0.05% 2018	3/0.08% 2018	
	0.04% 2019	  1/0.03% 2019	
<i>Number and percent of adults living in facilities serving more than 6</i>	2.55% 2017	66/1.31% 2017	<ul style="list-style-type: none"> <li>NBRC develops homes that serve 4 adults or less while meeting health and behavioral needs and anticipated CMS settings rules</li> <li>NBRC will continue monitoring these settings and assessing for support needs on a quarterly basis</li> </ul>
	2.41% 2018	61/1.18% 2018	
	2.24% 2019	  59/1.12% 2018	




Public Policy Performance Measures - Employment	Statewide Averages	NBRC Outcomes	Planned Activities for 2020
<i>Number and percent of individuals ages 16-64 with earned income (EDD data)</i>	906/13.1% 2015 (per quarter)  23,265/14.50% 2017 (annual)	689/14.15% 2015 (per quarter)    1218/24.2% 2017 (annual)	<ul style="list-style-type: none"> <li>NBRC will continue working with the Dept. of Rehabilitation and local collaborative groups to promote Work First with the individual planning team and increase employment opportunities</li> <li>NBRC will increase business outreach and education and produce materials/media highlighting the benefits of employing individuals with disabilities</li> </ul>
<i>Average annual wages for individuals ages 16-64 (EDD data)</i>	\$7248 2015  \$8698 2017	\$6684 2015   \$7758 2017	*see above
<i>Annual earnings of individuals ages 16-64 compared to all people with disabilities in California (EDD data)</i>	\$6836 vs \$41,500 (CY 2013)	*statewide data collection under development	*see above
<i>Number and percent of adults who entered in competitive integrated employment following participation in a Paid Internship Program</i>	*statewide data collection under development	0 2018   3/8.8% 2019	<ul style="list-style-type: none"> <li>NBRC will increase training opportunities on Competitive Integrated Employment(CIE) for clients, vendors, and Service Coordinators in order to increase employment, awareness, and utilization of supports and programs</li> <li>NBRC will create brochures and a guidebook on employment-related supports to be distributed to clients and stakeholders</li> <li>NBRC will collaborate with Dept. of Rehabilitation and local school districts, through the Local Partnership Agreement (LPA) process, to increase opportunities for informed choice and employment</li> </ul>

<i>Average wages and hours worked for adults engaged in competitive integrate employment on behalf of whom incentive payments have been made (FY 2018/19 NBRC data)</i>	*statewide data collection under development	<p>\$11.01/hr 18 hrs/wk 2017</p> <p>\$11.34/hr 20 hrs/wk 2018</p> <p> \$12.67/hr 22 hrs/wk 2019</p>	*see above
<i>Average hourly or salaried wages and hours worked per week for adults who participates in a Paid Internship Program during the prior fiscal year (FY 2018/19 NBRC data)</i>	*statewide data collection under development	<p>\$10.88/hr 18 hrs/wk 2018</p> <p> \$12.03/hr 15 hrs/wk 2019</p>	*see above
<i>Total number of \$1000, \$1250, and \$1500 incentive payments made for the fiscal year (FY 2018/19 NBRC data)</i>	*statewide data collection under development	<p>24 - 2017</p> <p> 43 - 2018</p> <p>51 - 2019</p>	*see above
<i>Percentage of adults who reported having competitive integrated employment as a goal in their IPP (NCI data)</i>	<p>27% (FY 2011/12)</p> <p>27% (FY 2014/15)</p>	<p>25% (FY 2011/12)</p> <p>  39% (FY 2014/15)</p>	<ul style="list-style-type: none"> <li>NBRC will promote Work First with the individual planning team and continue to provide training to Service Coordinators on advocating for integrated employment opportunities in the community</li> </ul>








Public Policy Performance Measure – Reducing Disparities and Improving Equity in Purchase of Service Expenditures	FY 2017/18 NBRC data						
<i>Percent of total annual purchase of service expenditures by individual's ethnicity and age</i>	<i>For Birth to age 2 years, inclusive</i>						
	American Indian or Alaska Native	9	\$52,899	\$74,827	\$5,878	\$8,314	70.7%
	Asian	75	\$344,353	\$623,915	\$4,591	\$8,319	55.2%
	Black/African American	91	\$232,907	\$453,932	\$2,559	\$4,988	51.3%
	Hispanic	832	\$3,427,305	\$5,824,188	\$4,119	\$7,000	58.8%
	Native Hawaiian or Other Pacific Islander	3	\$21,786	\$38,056	\$7,262	\$12,685	57.2%
	Other Ethnicity or Race / Multi-Cultural	240	\$1,230,914	\$2,133,781	\$5,129	\$8,891	57.7%
	White	708	\$3,456,967	\$5,672,557	\$4,883	\$8,012	60.9%
	<b>Totals:</b>	1,958	\$8,767,130	\$14,821,256	\$4,478	\$7,570	59.2%
	<i>For age 3 years to 21 years, inclusive</i>						
	American Indian or Alaska Native	17	\$73,746	\$105,873	\$4,338	\$6,228	69.7%
	Asian	250	\$973,766	\$1,482,896	\$3,895	\$5,932	65.7%
	Black/African American	281	\$1,497,981	\$2,206,322	\$5,331	\$7,852	67.9%
	Hispanic	1,204	\$4,572,514	\$7,032,285	\$3,798	\$5,841	65.0%
	Native Hawaiian or Other Pacific Islander	7	\$19,012	\$52,720	\$2,716	\$7,531	36.1%
	Other Ethnicity or Race / Multi-Cultural	792	\$2,549,887	\$3,859,818	\$3,220	\$4,874	66.1%
	White	1,296	\$7,037,261	\$10,591,113	\$5,430	\$8,172	66.4%
	<b>Totals:</b>	3,847	\$16,724,168	\$25,331,027	\$4,347	\$6,585	66.0%
	<i>For age 22 years and older</i>						
	American Indian or Alaska Native	15	\$1,025,628	\$1,178,265	\$68,375	\$78,551	87.0%
	Asian	271	\$7,876,385	\$8,054,318	\$29,064	\$29,721	97.8%
	Black/African American	535	\$19,247,154	\$21,191,568	\$35,976	\$39,610	90.8%
	Hispanic	628	\$14,751,523	\$16,173,242	\$23,490	\$25,754	91.2%
	Native Hawaiian or Other Pacific Islander	10	\$314,711	\$312,404	\$31,471	\$31,240	100.7%
	Other Ethnicity or Race / Multi-Cultural	346	\$9,941,613	\$11,239,703	\$28,733	\$32,485	88.5%
	White	2,783	\$114,905,776	\$124,417,418	\$41,288	\$44,706	92.4%
	<b>Totals:</b>	4,588	\$168,062,789	\$182,566,919	\$36,631	\$39,792	92.1%








Number and Percent of individuals receiving only case management services by age and ethnicity	For Birth to age 2 years, inclusive				
	American Indian or Alaska Native	9	9	0	0.0%
	Asian	75	73	2	2.7%
	Black/African American	91	80	11	12.1%
	Hispanic	832	802	30	3.6%
	Native Hawaiian or Other Pacific Islander	3	3	0	0.0%
	Other Ethnicity or Race / Multi-Cultural	240	233	7	2.9%
	White	708	698	10	1.4%
	Totals:	1,958	1,898	60	3.1%
	For age 3 years to 21 years, inclusive				
	American Indian or Alaska Native	17	10	7	41.2%
	Asian	250	153	97	38.8%
	Black/African American	281	177	104	37.0%
	Hispanic	1,204	842	362	30.1%
	Native Hawaiian or Other Pacific Islander	7	3	4	57.1%
	Other Ethnicity or Race / Multi-Cultural	792	538	254	32.1%
	White	1,296	821	475	36.7%
	Totals:	3,847	2,544	1,303	33.9%
	For age 22 years and older				
American Indian or Alaska Native	15	14	1	6.7%	
Asian	271	222	49	18.1%	
Black/African American	535	461	74	13.8%	
Hispanic	628	526	102	16.2%	
Native Hawaiian or Other Pacific Islander	10	8	2	20.0%	
Other Ethnicity or Race / Multi-Cultural	346	274	72	20.8%	
White	2,783	2,502	281	10.1%	
Totals:	4,588	4,007	581	12.7%	


Per capita purchase of service expenditures by individual's primary language (for primary languages chosen by 30 or more clients)	Language	Consumer Count	Per Capita Expenses	Statewide Avg
	English	8420	\$21,058	\$15,119
	Spanish	1796	\$6911	\$8282
	Tagalog	57	\$17,453	\$15,947

Compliance Measure – Public Policy and Compliance	2018	2019	Planned Activities for 2020
Unqualified independent audit with no material findings	NO* <i>*NBRC received the FY 16-17 draft independent audit within 30 days of this reporting period</i>	 YES	NBRC will continue to utilize sound business practices in compliance with audits
Substantial compliance with the Department fiscal audit	YES	YES	NBRC will continue to fulfill internal auditing requirements
Operates within operations budget	YES	YES	NBRC will continue to monitor and provide monthly reporting
Certified to participate in the Home and Community-Based Waiver	YES	YES	NBRC Internal Quality Monitor conducts monthly audits, as well as ongoing training on all Federal Programs
Compliance with Vendor Audit Requirements per contract	NO* <i>*NBRC achieved compliance with the number of audits performed. Submission of the audit summary was delayed</i>	 YES	NBRC will continue to perform audits with our vendors on a regular basis
IPP Development per W&I Code requirements	98% (2015)	 99.33% (2017)	NBRC will continue to regularly monitor IPP reports; draft 2019 audit results not available as of September 2019
IFSP Development per Title 17 requirements per ESR	88%	79%	NBRC will continue to submit RFPs for speech, OT, and PT for additional assistance in timely assessments



Compliance Measure	Statewide Averages	NBRC Outcomes	Planned Activities for 2020
CDER/ESR Currency	98.34% - 2017 98.5% - 2018 98.3% - 2019	98.72% - 2017 98.86% - 2018   98.9% - 2019	<ul style="list-style-type: none"> <li>NBRC will continue monitoring monthly reports to ensure CDERS and ESRs are current</li> <li>Internal quality monitoring and monthly auditing will identify reporting errors and missed dates to increase reporting compliance</li> <li>Federal Revenue staff will continue to send monthly reminders to Service Coordinators</li> </ul>
Intake/Assessment and IFSP timelines (ages 0-2)	*statewide data collection under development	88% - 2018 79% - 2019	<ul style="list-style-type: none"> <li>NBRC will continue monitoring IFSP input data internally to ensure IFSP's are completed in a timely manner</li> <li>NBRC will continue to submit RFPs for speech, OT, and PT for additional assistance in timely assessments</li> </ul>
Intake/Assessment timelines for individuals ages 3 or older			<ul style="list-style-type: none"> <li>NBRC will continue providing timely completion of intake/assessment for children 3 years old and above</li> </ul>
142 days or less	97.91% - 2017 99.12% - 2018 89.84% - 2019	  99.31% - 2017 96.92% - 2018 100% - 2019	
143-240 days	1.85% - 2017 .76% - 2018 6.05% - 2019	  .69% - 2017 3.08% - 2018 0% - 2019	
Over 240 days	.24% - 2017 .12% - 2018 4.11% - 2019	0% - 2017 0% - 2018  0% - 2019	

