



April 10, 2023

Ernie Cruz
Assistant Deputy Director
Office of Community Operations
Department of Developmental Services
1215 O Street, MS 8-20
Sacramento, CA 95814

Re: Purchase of Service Data Meetings

Dear Mr. Cruz,

This letter is a summary of Lanterman Regional Center's activities pursuant to W&I Code 4519.5(e) as well as our contract with DDS. In December, 2022, Lanterman Regional Center posted a report, "Purchase of Services Expenditure and Demographic Data: Fiscal Year 2021 -22 on our website. This report includes the data related to purchase of service authorization, utilization and expenditures, with respect to age, ethnicity, language, living arrangement and disability. Two public meetings were held to share our POS Data with the Lanterman Community. Our first presentation was held in Spanish on March 14, 2023 and our second presentation was held in English on March 24, 2023.

Notification of our meetings was posted on our website on February 16, 2023. The links to all postings are included at the end of this letter for your reference. We publicized these meeting in our E-bulletin on February 27, March 1, March 13 and March 23. We initially posted on Facebook and Instagram on February 16, 2023 and then re-shared two more times on March 13 and March 23. We also shared the meeting announcement at all support group and parent trainings at the Koch-Young Resource Center during this time period.

March 14 Community Meeting

Our first meeting was hosted by our Padres Unidos de Lanterman support group on March 14th. The presentation was presented in English with Spanish interpretation as well as English closed captioning. A total of 33 people attended via ZOOM; 26 community and family members (including one board member), four FDLRC staff, one representative from DDS and one representative from OCRA.

Comments from the participants included the acknowledgement that, culturally, it is not unusual to not ask about services, but rather wait for services to be suggested, which may lead to losing valuable time in service implementation. While we received no specific recommendations, we fielded several questions regarding how best to access services for individual family members. In addition, the participants expressed their appreciation for Lanterman's Special Education Law Clinic and IHSS

advocacy efforts; while not specifically identified as disparity projects, these two initiatives offer considerable support to our Latino and other underserved communities.

March 24th Community Meeting

The March 24, 2022 was presented in English with Spanish and Korean interpretation, as well as ASL and English closed captioning. A total of 46 people attended via Zoom; 27 were community and family members (including two board members), two representatives from OCRA, two representatives from DDS, five service providers and eight FDLRC staff members.

Comments from the participants were mostly focused on the Self Determination Program. One individual pointed out the success of the Promotora program and suggested adding additional Promotora's to support more Spanish-speaking families. Another individual addressed the challenges of transportation availability that may be contributing to barriers of accessing services including social/recreational opportunities. Lastly, a discussion was held about the difference in per capita authorizations versus expenditures, specifically pointing to a slightly larger disparity for the Hispanic/Latin ethnic groups. The discussion, through the data included in the presentation, highlighted that all ethnic groups at Lanterman Regional Center had differences between authorizations versus expenditures, suggesting that families may not always access the full amount of services authorized. This was noted to be related to the workforce and staffing shortages across service providers. No specific recommendations were made but a discussion followed regarding how best to access services for individual family members.

Our community meeting presentations are posted on our website. The following observations were made:

- Lanterman Regional Center staff are similar in ethnic and language demographics as the clients we serve.
- 45% of individuals served identify as Hispanic while only 27% of individuals served identify as Spanish Speaking.
- 63% of people served identify English as their primarily language.
- 95% of our Hispanic and 89% of Asian clients live with their families while only 76% of White and 69% of African-American clients live with their families.

At our meetings we responded to a few questions related to the expenditure data, but most questions were specific to individual service/support needs. In addition, we provided an update on our disparity projects:

- 1) Our Promotora Project is an ongoing success and while our Korean Health Worker project is smaller than the Promotora Project, it has matured and provided support to our Korean families as well.
- 2) Lanterman continues to coordinate an automated telephone message system allowing for messages to be in a person's preferred language.
- 3) We provided information as to the translation of IPP documents.