Measures Related to Reducing Disparities and Improving Equity in Purchase of Service Expenditures		National Core Indicator (NCI) Data Current NCI data identifies per survey type and year			
Overall Number and Percent of individuals, <b>by ethnicity</b> , who are <b>satisfied</b> (always/usually) with the services and supports received by the family and family member	Child Family Survey (FY 15/16)	 <b>NBRC</b> <b>White: 52.5%</b> (FY 12/13: 53.85%) <b>Hispanic or Latino: 65.4%</b> (FY 12/13: 62.26%) <b>Total Overall: 299/58.2%</b> (FY 12/13: 362/58.29%)	<b>FNRC</b> <b>White: 78.2%</b> <b>Hispanic or Latino: 68.6%</b> <b>Total Overall: 226/76.1%</b>	<b>RCRC</b> <b>White: 73.7%</b> <b>Hispanic or Latino: 71%</b> <b>Total Overall: 153/71.9%</b>	<b>Statewide</b> <b>White: 72.8%</b> (FY 12/13: 63.88%) <b>Hispanic or Latino: 69.7%</b> (FY 12/13: 59.94%) <b>Overall: 12,696/70.8%</b> (FY 12/13: 7995/62.53%)
	Family Guardian Survey (FY 16/17)	 <b>White: 82.5%</b> (FY 13/14: 84.75%)  <b>Hispanic or Latino: 80%</b> (FY 13/14: 75%)  <b>Total Overall: 159/82.4%</b> (FY 13/14: 150/82%)	<b>White: 86.6%</b> (FY 13/14: ) <b>Hispanic or Latino: 100%</b> <b>Total Overall: 195/85.1%</b>	<b>White: 83.9%</b> <b>Hispanic or Latino: 100%</b> <b>Total Overall: 70/82.9%</b>	<b>White: 89%</b> (FY 13/14: 83.74%) <b>Hispanic or Latino: 83%</b> (FY 13/14: 72.76%) <b>Overall: 3768/87.5%</b> (FY 13/14: 3210/81.06%)
	Adult Family Survey (FY 16/17)	 <b>White: 77.3%</b> (FY 13/14: 67.39%)  <b>Hispanic or Latino: 71.1%</b> (FY 13/14: 55.88%)  <b>Total Overall: 238/75.2%</b> (FY 13/14: 67.17%)	<b>White: 81.1%</b> <b>Hispanic or Latino: 84%</b> <b>Total Overall: 245/76.1%</b>	<b>White: 87.7%</b> <b>Hispanic or Latino: 75%</b> <b>Total Overall: 159/85.5%</b>	<b>White: 80.9%</b> <b>Hispanic or Latino: 77.6%</b> <b>Overall: 4603/79.1%</b>

Measures Related to Reducing Disparities and Improving Equity in Purchase of Service Expenditures		National Core Indicator (NCI) Data Current NCI data identifies per survey type and year			
Number and Percent of families, <b>by ethnicity</b> , who report that services have <b>made a positive difference</b> in helping to keep their family member at home	Adult Family Survey (FY 16/17)	 <p><b>NBRC</b>  <b>White: 69%</b>  (FY 10/11: 55.56%)  <b>Hispanic or Latino: 68.6%</b>  (FY 10/11: 60%)  <b>Overall: 259/67.2%</b>  (FY 10/11: 207/59.42%)</p>	<p><b>FNRC</b>  N/A  *data not available by ethnicity</p>	<p><b>RCRC</b>  N/A  *data not available by ethnicity</p>	<p><b>Statewide</b>  <b>White: 68.3%</b>  (FY 10/11: 61.26%)  <b>Hispanic or Latino: 64.1%</b>  (FY 10/11: 61.26%)  <b>Overall: 4918/65.1%</b>  (FY 10/11: 60.61%)</p>



**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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August 21, 2019

**TO: REGIONAL CENTER EXECUTIVE DIRECTORS AND BOARD PRESIDENTS**

**SUBJECT: JUNE 2019 TRAILER BILL LANGUAGE AFFECTING REGIONAL CENTERS**

The purpose of this correspondence is to provide a summary of the recently enacted Developmental Services Budget Trailer Bill, SB 81 (Chapter 28, Statutes of 2019), which directly impacts regional centers, developmental centers and the developmental disabilities services system. The following is a list of areas affected by, or new requirements resulting from, SB 81, the related bill sections and pages where statutory changes are summarized in this correspondence:

- Copayments, Coinsurance and Deductibles for Early Start Consumers, Section 24..... 2
- Standardized Information Packets, Section 21..... 2
- Individual Program Plan List of Agreed-upon Services and Supports, Section 22..... 3
- Regional Center Policies, Guidelines and Assessment Tools, Sections 5 and 17..... 4
- Protection and Advocacy Agency and Clients' Rights Advocate Internet Website Links, Section 8..... 5
- Section 4731 Consumers' Rights Complaints and Fair Hearing Requests, Section 8... 5
- Performance Dashboards, Section 11..... 6
- Public Meetings on Performance Contract Objectives and Outcomes, Section 16..... 6
- National Core Indicators Data and Public Meetings, Section 10..... 7
- Regional Center Board of Directors Composition, Attorneys and Meetings with the Department, Sections 12, 13, 14 and 15..... 8
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**“Building Partnerships, Supporting Choices”**

The changes made by SB 81 became effective June 27, 2019, unless otherwise specified. While this correspondence provides a high-level summary of SB 81, a complete and thorough review of the bill is imperative for regional centers' statutory compliance. Clarifying information regarding implementation of SB 81 is included in several areas below. Regional centers should continue to educate their communities regarding these legislative changes.

### **Copayments, Coinsurance and Deductibles for Early Start Consumers**

**TBL Section 24:** Welfare and Institutions Code<sup>1</sup> Section 4659.1 was amended to state if a service or support provided pursuant to a consumer's individualized family service plan under the California Early Intervention Services Act (Title 14, Government Code) is paid for, in whole or in part, by the health care service plan or health insurance policy of the consumer's parent, guardian, or caregiver, the regional center must pay any applicable copayment, coinsurance, or deductible associated with the service or support for which the parent, guardian, or caregiver is responsible if both of the following conditions are met:

1. The consumer is covered by their parent's, guardian's, or caregiver's health care service plan or health insurance policy.
2. There is no other third party having liability for the cost of the service or support, as provided in Section 4659(a) and Article 2.6 (commencing with Section 4659.10).

**Implementation:** *Consideration of a family's annual income is no longer a requirement when paying for copayments, coinsurance or deductibles pursuant to Section 4659.1(c). Regional centers must use the following service sub codes for copayments, coinsurance and deductibles.*

- *Copayments: sub code must begin with 'ICP'*
- *Coinsurance: sub code must begin with 'ICI'*
- *Deductibles: sub code must begin with 'DEDI'*

*To ensure purchases are eligible for federal reimbursement, copayment, coinsurance and deductible purchases must be made using the service code appropriate for the type of service/provider. For example, a copayment for a service provided by a Behavior Analyst must be made using service code 612 and a sub code that begins with 'ICP'. All copayments, coinsurance and deductible purchases must use these service/sub code combinations. Compliance with this section will be monitored through the Department's fiscal audits of regional centers.*

### **Standardized Information Packets**

**TBL Section 21:** Section 4642 was amended to require the Department to create, with stakeholder input, standardized information packets to be provided to any person

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<sup>1</sup> All citations are to the Welfare and Institutions Code unless otherwise noted.

seeking services from a regional center. There must be one information packet related to services provided under the California Early Intervention Services Act and another information packet related to services provided under the Lanterman Developmental Disabilities Services Act (Lanterman Act). The information packets must be translated to provide language access, as required by state and federal law, must be available in alternative formats and alternative modes of communication, as required by federal law, and must include, at a minimum, all of the following:

- An overview of the regional center system.
- A resource guide for consumers and their families.
- Information on consumer rights.
- Contact information for the regional center, the Department, the office of clients' rights advocacy and the protection and advocacy agency specified in Division 4.7 (commencing with Section 4900).

Each regional center must distribute the information packets at intake, upon transfer to receiving services under the Lanterman Act, and upon request. Regional centers must begin distributing the information packets within 60 days following the Department providing the information packets and issuing directives regarding the distribution of the information packets. In addition to, and not in lieu of, this requirement, each regional center must post the full content of the most updated information packet on its internet website.

*Implementation: The Department will work with stakeholders, including the Association of Regional Center Agencies and Disability Rights California, to obtain input on the development of standardized information packets for Early Start and Lanterman Act services. Additional information is forthcoming.*

### **Individual Program Plan List of Agreed-upon Services and Supports**

TBL Section 22: Section 4646 was amended to require an authorized representative of the regional center, at the conclusion of an individual program plan meeting, to provide to the consumer, in written or electronic format, a list of the agreed-upon services and supports, and, if known, the projected start date, the frequency and duration of the services and supports, and the provider. The authorized representative of the regional center must sign the list of agreed-upon services and supports at that time. The consumer, or when appropriate, the consumer's parent, legal guardian, conservator, or authorized representative must sign the list of agreed-upon services and supports prior to its implementation.

The consumer, or when appropriate, the consumer's parent, legal guardian, conservator, or authorized representative, may elect to delay receipt of the list of

agreed-upon services and supports pending final agreement, as described in Section 4646(g). If a final agreement regarding the services and supports to be provided to the consumer cannot be reached at a program plan meeting, then a subsequent program plan meeting must be convened within 15 days, or later at the request of the consumer or, when appropriate, the parents, legal guardian, conservator, or authorized representative or when agreed to by the planning team. The list of the agreed-upon services and supports signed by the authorized representative of the regional center must be provided, in writing or electronically, at the conclusion of the subsequent program plan meeting, and must be provided in the native language of the consumer, or the consumer's parent, legal guardian, conservator, or authorized representative.

Regional centers must provide alternative communication services, including providing copies of the list of services and supports, and the individual program plan in the native language of the consumer or the consumer's family, legal guardian, conservator, or authorized representative, or both, as required by Sections 11135 to 11139.8, inclusive, of the Government Code and implementing regulations.

*Implementation: Effective June 27, 2019, a list of agreed-upon services and supports must be provided to the consumer, parent, legal guardian, conservator or authorized representative at the conclusion of each individual program plan meeting, and the list must be signed by a regional center representative and the consumer, parent, legal guardian, conservator or authorized representative prior to implementation.*

### **Regional Center Policies, Guidelines and Assessment Tools**

TBL Section 5: Section 4434 was amended to require the Department to collect and review, in addition to purchase of service policies and other policies and guidelines, any assessment tools utilized by regional centers when determining the service needs of a consumer. This section also requires the Department to confirm that purchase of service policies and other policies, guidelines, or assessment tools utilized by regional centers when determining the service needs of a consumer are available to the public, as required by Section 4629.5(b)(5).

TBL Section 17: Section 4629.5 was amended to require each regional center to post on its internet website any policies, guidelines, or regional center-developed assessment tools used to determine the transportation, personal assistant, or independent or supported living service needs of a consumer.

*Implementation: The Department will send regional centers a subsequent correspondence by September 30, 2019, regarding the process for collecting and reviewing assessment tools that are utilized when determining the service needs of a consumer.*



**Protection and Advocacy Agency and Clients' Rights Advocate Internet Website Links**

**TBL Section 8:** Section 4519.2(e) was added to require the Department and each regional center to include on their internet websites a link to the protection and advocacy agency designated pursuant to Division 4.7 (commencing with Section 4900) and the clients' rights advocate contracted with pursuant to Section 15610.20. This posting must be completed no later than March 1, 2020, and must be posted on the home page of the internet websites, or in another standard location determined by the Department.

***Implementation:** Each regional center must post a link to the Disability Rights California website ([www.disabilityrightscalifornia.org](http://www.disabilityrightscalifornia.org)) on its home page by March 1, 2020.*

**Section 4731 Consumers' Rights Complaints and Fair Hearing Requests**

**TBL Section 8:** Section 4519.2(c) and (d) were added, requiring the Department to update the Legislature annually, beginning on January 10, 2020, with the following information:

- The number of complaints filed at each regional center pursuant to Section 4731 for the prior fiscal year, to include the following information:
  - The subject matter of complaints filed.
  - How complaints were resolved.
  - The timeframe within which resolutions to those complaints were provided by the regional center.
  - The number of complaints that were appealed to the Department, their resolution, and the timeframe within which a written administrative decision was issued.
  - Demographic information, as identified by the Department, about consumers on whose behalf the complaint was filed.

The update must include data for the prior two fiscal years, as available, and must be posted on the Department's internet website.

- The number of fair hearing requests filed pursuant to Section 4710.5 and the number of fair hearing requests resolved or decided during the prior fiscal year for each regional center and statewide, and include the following information:
  - The reason for the fair hearing request aggregated by issue type, as specified by the Department.
  - The number of fair hearing requests resolved or decided by type and average length of time between filing and resolution or disposition of the case, as specified by the Department.
  - The outcome of the resolution, if known.
  - Demographic information, as identified by the Department, about consumers on whose behalf the complaint was filed.

*Implementation: The Department receives and maintains some information on Section 4731 complaints and fair hearing requests; however, additional information will be needed from regional centers to meet these requirements. The Department will send regional centers a subsequent correspondence by September 30, 2019, detailing the information that is needed and the process for collecting the information.*

### **Performance Dashboards**

TBL Section 11: Section 4572 was amended to require the Department to publish its performance dashboard in a machine-readable format and to require each regional center to publish its own dashboard and to post a link to the Department's dashboard on its internet website. The dashboard must include, but not be limited to, all of the following metrics:

- Recognized quality and access measures.
- Measures to indicate the movement toward compliance with the federal Home and Community-Based Services Waiver rules (CMS 2249-F and CMS 2296-F).
- Measures to evaluate the changes in the number of consumers who work in competitive integrated employment.
- The number of complaints referred to the Department pursuant to Section 4731(c), for every 1,000 consumers served, by each regional center.
- The number of administrative fair hearings held pursuant to Chapter 7, Article 3 (commencing with Section 4710), separated by eligibility and service issues, for individuals ages three and over, for every one thousand consumers served, by each regional center.

*Implementation: The Department will work with the Association of Regional Center Agencies to identify measures to be included in the dashboard and how required information will be collected.*

### **Public Meetings on Performance Contract Objectives and Outcomes**

TBL Section 16: Section 4629 was amended to require each regional center governing board, beginning May 1, 2020, and annually thereafter, to hold one or more public meetings regarding its prior year's performance contract objectives and outcomes. The meetings may be held separately from meetings held pursuant to Section 4660. The regional center must provide individuals attending these meetings with data and any associated information to facilitate discussion and community input. Regional centers must inform the Department that a meeting has been scheduled at least 30 days prior to the meeting. Notice of the meetings must also be posted on the regional center's internet website at least 30 days prior to the meeting and must be sent to regional center consumers and families and individual stakeholders at least 30 days prior to the meeting.

Each regional center, in holding the meetings, must ensure that the meetings and meeting materials provide language access, as required by state and federal law, and must schedule the meetings at times and locations designed to promote attendance by the public. To encourage participation by diverse language, racial, and ethnic communities, the regional center must consider strategies to promote opportunities for public comment.

Each regional center governing board must report to the Department regarding the outcomes of each of these public meetings within 90 days of the meeting. The report must include, but not be limited to, both of the following:

- Copies of minutes from each meeting and comments obtained from other strategies utilized to provide opportunities for public comment from diverse language, racial, and ethnic communities.
- The regional center's recommendations and a plan to address areas where improvement is needed.

In addition, Section 4629 was amended to stipulate that renewal of each regional center contract with the Department will be contingent upon compliance with the contract, including, but not limited to, the performance objectives *and achievement of sufficient progress towards meeting the requirements of any corrective action plan imposed by the state*, as determined through the Department's evaluation.

*Implementation: The Department sent regional centers the 2020 Performance Contract Guidelines on August 12, 2019, including information on the new requirements. See Enclosure A.*

### **National Core Indicators Data and Public Meetings**

**TBL Section 10:** Section 4571 was amended to require each regional center to annually present data collected from, and the findings of, the quality assurance instrument described in Section 4571(b) for that regional center, at a public meeting of its governing board in order to assess the comparative performance of the regional center and identify needed improvements in services for consumers, including, but not limited to, case management services. Notice of this meeting must be posted on the regional center's internet website at least 30 days prior to the meeting and must be sent to regional center consumers and families and individual stakeholders at least 30 days prior to the meeting. The governing board must provide a sufficient public comment period so members of the public may provide comments. Each regional center, in holding the meeting, must ensure that the meeting and meeting materials provide language access, as required by state and federal law.

All regional center-specific reports generated by the Department pursuant to this requirement must be made publicly available on the regional center's internet website in a machine-readable format, but must not contain any personal identifying information about any person assessed. Within 60 days following its annual presentation, each regional center must submit a report to the Department regarding its implementation of the requirements of this section. The report must include, but not be limited to, both of the following:

- Copies of the presentation, minutes from the meeting, and attendee comments.
- The regional center's recommendations and plans to use the information to address regional center priorities, strategic directions to improve specific areas of performance, or both.

*Implementation: The Department will continue to provide this information to regional center executive directors and remains available to regional centers to provide additional information or to answer questions regarding regional center-specific reports generated by the Department pursuant to this section.*

#### **Regional Center Board of Directors Composition, Attorneys and Meetings with the Department**

TBL Section 12: Section 4622 was amended to require the membership of the regional center governing board to include members with management or board governance expertise and members with financial expertise by August 15, 2020. Board governance expertise may not be acquired solely by serving on a regional center board.

TBL Section 13: Section 4622.5 was amended to state if the composition of the governing board is not in compliance with Section 4622, the governing board must submit a plan to the Department with its board composition documentation setting forth how and, in as expeditious a manner as possible, when the board will come into compliance, in part or in whole, with Section 4622.

*Implementation: The Department will monitor compliance with these requirements through the board composition surveys due to the Department by August 15 of each year. Beginning with the 2020 board composition survey, the Department will include fields to indicate which members have management or board governance expertise and which members have financial expertise.*

TBL Section 14: Section 4625.6 was added to stipulate that an attorney retained or employed by the governing board to provide legal services must not be an employee of the regional center.

*Implementation: These provisions became effective with the passage of SB 81 on June 27, 2019.*

TBL Section 15: Section 4625.7 was added to require the governing board to meet with representatives of the Department upon a request by the Director of the Department and, if requested, the board must exclude regional center employees from the meeting. The governing board must meet with the Department's representatives without preconditions for the meeting and at a time and date determined by the Department. Not infringing on the Department's authority otherwise provided in this section, at the Department's discretion, efforts must be made to meet with a governing board of a regional center at a mutually agreed-upon time, date, and place, with the goal of promoting attendance by board members.

### **Service Provider Corrective Action Plans and Sanctions**

TBL Section 20: Section 4640.9 was added to require each regional center, beginning July 1, 2020, to provide to the Department a copy of any corrective action plans and sanctions issued to a service provider, which must include the name of the service provider, the type of action taken, and the date of action. Copies of corrective action plans and sanctions must be submitted quarterly, no later than 45 days following the end of each fiscal quarter. The Department must provide a copy of all corrective action plans and sanctions to the protection and advocacy agency specified in Division 4.7 (commencing with Section 4900) within 30 days of its request. The Department must consult with regional centers and the protection and advocacy agency on the process for increasing consumer and family access to the information contained in corrective action plans and sanctions.

*Implementation: The Department will send regional centers a subsequent correspondence outlining the process for submitting service provider corrective action plans and sanctions to the Department. The Department will consult with Disability Rights California and the Association of Regional Center Agencies on how information in corrective action plans and sanctions should be made available to the public going forward.*

### **Department Directives to Regional Centers**

TBL Section 18: Section 4639.6 was added, stating that the Director of the Department may issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with Section 4434. The regional center must comply with any directive issued by the Director pursuant to this section. The directive may not be in conflict with existing statutes or regulations.

TBL Section 8: Section 4519.2(f) was added, requiring the Department, on and after October 1, 2019, to post on its internet website all new directives that it issues to regional centers.

### **Uniform Holiday Schedule Suspension**

TBL Section 28: Section 4692 was amended to suspend the Uniform Holiday Schedule provisions until December 31, 2021. Section 4692(f)(2) states, if, in the determination of

the Department of Finance, the estimates of General Fund revenues and expenditures that accompany the May Revision, which is required to be released by May 14, 2021, contain projected annual General Fund revenues that exceed projected annual General Fund expenditures in the 2021–22 and 2022–23 fiscal years by the sum total of General Fund moneys appropriated for all programs subject to suspension on December 31, 2021, pursuant to the Budget Act of 2019 and the bills providing for appropriations related to the Budget Act of 2019, then the suspension of this section shall continue beyond December 31, 2021. It is the intent of the Legislature to consider alternative solutions to facilitate the continued suspension of this section if Section 4692(f)(2) does not apply.

*Implementation: Uniform Holiday Schedule provisions are suspended until December 31, 2021.*

### **Specialized Caseload Ratio**

**TBL Section 19:** Section 4640.6 was amended to require an average service coordinator-to-consumer ratio of 1-to-25 for consumers with complex needs. For the purposes of this requirement, a “consumer with complex needs” means a consumer who is any of the following:

1. Receiving regional center-funded mobile crisis services by a Department-approved vendor, or has received those services within the past six months.
2. Receiving state-operated crisis assessment stabilization team services, or has received those services within the past six months.
3. Placed in a community crisis home, as defined in Section 4698.
4. Placed in an acute crisis home operated by the Department, pursuant to Section 4418.7.
5. Placed in a locked psychiatric setting or has been placed in a locked psychiatric setting in the past six months.
6. Placed in an institution for mental disease, as described in Part 5 (commencing with Section 5900) of Division 5.
7. Placed out of state as a result of appropriate services being unavailable within the state, pursuant to Section 4519.
8. Placed in a county jail and eligible for diversion pursuant to Chapter 2.8 (commencing with Section 1001.20) of Title 6 of Part 2 of the Penal Code or found incompetent to stand trial as described in Section 1370.1 of the Penal Code.
9. A person the Department has determined cannot be safely served in a developmental center, as described in Section 6510.5.

The service coordinator-to-consumer ratio shall not be authorized for a consumer for more than 12 months after the consumer is no longer receiving the services described in 1 or 2, above; after the consumer is no longer placed in a facility described in 3, 4, 5, 6, 7 or 8, above; or after the Department has made the determination described in 9, above; unless an extension is granted. An extension must be based on a new and complete

comprehensive assessment of the consumer's needs. An extension may be granted one time, and may not exceed six months.