In addition, we shared our POS presentation as part of our routine Client Advisory Committee meeting held on March 14th; a total of 6 adults were in attendance; the committee members had no suggestions for the regional center. The Office of Clients' Rights Advocacy submitted written comments which are included as an attachment.

Please let me know if you have any questions concerning our community meetings.

Sincerely,



Melinda Sullivan
Executive Director

Website: posting on 2-16-23 for the March 14 meeting: <https://lanterman.org/calendar/events/event-reuniones-publicas-sobre-diferencias-en-compra-de-servicios-en-14-de-marzo#.ZB0WhRXMKLs> and for the March 24 meeting: <https://lanterman.org/calendar/events/event-Public-Meeting-to-be-Held-Regarding-Purchase-of-Service-Differences-on-March-24#.ZB0WsRXMKLs>

E-mail Bulletins:

02.27.23: <http://us1.campaign-archive.com/?u=0e1cf6064d5eef3f08692e1bb&id=72625c6a57>

03.01.23: <https://us1.campaign-archive.com/?u=0e1cf6064d5eef3f08692e1bb&id=4f0d2dad3d>

03.13.23: <http://us1.campaign-archive.com/?u=0e1cf6064d5eef3f08692e1bb&id=cb0ff50c5e>

03.23.23: <http://us1.campaign-archive.com/?u=0e1cf6064d5eef3f08692e1bb&id=4f5b633f78>

Facebook: <https://www.facebook.com/photo/?fbid=673084494820802&set=a.520860183376568> Shared three times on 2-16-23, 3-13-23 NS 3-23-23

Instagram: <https://www.instagram.com/p/CovEDvOvCXa/> (posted in feed on 02.16.23) and shared two more times on 03.13.23 and 03.23.23

Cc: OCRA March 28, 2023 letter



California's protection & advocacy system
Serving Consumers of Central Valley Regional Center

Office of Clients' Rights Advocacy
350 S. Bixel Street, Suite 290
Los Angeles, CA 90017
Tel: (213) 213-8180
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Boanerges.Rodriguez@disabilityrightsca.org
www.disabilityrightsca.org

March 28, 2023

Melinda Sullivan
Executive Director
Frank D. Lanterman Regional Center
3303 Wilshire Boulevard, Suite 700
Los Angeles, CA 90010-1710

**Re: OCRA Comments on Purchase of Service Annual Report and
Public Stakeholder Meetings: March 14, 2023, and March 24, 2023**

Dear Ms. Sullivan:

The Office of Clients' Rights Advocacy (OCRA) provides a program of clients' rights advocacy to people with intellectual and developmental disabilities pursuant to a Department of Developmental Services (DDS) contract. People with developmental disabilities are entitled to regional center services and supports that meet their needs.

2021-2022 Fiscal Year Data

The "2022 Disparity Data on Purchased Services Report" documents purchase of service (POS) authorization, utilization, and expenditure data and highlights the disparities that exist between how Frank D. Lanterman Regional Center (FDLRC) serves consumers based on ethnicity/race, primary language of the client/family, residence type, age, diagnosed disability, among other categories. This letter serves to highlight the disparities, comment on FDLRC's commitments and public stakeholder process, and share experiences raised by impacted community members—who have stories behind the data.

The 2021-2022 FDLRC POS data highlights that services are significantly underutilized, and some racial/ethnic groups receive starkly lower funding for services per capita than other groups:

- “White” consumers utilize 63.7% of authorized services, while “American Indian or Alaska Native” consumers utilize 45% of authorized services, “Hispanic” consumers utilize 62.2% of authorized services, “Asian” consumers utilize 61.8% of authorized services, and “Other Ethnicity or Race/Multi-Cultural” consumers utilize 65.6%. (Page 1 of 1 in the Total Annual Expenditures and Authorized Services by Ethnicity or Race report).
- “Hispanic” consumers are the single largest group served by FDLRC, though only receive \$24,225 per capita authorized expenditures when compared to “White” consumers, receiving \$37,613 per capita authorized expenditures. “Asian” consumers, the third largest group, receive \$29,915 per capita authorized services. (Page 1 of 1 in the Total Annual Expenditures and Authorized Services by Ethnicity or Race report).