*Implementation: The Department will work with the Association of Regional Center Agencies to identify individuals who can be counted under each category based on regional center purchase of service data, the Client Master File and other sources. The Department will send regional centers a subsequent correspondence with further direction on implementation of the specialized caseload ratio and will include this category in the annual caseload ratio survey, beginning with the March 2020 survey.*

#### **Home and Community-Based Services Final Rule Compliance Data**

**TBL Section 8:** Section 4519.2(b) was added, requiring each regional center to post the following information on its internet website in a format determined by the Department no later than April 1, 2020, and to update the information no less frequently than every six months until the Department determines that statewide compliance with the federal Home and Community-Based Services (HCBS) Final Rule has been met, or January 1, 2025, whichever is earlier:

- The number of providers identified as needing assessment for HCBS compliance, broken down by provider type, as defined by the Department.
- The number of providers within each provider type that have been inspected or reviewed for HCBS compliance.
- The number of providers within each provider type that have been determined to be HCBS compliant.
- The number of providers within each provider type that have been determined not to be HCBS compliant and the reason for lack of compliance.
- The number of providers, broken down by provider type, that have been identified as presumed to have the qualities of an institutional setting, as described in Title 42, Code of Federal Regulations Sections 441.301(c)(5)(v) and 441.710(a)(2)(v).

The Department must provide this information to the Legislature as statewide data and for each regional center, no later than May 1, 2020, and must post that summary on its internet website.

*Implementation: The Department will work with the Association of Regional Center Agencies to identify key indicators of compliance, develop a format, determine the process for compiling this information, and will post these details on its internet website for public comment and input prior to finalizing. A subsequent correspondence will be sent to regional centers once the details have been finalized.*

### **Service Provider Rate Increases**

**TBL Section 27:** Section 4691.12 was added to state, notwithstanding any other law or regulation, to the extent funds are appropriated in the annual Budget Act for this purpose, and contingent upon the approval of federal funding, the Department shall provide a rate increase effective January 1, 2020, for all of the following services:

1. Specified services for which rates are set by the Department or through negotiations between the regional centers and service providers.
2. Rates paid for supported employment services, as specified in Section 4860(a) and (b).
3. Vouchered community-based services, as specified in Section 4688.21(c)(7).

The rate increase shall be applied to rates in effect on December 31, 2019, less the amount of any one-time rate increases for developmental services, as authorized in Chapter 29, Statutes of 2018. The rate increase shall be applied as a percentage, and this percentage shall be the same for all providers within each service category, as established by the Department and set forth in the supplemental rate increase schedule posted on the Department's internet website.

The rate increase provided in Section 4691.12(a) shall not apply to those services for which rates are determined by other entities, including, but not limited to, the State Department of Health Care Services or the State Department of Social Services, or are usual and customary.

Section 4691.12(b)(1) states that implementation of these provisions shall be suspended on December 31, 2021, unless Section 4691.12(b)(2) applies. Section 4691.12(b)(2) states, if, in the determination of the Department of Finance, the estimates of General Fund revenues and expenditures that accompany the May Revision, which is required to be released by May 14, 2021, contain projected annual General Fund revenues that exceed projected annual General Fund expenditures in the 2021–22 and 2022–23 fiscal years by the sum total of General Fund moneys appropriated for all programs subject to suspension on December 31, 2021, pursuant to the Budget Act of 2019 and the bills providing for appropriations related to the Budget Act of 2019, then the implementation of this section shall not be suspended. If these provisions are suspended pursuant to Section 4691.12(b)(1), it is the intent of the Legislature to consider alternative solutions to facilitate the continued implementation of the rate increases described in Section 4691.12(a).

*Implementation: Information on service provider rate increases is posted on the Department's internet website at [www.dds.ca.gov/VendorInfo/SRI.cfm](http://www.dds.ca.gov/VendorInfo/SRI.cfm). The Department will submit a request for approval of matching federal funds to the Centers for Medicare*



*and Medicaid Services (CMS), following the 30-day public notice and comment period beginning August 2, 2019, and ending September 1, 2019. CMS will have approximately 90 days to review the request. Contingent upon CMS approval, the rate increase will be implemented effective January 1, 2020. The Department will provide updates on its internet website at [www.dds.ca.gov/waiver/index.cfm](http://www.dds.ca.gov/waiver/index.cfm), and will send regional centers correspondence regarding implementation of the rate increases once federal approval is obtained.*

### **Enhanced Behavioral Supports Homes**

**TBL Sections 3, 25 and 26:** Sections 4684.82 and 4684.87, and Health and Safety Code (HSC) Section 1567.70 were amended to extend the sunset date for provisions regarding enhanced behavioral supports homes from January 1, 2020, to January 1, 2021, at which time the provisions will be repealed, unless a later enacted statute, that is enacted before January 1, 2021, deletes or extends that date.

**TBL Section 2:** HSC section 1567.62 was amended to correct a statutory citation.

### **Community Crisis Homes**

**TBL Section 1:** HSC Section 1180.4 was amended to include community crisis homes as a facility that cannot use physical restraint or containment for more than 15 consecutive minutes. The Department may, by regulation, authorize an exception to the 15-minute maximum duration if necessary to protect the immediate health and safety of residents or others from risk of imminent serious physical harm and the use of physical restraint or containment conforms to the facility program plan approved by the Department pursuant to Section 4698(d).

**TBL Section 30:** Section 4698 was amended to require the Department to use community placement plan funds to establish community crisis homes for children, and to specify that community crisis homes shall serve individuals who meet all of the following criteria:

1. The child or adult has one or more developmental disabilities.
2. The child or adult receives regional center services.
3. The child or adult requires crisis intervention services.
4. The child or adult would otherwise be at risk of admission to the acute crisis center at Fairview Developmental Center or Sonoma Developmental Center, a Department-operated facility, an out-of-state placement, a general acute hospital, an acute psychiatric hospital, or an institution for mental disease, as described in Division 5, Part 5 (commencing with Section 5900).

Section 4698(d)(1) requires the Department, no later than March 1, 2020, to develop guidelines regarding the use of restraint or containment in community crisis homes, which must be maintained in the facility program plan and plan of operation. In the development of these guidelines, the Department must consult with both of the following:

1. The appropriate professionals regarding the use of restraint or containment in community crisis homes.
2. The protection and advocacy agency described in Section 4900(i) regarding appropriate safeguards for the protection of clients' rights.

The requirements of Section 4698(d)(1) do not apply to community crisis homes that are certified and licensed prior to March 1, 2020, or prior to the adoption of the guidelines, whichever is sooner. However, these homes shall meet the requirements of Section 4698(d)(1) no later than 30 days following adoption of the guidelines.

A community crisis home must include in its facility program plan a description of how it will ensure physical restraint or containment will not be used as an extended procedure in accordance with Section 4698, HSC Section 1180.4(h), and any other applicable law or regulation.

TBL Section 4: HSC Section 1567.81 was amended to authorize licensing of group homes as community crisis homes. Placements of dual agency clients into community crisis homes that are licensed as group homes are subject to the placement duration limitations described in Sections 319.2, 319.3, and 361.2(e)(9)(A) and (B). For the purpose of this article, dual agency clients are foster children in temporary custody of the child welfare agency under Section 319 or under the jurisdiction of the juvenile court pursuant to Sections 300, 450, 601, or 602, who are also either a consumer of regional center services, or who are receiving services under the California Early Intervention Services Act, but who are under three years of age and have not yet been determined to have a developmental disability.

Implementation: *The Department will work with the California Department of Social Services and stakeholders in a public process to draft and promulgate regulations regarding certification and licensing of group homes as community crisis homes for children. The Department will work with regional centers, through the Community Placement Plan/Community Resource Development Plan process, on the development of community crisis homes for children. The Department will consult with Disability Rights California and appropriate professionals to develop guidelines regarding use of physical restraint and containment in community crisis homes and will send the guidelines to regional centers and post them on the Department's internet website when finalized.*

### **Institutions for Mental Disease**

**TBL Section 23:** Section 4648 was amended to change the conditions for which regional centers may purchase new residential services from, or place a consumer in, an institution for mental disease (IMD). Effective January 1, 2020, the exceptions in Section 4648(a)(9)(C)(ii) regarding IMD placements due to emergencies will no longer apply, and the prohibition in Section 4648(a)(9)(C)(i) will not apply to acute crises when the following conditions are met:

1. The regional center prepares an assessment for inclusion in the consumer's file detailing all considered community-based services and supports, including, but not limited to, rate adjustments as provided by law, supplemental services as set forth in Section 4648(a)(9)(F), emergency and crisis intervention services as set forth in Section 4648(a)(10), and community crisis homes pursuant to Division 4.5, Chapter 6, Article 8 (commencing with Section 4698), and an explanation of why those options could not meet the consumer's needs.
2. The director of the regional center confirms that there are no community-based options that can meet the consumer's needs.

For purposes of this section, "acute crisis" is defined as a situation in which the consumer meets the criteria of Section 6500 and, as a result of the consumer's behavior, all of the following are met:

1. There is imminent risk for substantial harm to the consumer or others.
2. The service and support needs of the consumer cannot be met in the community, including with supplemental services, as set forth in Section 4648(a)(9)(F), and emergency and crisis intervention services, as set forth in Section 4648(a)(10).
3. Due to serious and potentially life-threatening conditions, the consumer requires a specialized environment for crisis stabilization.

When admission occurs due to an acute crisis, all of the following applies:

1. If the regional center does not expect the consumer to transition back to a community setting within 72 hours, or if the consumer does not transition back to a community setting within 72 hours, the regional center must do both of the following:
  - a. No later than 10 calendar days from the date the consumer is placed in the IMD, complete any documentation necessary to support the filing of a petition for commitment pursuant to Division 6, Part 2, Chapter 2, Article 2 (commencing with Section 6500), and request the person authorized to present allegations pursuant to Section 6500 file a petition for commitment.

- b. Complete a comprehensive assessment in coordination with the IMD staff. The comprehensive assessment must include the identification of the services and supports needed for crisis stabilization and the timeline for identifying or developing the services and supports needed to transition the consumer back to a community setting. The regional center must immediately submit a copy of the comprehensive assessment to the committing court. Immediately following the assessment, and not later than 30 days following admission, the regional center and the IMD must jointly convene an individual program plan meeting to determine the services and supports needed for crisis stabilization and to develop a plan to transition the consumer into the community.
2. If transition is not expected within 90 days of admission, an individual program plan meeting must be held to discuss the status of the transition and to determine if the consumer is still in need of crisis stabilization.
3. A consumer may not reside in an IMD longer than six months before being placed into a community living arrangement, unless, prior to the end of the six months, all of the following have occurred:
  - a. The regional center has conducted an additional comprehensive assessment based on current information and determines that the consumer continues to be in an acute crisis.
  - b. The individual program planning team has developed a plan that identifies the specific services and supports necessary to transition the consumer into the community, and the plan includes a timeline to obtain or develop those services and supports.
  - c. The committing court has reviewed and, if appropriate, extended the commitment.
4. A consumer's placement at an IMD shall not exceed one year unless both of the following occur:
  - a. The regional center demonstrates significant progress toward implementing the plan to transition the consumer into the community.
  - b. Extraordinary circumstances exist beyond the regional center's control that have prevented the regional center from obtaining those services and supports within the timeline based on the plan.

If both of these circumstances exist, the regional center may request, and the committing court may grant, an additional extension of the commitment, not to exceed 30 days.

5. IMD staff shall assist the consumer with transitioning back to the consumer's prior residence, or an alternative community-based residential setting, within the timeframe described in Section 4648(a)(9)(C).

The Department must monitor placements pursuant to Section 4648(a)(9)(C) and subsequent transitions back to community-based settings.

TBL Section 31: Section 6500(c)(3) was added to state that an order of commitment made pursuant to Division 6, Part 2, Chapter 2, Article 2, on or after January 1, 2020, with respect to the admission to an IMD, as described in Section 4648(a)(9)(C), shall expire automatically six months after the earlier of the order of commitment pursuant to this section, the order of a placement in an IMD pursuant to Section 6506, or the date the regional center placed the individual in the IMD, unless the regional center notifies the court in writing of the need for an extension. The required notice must state facts demonstrating that the individual continues to be in acute crisis, as defined in Section 4418.7(d)(1), and the justification for the requested extension, and must be accompanied by the comprehensive assessment and plan described in Section 4648(a)(9)(C)(v).

An order granting an extension shall not extend the total period of commitment beyond one year, including a placement in an IMD pursuant to Section 6506. If, prior to expiration of one year, the regional center notifies the court in writing of facts demonstrating that, due to circumstances beyond the regional center's control, the placement cannot be made prior to expiration of the extension, and the court determines that good cause exists, the court may grant one further extension of up to 30 days. The court may also issue any orders the court deems appropriate in order for necessary steps to be taken to ensure that the individual can be safely and appropriately transitioned to the community in a timely manner. The required notice must state facts demonstrating that the regional center has made significant progress implementing the plan described in Section 4648(a)(9)(C)(v) and that extraordinary circumstances exist beyond the regional center's control that have prevented the plan's implementation. This paragraph does not preclude the individual or any person acting on their own behalf from making a request for release pursuant to Section 4800, or counsel for the individual from filing a petition for habeas corpus pursuant to Section 4801. Notwithstanding Section 4801(a), for purposes of this paragraph, judicial review shall be in the superior court of the county that issued the order of commitment pursuant to this section.

Implementation: Pursuant to these requirements, effective January 1, 2020, no new IMD placement may exceed 13 months. The Department will send regional centers a subsequent correspondence regarding the requirements of this section, and how placements and transitions will be tracked.

**Developmental Center and Community Facility Admissions**

TBL Section 32: Section 6509 was amended to state that a person who is committed by a court to the Department for suitable treatment and habilitation services may be placed, on or after July 1, 2019, at the acute crisis center at Porterville Developmental Center, if the person meets the criteria for admission pursuant to Section 7505(a)(7).

TBL Section 33: Section 7505 was amended to expand the conditions for which a person may be admitted to developmental centers and Canyon Springs Community Facility, as follows:

- Developmental Center Right of Return: Section 7505(a)(6) states that a person may return to a developmental center if the person is exercising the right of return described in Section 4508 on or before June 30, 2021. Prior to admission pursuant to this paragraph, the regional center must prepare an assessment for inclusion in the consumer's file detailing all considered community-based services and supports, including, but not limited to, rate adjustments as provided by law, supplemental services as set forth in Section 4648(a)(9)(F), emergency and crisis intervention services as set forth in Section 4648(a)(10), community crisis home services pursuant to Division 4.5, Chapter 6, Article 8 (commencing with Section 4698), and an explanation of why those options could not meet the consumer's needs. Prior to admission, the Director of the Department or the director's designee shall certify that there are no community-based options that can meet the consumer's needs.

When a person is admitted pursuant to Section 7505(a)(6), the regional center must notify the clients' rights advocate, as described in Section 4433, of the admission. A comprehensive assessment must be completed by the regional center in coordination with developmental center staff. The comprehensive assessment must include the identification of the services and supports needed for stabilization and the timeline for identifying or developing the services and supports needed to transition the consumer back to a community setting. Immediately following the comprehensive assessment, and not later than 30 days following admission, the regional center and staff at the developmental center must jointly convene an individual program plan meeting to determine the services and supports needed for crisis stabilization and to develop a plan to transition the consumer into community living pursuant to Section 4418.3. The clients' rights advocate for the regional center must be notified of the individual program plan meeting and may participate in the individual program plan meeting unless the consumer objects on their own behalf.

Notwithstanding Section 4508, the population of consumers admitted pursuant to this paragraph shall not exceed five. An admission pursuant to this paragraph shall not extend beyond June 30, 2022.

*Implementation: If the regional center determines a community placement of a consumer who was placed on a provisional placement from a developmental center is at risk of failing, and the consumer is within the 12-month provisional placement period, the regional center must notify the appropriate regional resource development project. The regional resource development project will immediately arrange for an assessment of the situation, including visiting the consumer. The assessment must include determining barriers to continued successful integration, supports that can be provided to maintain the consumer in their community home, and additional recommendations pertinent to the situation. If the regional resource development project determines based on the assessment that the consumer cannot be safely served in the community, the Director of the Department or the director's designee will be notified. Prior to consideration of an admission to a state operated facility, the Director of the Department or the director's designee must certify that there are no community-based options that can meet the consumer's needs.*

- Porterville Developmental Center Court Commitment: Section 7505(a)(7) states that a person may be admitted to Porterville Developmental Center if that person is committed by a court to Porterville Developmental Center, pursuant to Division 6, Part 2, Chapter 2, Article 2 (commencing with Section 6500), due to an acute crisis, as described in Section 4418.7. The population of consumers admitted pursuant to this paragraph shall not exceed 10. An admission pursuant to this paragraph shall not extend beyond December 31, 2020, or upon the opening of the state-operated community acute crisis homes approved for development in the Budget Act of 2019.

*Implementation: If the regional center determines the community placement of a consumer is at risk of failing, and the consumer meets the acute crisis criteria as stated in Section 4418.7, the regional center may submit a request to the state operated acute crisis services at [StarReferral@dds.ca.gov](mailto:StarReferral@dds.ca.gov). The request must include the following information:*

- *Cover letter with a description of the acute crisis situation, all alternatives that have been used to support the individual in the community including specific details on what resources have been attempted, other regional center resources that have been explored and the outcomes, the date the statewide specialized resource services database was accessed and the outcome, reflection that the regional center executive director has*

*approved the referral for crisis admission, and which Stabilization, Training, Assistance and Reintegration (STAR) home is to be considered (Southern STAR, Northern STAR or Desert STAR).*

- *Completed DS 2518*
- *Current psychological, psychiatric and/or behavioral assessment*
- *Current Medi-Cal condition review (if the client's Medi-Cal status is an issue)*
- *Current Client Development Evaluation Report*
- *Most recent individual program plan*
- *The date the client became eligible for regional center services*
- *Any additional pertinent information that would assist in the assessment process*

*The appropriate STAR/regional resource development project will complete an assessment prior to consideration of an admission and the findings will be forwarded to the Director of the Department or the director's designee. Prior to any admission, the Director of the Department or the director's designee must certify that there are no community-based options that can meet the consumer's needs.*

- Canyon Springs Community Facility Court Commitment: Section 7505(a)(5) was amended to state that a person who is currently admitted to either an acute psychiatric hospital or an acute crisis facility pursuant to Division 6, Part 2, Chapter 2, Article 2 (commencing with Section 6500) due to an acute crisis, as defined in Section 4418.7(d)(1), but who requires continued treatment to achieve stabilization and successful community transition, may be committed by a court on or before June 30, 2021, to Canyon Springs Community Facility pursuant to Division 6, Part 2, Chapter 2, Article 2 (commencing with Section 6500).

Prior to admission pursuant to this paragraph, the regional center must prepare an assessment for inclusion in the consumer's file detailing all considered community-based services and supports, including, but not limited to, rate adjustments as provided by law, supplemental services as set forth in Section 4648(a)(9)(F), emergency and crisis intervention services as set forth in Section 4648(a)(10), community crisis home services pursuant to Division 4.5, Chapter 6, Article 8 (commencing with Section 4698), and an explanation of why those options could not meet the consumer's needs. Prior to admission, the Director of the Department or the director's designee must certify that there are no community-based options that can meet the consumer's needs.



When a person is admitted, the regional center must notify the clients' rights advocate, as described in Section 4433, of the admission. A comprehensive assessment must be completed by the regional center in coordination with Canyon Springs Community Facility staff. The comprehensive assessment must include the identification of the services and supports needed for stabilization and the timeline for identifying or developing the services and supports needed to transition the consumer back to a community setting. Immediately following the comprehensive assessment, and not later than 30 days following admission, the regional center and staff at Canyon Springs Community Facility must jointly convene an individual program plan meeting to determine the services and supports needed for crisis stabilization and to develop a plan to transition the consumer into community living pursuant to Section 4418.3. The clients' rights advocate for the regional center must be notified of the individual program plan meeting and may participate in the individual program plan meeting unless the consumer objects on their own behalf.

The population of consumers admitted pursuant to Section 7505(a)(5) shall not exceed five. An admission shall not extend beyond June 30, 2022.

For purposes of Section 7505(a)(5), "acute psychiatric hospital" means a facility as defined in HSC Section 1250(b), including an IMD.

*Implementation: If the regional center determines that a consumer who is currently in either an acute psychiatric hospital or an acute crisis facility requires continued treatment to achieve stabilization and successful community transition, the regional center may submit a request to the state operated acute crisis services at [StarReferral@dds.ca.gov](mailto:StarReferral@dds.ca.gov). The request must include the following information:*

- *An assessment detailing all considered community-based services and supports, including, but not limited to, rate adjustments as provided by law, supplemental services as set forth in Section 4648(a)(9)(F), emergency and crisis intervention services as set forth in Section 4648(a)(10), and community crisis home services pursuant to Division 4.5, Chapter 6.*
- *Completed DS 2518*
- *Current psychological, psychiatric and/or behavioral assessment*
- *Current Medi-Cal condition review (if the client's Medi-Cal status is an issue)*
- *Current Client Development Evaluation Report*

- *Most recent individual program plan*
- *The date the client became eligible for regional center services*
- *Any additional pertinent information that would assist in the assessment process*

*The Canyon Springs team/regional resource development project will complete an assessment prior to consideration of an admission and the findings will be forwarded to the Director of the Department or the director's designee. Prior to any admission, the Director of the Department or the director's designee must certify that there are no community-based options that can meet the consumer's needs.*

#### **Notification to the Clients' Rights Advocate**

**TBL Section 29:** Section 4696.3 was added to require regional centers to notify the clients' rights advocate, as described in Section 4433, of all consumers placed on an involuntary psychiatric hold or in a Lanterman-Petris-Short conservatorship pursuant to Section 5250, 5260, 5270.10, 5300, or 5350.

**TBL Section 31:** Section 6500 was amended to require the regional center to inform the clients' rights advocate, as described in Section 4433, when a petition for commitment is filed under this section and when a petition expires.

#### **Safety Net Plan Update**

**TBL Section 6:** Section 4474.16 was added to require the Department, on or before January 10, 2020, to submit to the Legislature an updated version of the safety net plan originally submitted pursuant to Section 4474.15(a). The updated plan must be developed in consultation with stakeholders and must evaluate the progress made to create a safety net, identify the further areas the stakeholder community suggests evaluating, and recommendations from the stakeholder community, and must consider new models of care for individuals whom private sector vendors cannot or will not serve.

***Implementation:** The Department will schedule meetings in summer and fall 2019 to consult with and obtain input from stakeholders, including consumers and families, the Developmental Services (DS) Task Force – Safety Net Workgroup, Disability Rights California, regional centers and others to update the Safety Net Plan. The DS Task Force – Safety Net Workgroup is scheduled to meet on August 22, 2019.*

#### **Report to the Legislature on Indicators to Track the Delivery of Services**

**TBL Section 8:** Section 4519.2(a) was added to require the Department, through the DS Task Force, to identify key indicators to track the regional center system's delivery of services. These indicators must include both local and statewide measures and must

include a recommendation for analysis and follow-up of any concerning trends, as well as a plan for reporting of best practices for use statewide. The Department, with stakeholder input, must also identify recommendations for measuring and improving outcomes for consumers. Goals for system improvement include enhancement of customer service for consumers and their families, facilitation of enhanced communication between regional centers and the state, and identification and dissemination of best practices for service providers. The Department must report these recommended indicators, best practices and recommendations for analysis to the Legislature no later than January 10, 2021.