There are also differences in per capita authorized services and per capita expenditures by language:

- English speaking consumers are the predominant recipients of FDLRC’s services and receive \$32,105 per capita authorized services and the per capita expenditure is \$20,383. (Page 1 of 4 in the Total Annual Expenditures and Authorized Services by Language report).
- Spanish speaking consumers are the second largest language group receiving FDLRC services, however, they only receive \$24,945 per capita authorized services and the per capita expenditure is \$15,460. (Page 1 of 4 in the Total Annual Expenditures and Authorized Services by Language report).
- Armenian speaking consumers are the third largest language group receiving RC services and receive \$31,306 per capita authorized services and the per capita expenditure is \$21,083. (Page 1 of 4 in the Total Annual Expenditures and Authorized Services by Language report).
- Looking at the above data in differences in per capita authorized services and per capita expenditures by language, this means that, in

comparison to English speaking consumers, Spanish speaking consumers receive \$7,160 less in per capita authorized services, and \$4,923 less in per capita expenditures. Similarly, in comparison to Armenian speakers, Spanish speaking consumers receive \$6,361 less in per capita authorized services, and \$5,623 less in per capita expenditures.

The delivery of regional center services should not vary so greatly due to factors like ethnicity/race or language. Service delivery should be based solely on the individual need of each regional center consumer. The 2021-2022 data also shows significant underutilization of authorized services across racial and ethnic groups. COVID-19 may have exacerbated the underutilization rate; however, it is not the root cause.

Regional centers are required to deliver services in a culturally and linguistically appropriate way. Welf. & Inst. Code section 4629 (c)(1)(A)(iii). In fact, DDS has heightened this requirement by implementing “an enhanced language access and cultural competency initiative for individuals with developmental disabilities, their caregivers, and their family members” by requiring the regional centers to implement the initiative through its contracts. Welf. & Inst. Code section 4620.4(b). We recommend that regional centers hold focus groups with consumers and their families to inquire about their cultural and linguistic needs as it relates to services and supports through the regional center.

Disparity may be larger for each authorized service because this data only shows the end result. Some explanation for the disparity in POS data may be attributed to the fact that certain ethnicities or races, such as Hispanic people, may be more likely to live in a “home” residence type with their family rather than a “residential,” “institution,” or “ILS/SLS” residence type.

However, even for consumers living in the family home or independently rather than in a group home, residence type does not explain all the disparity. This disparity can be seen in the difference between per capita authorized services and expenditures for Hispanic and White consumers who are both living at home:

The per capita authorized services of \$19,242 and per capita expenditures of \$11,256 for “Hispanic” consumers with a “Home” residence type, while the per capita authorized services of \$23,166 and per capita expenditures of \$12,564 for “White” consumers with a “Home” residence type.

Additionally, FDLRC should follow the January 27, 2023, DDS Directive and take advantage of the Coordinated Family Support (CFS) Services Pilot Program for adults with developmental disabilities who choose to live with their families. (See DDS's Regional Center Directives.)¹ Increasing access to this type of program could help reduce some of the current disparities.

Annual Report on Stakeholder Meetings

By August 31 of each year, FDLRC is required to post to their website a report that includes: (1) actions taken by the regional center to improve attendance and participation, including participation by underserved communities; (2) copies of minutes/comments from meeting and attendee comments; and (3) whether the FDLRC POS data shows a need to reduce disparities. If the data shows a need to reduce disparities, FDLRC must also include a plan to promote equity and reduce disparities in the purchase of services and include recommendations and plans to promote equity. Welf. & Inst. Code section 4519.5(f).