*Implementation: The Department held a DS Task Force meeting in July 2019 to introduce a reorganization effort to enhance membership and focus on TBL requirements. This includes a new membership application, the inclusion of additional representation to enhance the diversity of the DS Task Force, and restructuring existing DS Task Force Workgroups into stand-alone DS Workgroups looking at various subjects, to include recommendations to improve quality assurance and regional center transparency and improving outcomes.*

### **System Reforms Stakeholder Meetings**

**TBL Section 9:** Section 4519.4 was added to require the Department, beginning in the summer of 2019, to consult with a broad and balanced group of stakeholders, including, but not limited to, representatives of the DS Task Force, the Rates Workgroup of the DS Task Force, legislative staff from the fiscal and relevant policy committees of the Legislature, the Legislative Analyst's Office, the Association of Regional Center Agencies, the State Council on Developmental Disabilities, the Department of Rehabilitation, and Disability Rights California to discuss system reforms, including fiscal reforms, to better serve consumers with developmental disabilities. The focus of this discussion shall be on how to create a sustainable, innovative, cost-effective, consumer-focused, and outcomes-based service delivery system.

For purposes of implementing this section, the Department must do all of the following:

- Consider a wide variety of perspectives of consumers, families, and service providers to discuss the potential outcomes associated with different approaches to system reform.
- Engage with consumers, families, and service providers across different geographic regions of the state, including urban and rural areas, and from diverse racial and ethnic backgrounds, consumer age groups, consumer diagnoses, and service categories.
- Identify key consumer outcomes and measurable targets to be achieved through these reforms, as informed by the stakeholder process.

- Evaluate compliance with federal rules relating to home and community-based services, and how the Department plans to redesign services that are not compliant with these rules.
- Discuss how feedback may be collected about the reforms, and how this information may be used to make changes to, and adapt, the system over time.

The Department must report on the progress of these efforts during the 2020-21 budget hearing process. By October 1, 2019, the Department must post to its internet website a summary of public comments, departmental responses to those comments, and any appropriate and necessary changes to the rate models contained in the rate study, submitted pursuant to Section 4519.8.

*Implementation: The Department held a DS Task Force meeting in July 2019 to introduce a reorganization effort to enhance membership and focus on TBL requirements. This includes a new membership application, the inclusion of additional representation to enhance the diversity of the DS Task Force, and restructuring existing DS Task Force Workgroups into stand-alone DS Workgroups looking at various subjects, to include system and fiscal reforms, outcome measures, compliance with federal home and community-based services rules, and the rate study.*

#### **Quarterly Briefings to the Legislature**

TBL Section 7: Section 4474.17 was added to require the Department, beginning after January 1, 2020, to provide the Legislature, in its quarterly briefings with the Department, information on some or all of the following topics:

- Consumer health and safety, including safety net and crisis services.
- The person-centered approach to planning, coordinating, delivering, and receiving services, including caseload ratio updates, compliance with home- and community-based services rules, competitive integrated employment, and housing supports.
- Quality outcomes for consumers.
- Efforts to identify and reduce disparities in regional center services.
- Community development through community placement plans and community resource development plans, by regional center, and difficulties or issues in the provision of services or development of resources.
- Implementation of any rate changes pending and being implemented.
- Status, efforts, and outcomes related to the Department's headquarters reorganization structure.
- Regional center accountability, transparency, and oversight efforts.



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

In the month of August 2019, NBRC's Doug Cleveland Board Opportunity Fund received donations in the amount of **\$2.19**. The bank fees, interest, and account credits for the savings account came to a net of **\$1.26**. As of August 31, 2019, the savings account balance was **\$49,450.44**.

There were no awards issued out of the checking account in the month of August. The ending register balance of the Doug Cleveland Board Opportunity Fund checking account was **\$11,021.27** as of August 31, 2019 which reflects the \$20.00 monthly bank fee.

NBRC confirmed the bank fee is the standard business account fee. They will try to negotiate a lower fee with Umpqua Bank or look at other banks that may have lower rates for non-profit business accounts.

**North Bay Regional Center**  
**CFO Board Report**  
As of August 31 2019

2 month  
**22.14%**

**PURCHASE OF SERVICES**

**Total POS Allocation: \$ 190,690,626.00**

Total POS Contract: \$		190,690,626.00		Total CPP Contract: \$		-	
POS Contract Amount Available: \$		148,480,599.00		CPP Contract Amount Available: \$		-	
		%		Total YTD			
Purchase of Services (POS)	YTD Actual	YTD Total		Forecast*		Actual + Forecast*	
Community Care Facilities	\$ 12,972,274.00	30.7%	\$	-	\$	12,972,274.00	
Supported Living Services	\$ 9,948,752.00	23.6%	\$	-	\$	9,948,752.00	
Day Programs	\$ 7,310,084.00	17.3%	\$	-	\$	7,310,084.00	
Behavioral Services	\$ 5,480,261.00	13.0%	\$	-	\$	5,480,261.00	
Other	\$ 2,701,110.00	6.4%	\$	-	\$	2,701,110.00	
Transportation	\$ 2,498,765.00	5.9%	\$	-	\$	2,498,765.00	
Respite	\$ 994,200.00	2.4%	\$	-	\$	994,200.00	
Medical Services	\$ 303,954.00	0.7%	\$	-	\$	303,954.00	
Total NON-CPP POS services	\$ 42,209,400.00		\$	-	\$	42,209,400.00	
Community Placement Plan (CPP)	\$ 627.00	0.0%	\$	-	\$	627.00	
TOTAL POS AND CPP EXPENSES	\$ 42,210,027.00	100.0%	\$	-	\$	42,210,027.00	

**OPERATIONS**

**Total Ops Allocation: \$ 18,394,180.00**

Total General Ops Contract: \$		17,842,080.00		Total CPP Contract: \$		-	
General Ops Amount Available \$		13,174,385.00		CPP Contract Amount Available: \$		-	
		%				Total YTD	
Operations Expense (OPS)	YTD Actual	YTD Total		Forecast*		Actual + Forecast	
Personnel	\$ 2,494,190.00	53.4%	\$	-	\$	2,494,190.00	
Benefits	\$ 1,553,850.00	33.3%	\$	-	\$	1,553,850.00	
Facilities	\$ 397,769.00	8.5%	\$	-	\$	397,769.00	
Equipment	\$ 108,689.00	2.3%	\$	-	\$	108,689.00	
Communications	\$ 19,899.00	0.4%	\$	-	\$	19,899.00	
Mileage	\$ 53,497.00	1.1%	\$	-	\$	53,497.00	
Legal	\$ 456.00	0.0%	\$	-	\$	456.00	
General Office	\$ 31,011.00	0.7%	\$	-	\$	31,011.00	
Consultants	\$ 37,250.00	0.8%	\$	-	\$	37,250.00	
Bank Fee's & Int exp.	\$ 1,931.00	0.0%	\$	-	\$	1,931.00	
Other Expenses	\$ 5,186.00	0.1%	\$	-	\$	5,186.00	
Revenue	\$ (36,033.00)	-0.8%	\$	-	\$	(36,033.00)	
Sub-Total General Operations							
Expense	\$ 4,667,695.00		\$	-	\$	4,667,695.00	
Community Placemnt Plan (CPP)	-	0.0%	\$	-	\$	-	
Sub-Total CPP Operations Expense							
\$	-		\$	-	\$	-	
Total Operations Expense	\$ 4,667,695.00	100%	\$	-	\$	4,667,695.00	

**GRANT INFORMATION**

	<b>YTD Actual</b>	<b>% YTD Total</b>	<b>Grant Amount</b>	<b>Remaining Balance</b>
Mental Health Services Fund - Grant	\$ 15,422.00	7%	\$ 212,191.00	\$ 196,769.00
Senior Companion Program - Grant	\$ 38,624.00	11%	\$ 339,909.00	\$ 301,285.00
<b>Sub-Total Grant Expense</b>	<b>\$ 54,046.00</b>		<b>\$ 552,100.00</b>	<b>\$ 498,054.00</b>

**Total Regional Center Budget\*: \$ 209,084,806.00**

*\*This includes both Grants that are not noted in the A Prelim, but are approved through contract. The Grants will be reflected in the A-1 amendment.*

Date submitted to NBRC Board for review	<u>10/02/2019</u>
Date approved by NBRC Board Executive Committee (if applicable)	<u>N/A</u>
Date approved by NBRC Board	<u>N/A</u>

Operations <input checked="" type="checkbox"/> Purchase of Service <input checked="" type="checkbox"/>
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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 Served	Contractor Name (if applicable)	Term of Contract	Total Contract Amount	Notes
Contract Amendment FY 19/20		Department of Developmental Services	7/1/2019 Thru 6/30/2026	<b>\$262,709,114</b>	<b>A-1 Amendment</b> which includes the following: Ops total: <b>\$21,419,785</b>  POS total: <b>\$241,289,239</b>





## **Doug Cleveland Board Opportunity Fund**

North Bay Regional Center (NBRC) is a non-profit 501(c)3 agency under contract with the State Department of Developmental Services. NBRC is funded annually in accordance with State law (Lanterman Developmental Disabilities Services Act). NBRC's State allocation is restricted to funding only those services mandated under the Lanterman Act.

NBRC serves over 9,000 people with developmental disabilities including intellectual disabilities, Autism, Epilepsy, and Cerebral Palsy in the North Bay counties of Napa, Solano and Sonoma. Our mission is to enable and support individuals with developmental disabilities and their families to achieve their full potential and a rightful place in our community.

The NBRC Board Fund is a donation fund used entirely for services and/or supports that cannot be purchased with State funds. These funds are used as one time grants or loans to assist individuals and their families with unforeseen emergencies or disability related requests. ~~or opportunities.~~

Board funds are accumulated from mostly private donations. However, absolutely no monies from the State of California funds are deposited into this account. This fund provides NBRC individuals an alternative financial option that can aid situations that cannot be supported by Purchase of Service dollars (POS). The Board Fund provides small grants and loans to NBRC individuals who have emergency or other needs that cannot be addressed through the IPP or other generic resources. In all instances, the funds must directly benefit the NBRC participant. These needs are identified through the NBRC Service Coordinator and could include rental deposit assistance to secure housing, car repairs if the NBRC participant is the primary driver for the family, certain home related bills (i.e. loss of income and need for temporary aid for food or utilities) or other critical needs. Any requests for on-going support will be limited to 2 months. If additional funds are needed, the request must be resubmitted for review and additional approval. ~~, funeral expenses or other supports that might benefit the health and well-being of the NBRC participant.~~ Final approval of all requests less than \$750 are at the discretion of the Executive Director. All requests over \$750 must ~~also~~ be approved by the Board of Directors for North Bay Regional Center. Most NBRC participants are on limited incomes (SSI/SSA) and they do not have the means to cover expenses that arise in an emergency. The Board Fund can respond quickly to these situations and ideally avoid further consequences to the individual and/or family.