We appreciate that FDLRC's website includes the FY 2020-2021 report letter to DDS discussing the POS data.² However, we cannot locate this report to DDS for 2014-2015, 2018-2019, or 2019-2020 on FDLRC's website. It is not available within the "Reports" or any other documents section under "Transparency and Accountability" tab. We do recognize that FDLRC has posted the letter to DDS on the website from other years dating back to 2011-2012. Finally, we recommend that there be subheadings to distinguish the POS data from other reporting requirements.

Public Meetings

Within three months of posting the compiled POS data to FDLRC's website, FDLRC must invite stakeholders to one or more public meetings about the data. The public meetings must be held in a culturally and linguistically appropriate manner and at times and locations designed to produce a high turnout of the public and underserved communities.

¹<https://www.dds.ca.gov/wp-content/uploads/2023/01/Coordinated-Family-Support-Services-Pilot-Program-for-Adult-Consumers-Who-Reside-with-Their-Family.pdf>

²https://lanterman.org/uploads/transparency/Documents%20Channel/Reports/DisparityData/2021/English/FDLRC_POS_Letter_20220603124412.pdf

FDLRC must also notify stakeholders at least 30 days prior to the meeting and post it on their internet website. We thank Carmine Manicone, Associate Director for FDLRC, for notifying our office via email on February 14, 2023, of the various stakeholder meetings. We also commend FDLRC for timely posting the events to their website in a visible location and sending email reminders the day before and the day of the public meetings.

It is promising that FDLRC holds multiple public meetings in English and Spanish pursuant to Welf. & Inst. Code section 4519.5. We thank FDLRC for having Spanish, Korean, and American Sign Language interpretation at the English meeting held on 3/24/2023. Additionally, we thank FDLRC for implementing our input from the 3/14/23 meeting during the 3/24/23 meeting, and ensuring that the chat function was changed from sending to one moderator to "Everyone."

We recommend that in the future, FDLRC make the presentation available in advance of the meetings so attendees can more thoroughly prepare to share their feedback.

First-Hand Experiences

Even though the disparities highlighted in the data are alarming, the stories and experiences that inform the data are more troubling. One parent of a FDLRC consumer commented that some families may feel hesitant with accessing authorized services, such as social recreation, because they need to be reimbursed for these services through a financial management service (FMS) agency. This parent added that there is often a 2-3 month delay in receiving reimbursement and this is something that is not accounted for within the data.

Another parent of an FDLRC consumer asked how many promotoras (aimed at assisting Spanish speaking consumers and families) and community health workers (aimed at assisting Korean speaking consumers and families) were available. Srbui Ovsepyan, Associate Director of FDLRC, noted that there are 4 promotoras and 2 community health workers. Since the promotora and community health worker programs are strategies that FDLRC employs to reduce the disparity in POS, these two programs could be expanded with more staffing to reach more consumers, as well as extending the program length than the current 12 months.

Expansion of the promotora and community health worker programs could help reduce disparities by providing consumers and families that need extra assistance with more help to access authorized services and generic resources.

These are only a few examples of the experiences that inform the data. Regional centers should not only ensure that vendors are actively providing the authorized services, but the services should also be high quality and provided in a timely manner.

FDLRC must actively work to address the disparities that exist in the provision of services. FDLRC is not only responsible for authorizing services—it should work diligently to ensure these authorized services are utilized by checking in with families throughout the year and timely addressing any barriers that arise. FDLRC should continue to hold its annual POS meetings in multiple languages and offer a variety of times to ensure maximum participation and feedback. We hope you consider our comment and implement our recommendations to improve both the data and the experiences of consumers and their families within the regional center system. If you would like to meet to discuss the concerns we raised in this letter, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Boanerges A. Rodriguez Orellana', written in a cursive style.

Boanerges A. Rodriguez Orellana
Clients' Rights Advocate