## **SELECTION PROCESS**

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Individuals eligible to access the Board Fund must be a NBRC participant and reside in Napa, Solano or Sonoma County. All requests for loans and grants are initiated by Service Coordinators who will complete the required forms, including receipts if requested, and obtain Supervisor approval. NBRC participants should contact their Service Coordinator directly for more information if they would like to pursue a Board Fund request. Once complete, the form is submitted to the Director of Client Services

who will review the request with the Executive Director. This review ensures that all generic resources are exhausted before Board Funds are disbursed.

## **ACCOUNTABILITY**

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The Board Fund is maintained separate from all other Regional Center funds and operations, and the Fund's integrity is validated by NBRC's outside auditors on an annual basis. All approved Board Funds go directly to individuals served by NBRC. There are no administrative costs associated with this fund. Funds are maintained in an interest bearing account.

\*\*Upon request, Donors can receive a summary of supports and goods provided by their donation to the Board Fund. All donors to the Board Fund receive a letter acknowledging their donation to a 501(c)3 organization. All donations to the Board Fund are tax deductible within the provisions of the law.

### **Criteria for Board fund Request**

The North Bay Regional Center Board Fund was established to provide emergency aid (example: food, clothing or shelter) to individuals and families served by our agency. The fund consists entirely of private donations, and its monies can be expended in cases where the following circumstances exist:

- The individual or family that is to receive Board Fund aid lacks the financial resources necessary to purchase the identified need.
- No other public or private funding is available to meet the identified need of the individual or family.
- All requests will be prioritized by need and will be subject to availability of funds.

Proposed Slated Board Member:

- Hue Truong (ACTION)
- Andrea Bednarova (INFO)

Candidate: Hue Truong

ACTION

Hue Truong is a sister of an adult client who receives services from NBRC and lives in Sonoma County. Ms. Truong is devoted to caring for her sister and supporting people with disabilities. She has a deep appreciation for the support NBRC has provided to her sister and would like “give back” to NBRC and the community by serving on the NBRC Board of Directors. She currently serves as the President of Truong Accounting Services and holds a Bachelor’s of Science Degree in Business Administration, from Sonoma State University. She has a strong business and accounting background and a deep concern for people with Developmental Disabilities. As a sister of a person receiving services from NBRC and a business leader in our community, she will provide a unique perspective on how NBRC can better serve our clients.

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

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 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

Sept 10<sup>th</sup>, 2019



I. Introductions and Acceptance of Minutes	
<input checked="" type="checkbox"/> Call to Order Michelle Ramirez, VAC Co-Chair substitute, called the meeting to order at 10:00 am  <input checked="" type="checkbox"/> quorum met  <input checked="" type="checkbox"/> previous meeting minutes: Ali Tabatabai	<u>VAC Co-Chairs</u> <input type="checkbox"/> Holly Pagel, Connections for Life (VAC Facilitator) <input checked="" type="checkbox"/> Linda Plourde, Bayberry, Inc. (VAC Board Representative Advisor) <input checked="" type="checkbox"/> Ali Tabatabai, New Leaf Solutions (VAC Board Representative)  <u>VAC Membership</u> <input checked="" type="checkbox"/> Jamie Collins, North Bay Industries <input checked="" type="checkbox"/> Michelle Condit, Lifehouse <input checked="" type="checkbox"/> James Cox, Becoming Independent <input checked="" type="checkbox"/> Kelley Hanson, Pace Solano <input checked="" type="checkbox"/> Mike Lisenko, UCP of the North Bay <input checked="" type="checkbox"/> Eric Martin, Oaks of Hebron <input checked="" type="checkbox"/> Stacey Martinez, The ARC-Solano <input checked="" type="checkbox"/> Andrea Mendoza, REI/CHDC <input checked="" type="checkbox"/> Michelle Ramirez, On My Own  <u>NBRC Staff</u> Gabriel Rogin, Executive Director Isabel Calder, Chief Financial Officer Courtney Singleton, Director of Community Services Maura McDonough, Quality Assurance Supervisor January Crane, Dept Manager, Fed Programs & Agency Training Ashley McConnell, Federal Revenue Program Supervisor Diana Azinger, Resource Developer
II. Agenda changes/Additions/Trainings	
	No Features or New Agenda Items
III. Group Reports	
	<p><b>Napa-Solano Vendor Group:</b> No update, did not meet.</p> <p><b>Sonoma Vendor Group:</b> No update, did not meet</p> <p><b>North Bay Housing Coalition:</b> Mary Eble not present</p>

### **Trade Associations:**

**Mike Lisenko** – ARC/UCP – discussed proposal for rate increases, minimum wage increases, early start initiatives, and restoring social recreation and camp services. Mike stated legislators might be stuck on wording and that they are looking at ideas for renaming terms.

**Linda Plourde** discussed ANCOR, DSP for a day, and the start of week of honoring DSPs. Linda suggested checking the ANCOR website for more info and to check out DSP store on the ANCOR website for DSP gift ideas. Linda announced ANCOR Policy Summit - Meeting in mid-Oct in DC to meet with legislators and key capitol staffers. Keynote speakers will be an expert on EVV. Linda also discussion national attention paid to DSPs, media attention and Bloomberg articles—DSPs referred to as home health aides in media, and the push for DSP as own classification continues.

Linda stated that on Sept 13<sup>th</sup> the comment period open through CMS on equal access standards. The standards include components such as making sure providers are adequately reimbursed. For more info on recent developments on the Trump Admin's efforts to roll back the standards, refer to the article in the ARC Monday morning report. The article discusses the Notice of Proposed Rulemaking –to turn back equal access regulations implemented under Obama Administration. ANCOR will not be in support of turning back Obama era regulations, said Linda.

Linda also provided an update on the Lanterman Coalition - Linda has been asked to step in on behalf of ARC of CA. The coalition will be revamping guiding principles to be more up to date and Linda will share once finalized.

**Jacquie Dillard-Foss** – CSLN will host first ever public policy conference on Jan 27th and 28th --- with emphasis on putting together a legal panel for vendor needs. CLSN to begin work on outcomes study with a grant with State Council. 50 percent of the working group will be comprised of families and individuals. They will also focus on certification processes and looking into additional metrics to advocate for increased wages from a legislative standpoint. The focus will also be to determine what are good outcomes from the eyes of families and individuals served. Mark M. will be CSLN's new executive director, fulltime as of Oct 1st

**Michelle Ramirez** announced CDSA's annual conference to be held in two weeks with a focus on rate reform.

### **NBRC Report: Ali Tabatabai**

- Meeting held at the Solano County Office of Education in Fairfield on Sept 4<sup>th</sup>.
- Public attendance from mostly NRBC and service provider staff
- There were no public comments during general public comment periods
- Feature Presentation – Thomas Maseda, Director of Admin, on Caseload Ratio
  1. NBRC at about average compared to other RCs, on ratios
  2. 22 additional SC's needed, costing \$1.7M
  3. Attrition rates down to 11 percent, but still trying to approve, according to Thomas a stronger

	<p>economy for workers and greater opportunities in the region can attract workers away from the RC</p> <ol style="list-style-type: none"> <li>4. Consulting with RCs at requirement to see what works for them</li> <li>5. Gathering public input, at the meeting and moving forward – <a href="mailto:RATIOINPUT@NBRC.net">RATIOINPUT@NBRC.net</a></li> <li>6. Great input from public attendees of the meeting – using interns, more recruitment at college/university level, more emphasis on use of tech, continue advocacy on the legislative front</li> <li>7. Gabriel stressed continue need for improving funding through legislation – also thought it would be important to develop a graph for advocacy purposes – a visual aide to detailing on the difference responsibilities a case manager has</li> <li>8. NRBC also re-doubling efforts for feedback and collaboration internally with SCs.</li> </ol> <ul style="list-style-type: none"> <li>• Feature Presentation – Performance Contract – January Crane, Fed Rev Manager <ol style="list-style-type: none"> <li>1. NBRC performance goals being met across many categories. 100 percent outcome rates in Intake and Assessment &amp; IPP development.</li> <li>2. Highlight on disparity data – per capital purchases per primary language – Spanish speaking populations - significantly less expenditures on average – there could be outliers swaying the data - perhaps a median number would work better – but there is more emphasis being place on improving this category. Gabriel announced public meeting on Disparity Project Grant Funding – Tue Sept 17<sup>th</sup>, next week. --- January Crane can be contacted for more info</li> <li>3. Overall, NBRC meeting metrics outlined in performance contract. Gabriel asked that we call our attention to satisfaction rates, and not just dollars spent.</li> </ol> </li> <li>• Treasurer's Report – Rosamarie and Isabel – <ol style="list-style-type: none"> <li>1. NBRC, through cost savings, had discretionary funds that allowed the agency to pay down an additional 5% to their retirement and pre-purchase equipment</li> <li>2. NBRC experienced a brief cash flow disruption in early June due to a severe payment reduction by DDS (NBRC expected a 50% offset, but received a 98% offset). Fortunately, no disruption to vendor payments due to the LOC that was put in place.</li> <li>3. POS expenditures were in excess of the POS budget, NBRC will need an amendment to their contract from DDS to cover the approximate \$6 million over budget.</li> <li>4. All SDC expenses are now reported under general POS. Nearly \$13 million transferred over.</li> </ol> </li> <li>• Proposed Slated Board Member – Hue Trong – to serve starting Oct 2019 – family member of NBRC individual with strong business background</li> <li>• Proposed VAC members – sent out the room – all voted in --- contracts to James Cox, Michelle Condit, and Eric Martin</li> <li>• Legislative Committee – DSP for a day success with Mike Thompson.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Client Advisory Committee – chaired by Franklin Philips – will meet this Thursday at NBRC Napa, from 12:30 -2pm, has been well attended – presentations will be given from NB Housing Coalition and NBRC Employment Taskforce</li> <li>• Gabriel discussed more info on Disparity Task force meeting, called for more volunteers, more training on HCBS waiver --- defer to Gabe's report for this meeting</li> <li>• Adjourned relatively early, next meeting to be held Oct 2<sup>nd</sup> in Santa Rosa</li> </ul> <p><b>ARCA and NBRC report: Gabriel Rogin</b></p> <p>Gabriel announced that he was very proud of performance contract. He stated that it was not just a reflection of NBRC staff performance, but a reflection of the community – the outcomes require community work and cannot happen without strong providers he said.</p> <p>Gabriel shared information on Self Determination advisory committee meeting held yesterday. He stated that there are an initial 2500 people targeted and additional training will be coming for providers. The committee will connect institutions with and families with each other as NBRC looks to facilitate the connection he said.</p> <p>Cal Fresh – NBRC will be working to assist individuals to apply for Cal Fresh – NBRC has a point person and will be rolling out the effort and NBRC will have capacity to help with this effort</p> <p>Employment Task Force – more opportunity to share best practices around</p> <p>Disparity Project – collaborative effort kicking off in Oct. to become more culturally competent</p> <p>Risk Management and Mitigation – Maura M. to be taking lead to use data to identify trends and reduce risk</p> <p>Client Advisory Committee – Gabriel said he would like people to RSVP – it is a very popular group and is very well attended. Gabriel said that if this is a sign that people want more engagement, there could be more things NBRC could be doing. He suggested more meetings, training, and brainstorming sessions to create engagement opportunities for people served. Gabriel encouraged VAC attendees to let NBRC know what additional trainings should be available.</p> <p><b>Services and Vendor Relations &amp; SLS Subcommittee: Courtney Singleton</b></p> <p>Courtney stated the group will be talking about contracts in October. The group discussed employment related laws that vendors must follow and how complicated it can get. Focus on how laws impact small and new vendors --- they will be looking at how can information can be provided without crossing legal advice lines, Deanna Heibel will be attending to discuss NBHC roommate list and how to improve the list to make it more user friendly for people.</p> <p><b>Legislative Committee: Linda Plourde</b></p> <p>Linda Plourde stated that the meeting did not take place, but efforts are being concentrated on DSP for a day. Mike Thompson shadowed, Linda</p>
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	<p>said it was very eye opening for him. She said that Rep. Thompson spoke for need for long term services remarking “you had me at hello.” Kamala Harris’s office staff from Sacramento will be visiting on Thursday. A Dianne Feinstein staffer, on Sept 25, will join on DSP for a Day and will visit UCP/WineBev. Linda said there are efforts for more media attention on the day of visits. Linda noticed that there is difficulty in getting legislators tied to a specific month of the year--- and that there should be a year-round effort, not just one/two month window</p> <p><b>HIPPA &amp; Data Security Subcommittee:</b> Did not meet in August. <b>Stacey Martinez</b> showed a video demonstration of Virtru Encryption Services to VAC and stated that there is a better chance of a group discount if more providers join. Stacey can be contacted to join the group.</p> <p>Michelle Ramirez asked when more training on HIPPA will be provided by NBRC/DDS. Ali said that the group needs to follow up with Thomas Maseda.</p>
<b>IV. Community Concerns/Clarifications/ Presentations</b>	
	None
<b>V. NBRC Policies and Procedures</b>	<b>Summary</b>
	<p><b>Policies and Procedures: Courtney Singleton</b></p> <p>Courtney provided an update on living options – 2 times per month a vacancy list comes out to case management – Service Coordinators (SC) have vacancy and provider resources specialist staff that SCs can refer to.</p> <p><i>vacancy@nbrc.net</i> can be used as a tool for providers to announce vacancies. <b>Renee Fannin</b> had questions on assessments and opening for SLS placement, she stated that there is a need for more information on openings for programs. January Crane said NBRC will provide more clarification to staff on how to help provide more info on assessment and referrals to SLS.</p>
<b>VI. New Business</b>	<b>Summary</b>
	None
<b>VII. Announcements</b>	<b>Summary</b>
NBRC Announcements	<p><b>January Crane:</b> Disparity proposal presentation and the status of Senior Companion Program in Napa &amp; Solano Counties</p> <p>January provided an update on SIR training --- rescheduled SIR training to NOV 20<sup>th</sup> in Santa Rosa. There will be a mandated reporter training an hour before. 3-hour training for CEU. Wed Sept 25<sup>th</sup> from 4-6 in Napa, Napa APS will be at Napa from 230-330pm.</p> <p>Senior Companion Program is being expanded and looking to recruit more volunteers, senior companions and be linked up with people we serve, said January.</p> <p>Disparity Project Proposal – January is working on a proposal to address disparity in POS. There is a POS disparity in languages (mostly Spanish) there is a dollars spent disparity, but doesn’t explain broad picture said January, as there may be a gap in authorizations and utilization of respite</p>

VAC Announcements	<p>care. She said they will be tracking the info more closely. There will be a public forum being held, both English and Spanish. Items being proposed – expanding education and outreach to keep momentum going (attendance is growing in meetings) &amp; bringing back Dr. Barbara Stroud for training. SLS vacancy list including questions about providers that speak Spanish, and NBRC is addressing Tagalog language increase in need.</p> <p><b>Maura McDonough:</b> Employment Summit --- flyers handed out – Wed 25<sup>th</sup> from 10-1pm. Targeting Day Program and Supportive Employment --- agenda will be sent out.</p> <p>Maura says NBRC is putting together a list of trainings on a yearly basis and is looking for feedback from VAC on topics. They are also looking at a Uniform Monthly Training Time.</p> <p>Risk Mitigation – looking more into data and trends. There has been need for more medical related trainings lately said Maura. The data is creating more awareness on medical needs of community members, especially during periods of transition (if they must move, etc.). Maura stated that Health/medical consults are available through NBRC. If health of client is declining or there are other needs, she requested that people please talk to service coordinators about doing a medical consult. Maura said the focus is on trying to get ahead of hospitalizations and SNF admissions. <b>Eric Martin</b> asked if the consult takes place without the client; Eric asked why and Maura said she would talk to staff about the reasons.</p> <p>Maura also stated that Employment task force call in conference line filled up and only held 6 callers, NBRC has arranged for an alternative so that people can get through.</p> <p><b>Isabel Calder:</b> NBRC is preparing for vendor independent audits (CPA independent audits from vendors). Vendors to receive letter on the audits, if fiscal year ends December 2018 (it is due this month).</p> <p><b>Michelle Ramirez:</b> announced HR coffee talk --- On My Own is getting group together to share ideas – she requested that vendors send HR professional or generalist to the HR event. Housing Trainings provided to clients/families on Oct 3rd, and there will be another case manager level training held soon. Michelle said there will be a Workers' Compensation basics training coming up. She added that On My Own has CPR certification trainers and can provide training at below market rate and can arrange to have trainers come out.</p> <p><b>Linda Plourde:</b> ANCOR's VP Govt Relations has resigned, she will be at policy summit but will move on to "ResCare" to be Director of Policy.</p>
<b>Adjourn</b>	
	The meeting concluded at 11:35 am.

Minutes submitted by Ali Tabatabai

AGE RANGE	NUMBER	% TO TOTAL	GENDER	NUMBER	% TO TOTAL	RESIDENCE TYPE	NUMBER	% TO TOTAL
0 - 2	1,318	13.7 %	MALES	6,142	64.1 %	OWN HOME	7,018	73.3 %
3 - 17	2,898	30.2 %	FEMALES	3,431	35.8 %	ILS	604	6.3 %
18 - 40	3,385	35.3 %				SLS	650	6.7 %
41 - 60	1,260	13.1 %				DC	10	.1 %
61 - 80	679	7.0 %				SNF	49	.5 %
						ICF	214	2.2 %
80 & OLDER	33	.3 %				CCF	777	8.1 %
						FOSTER CARE	170	1.7 %
						OTHER	81	.8 %
TOTAL:	9,573	100.0 %	TOTAL:	9,573	100.0 %	TOTAL:	9,573	100.0 %

ETHNICITY	NUMBER	% TO TOTAL	DISABILITY	NUMBER	% TO TOTAL CONSUMERS	COUNTY	NUMBER	% TO TOTAL
MIXED	640	6.6 %	AUTISM	2,603	27.1 %	28. NAPA	1,210	12.6 %
ASIAN	246	2.5 %	EPILEPSY	1,083	11.3 %	48. SOLANO	4,014	41.9 %
BLACK	850	8.8 %	CEREBRAL PALSY	918	9.5 %	49. SONOMA	4,208	43.9 %
FILIPINO	356	3.7 %	MENTAL RETARDATION	4,847	50.6 %			.0 %
NATIVE AMERICAN	43	.4 %	OTHER	997	10.4 %			.0 %
POLYNESIAN		.0 %						.0 %
SPANISH/LATIN	2,364	24.6 %	CONSUMERS MAY HAVE MULTIPLE DIAGNOSES					.0 %
WHITE	4,429	46.2 %						.0 %
OTHER	201	2.0 %						.0 %
UNKNOWN	444	4.6 %						.0 %
						OTHER	141	1.4 %
TOTAL:	9,573	100.0 %				TOTAL:	9,573	100.0 %

PRIMARY LANGUAGE	NUMBER	% TO TOTAL	Status	Count	% TO TOTAL
SIGN LANGUAGE	20	.2 %	0	439	4.5
ENGLISH	7,832	81.8 %	P		
SPANISH	1,575	16.4 %	1	1,130	
OTHER LATIN LANG.	2	.0 %	2	7,994	
CANTONESE CHINESE	6	.0 %	3		
MADARIN CHINESE	3	.0 %	8	10	
JAPANESE	2	.0 %			
VIETNAMESE	16	.1 %			
KOREAN	3	.0 %			
LAOTIAN	4	.0 %			
CAMBODIAN	3	.0 %			
OTHER ASIAN LANG.	4	.0 %			
RUSSIAN	2	.0 %			
ALL OTHER LANG.	101	1.0 %			
TOTAL	9,573	100.0 %	TOTAL	9,573	100.0



## NBRC Community Services

Become an NBRC Vendor! Visit NBRC's website:  
<http://nbrc.net/service-providers/becomeavendor/>

### Resource Development

The Resource Development Department received 9 requests for vendorization during the month of August and completed 3 new vendorizations. Please join NBRC in welcoming the new vendors below to the North Bay Regional Center vendor community.



### New Vendors

- Momentum Behavior Services-Client/Parent Support Behavior Intervention Training-Sonoma County
- Advanced Supported Living-Supported Living Services-Sonoma County
- Brilliant Corners-Housing Access Services-All counties

### NBRC Quality Assurance Work August 2019

19 QA Annual or Quarterly Vendor Reviews  
 78 Vendors received QA technical assistance  
 75 NBRC staff received QA technical assistance

### Upcoming SIR Vendor Trainings

**Where:** NBRC Santa Rosa Office  
 2351 Mendocino Ave, Santa Rosa, CA

**Times:** 2:00 p.m.-4:00 p.m.  
 Wed, November 20th Recognizing  
 Suspected Abuse & Neglect:  
 SIR Training 2-4:00

RSVP to [SIR@nbrc.net](mailto:SIR@nbrc.net)

### Upcoming Vendor Trainings

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

**Wednesday, September 25th**  
**NBRC Napa, 610 Airpark Road**  
**2:30-3:30pm**

**Wednesday, November 20th**  
**NBRC Santa Rosa, 2351 Mendocino Ave**  
**1:00-2:00pm**

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 and Napa County APS staff.

1 CEU available

### REQUEST FOR PROPOSAL

NBRC is searching for **Level 4A- 4I Residential Service Providers** in Napa, Solano and Sonoma Counties. Below is the Request for Proposal outlining requirements.

#### **Important Dates:**

- RFP applications due the last Friday of every month.
- Interviews held 2<sup>nd</sup> Wednesday of the month

<https://nbrc.net/service-providers/resource-needs-requests-for-proposals/>

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

**FAIR HEARING & MEDIATION UPDATE**  
**SEPTEMBER 1 – SEPTEMBER 30, 2019**

Eligibility (19-05)	<u>Reason for Appeal</u> : Claimant appeals denial of eligibility. <u>Ruling</u> : Fair Hearing request pending.
Eligibility (19-06)	<u>Reason for Appeal</u> : Claimant appeals denial of eligibility. <u>Ruling</u> : Fair Hearing request pending.
Eligibility (19-08)	<u>Reason for Appeal</u> : Claimant appeals denial of eligibility. <u>Ruling</u> : Fair Hearing request pending.
Eligibility (19-09)	<u>Reason for Appeal</u> : Claimant appeals denial of eligibility. <u>Ruling</u> : Fair Hearing request pending.
Services (19-10)	<u>Reason for Appeal</u> : Claimant appeals denial of funding transportation for requested activities. <u>Ruling</u> : Fair Hearing request pending.
Eligibility (19-12)	<u>Reason for Appeal</u> : Claimant appeals denial of eligibility. <u>Ruling</u> : Fair Hearing request pending.
Eligibility (19-13)	<u>Reason for Appeal</u> : Claimant appeals denial of eligibility. <u>Ruling</u> : Fair Hearing request pending.