

MEMORANDUM

TO: BOARD OF DIRECTORS
FROM: MELINDA SULLIVAN
RE: Board Meeting
DATE: May 25, 2022

Hello Everyone. Hope you are all doing well. Key items are summarized below.

CLIENT ADVISORY COMMITTEE (CAC)

Howard McBroom, CAC representative, will be providing a semi-annual report of its activities to the board.

BOARD EDUCATION

You will find the administrative report for the Community Services Unit in your packet. Pablo Ibanez, Director of Community Services, will provide a focused presentation on two key processes; 1) vendorization and 2) quality assurance activities.

EXECUTIVE DIRECTOR'S REPORT

The May Revision of Governor's budget was released and budget hearings are in process. I will provide an update regarding the budget as well as proposed Trailer Bill Language (TBL). As a reminder, TBL is the statute that gives direction to new budget initiatives/policy.

We will be discussing our annual board training scheduled for July as well.

EXECUTIVE COMMITTEE – ACTION ITEM

We are bringing forward a contract over the \$250,000 threshold for the board's consideration.

ADMINISTRATIVE AFFAIRS COMMITTEE – ACTION ITEM

In addition to reviewing the financial statements, the Center is bringing forward an action item relating to the Center's credit line.

NOMINATING COMMITTEE

As per our bylaws, the committee will present its proposed slate of officers and directors for information purposes only; voting will take place at the June meeting.



BOARD OF DIRECTORS MEETING

Wednesday, May 25, 2022

6:00 PM – Board Business Promptly

Register in advance for this meeting/webinar:

https://us02web.zoom.us/webinar/register/WN_GByTnk8qQV6Itg0LCLygog

After registering, you will receive a confirmation email containing information about joining the meeting/webinar.

ACTION ITEM	ORDER	GENERAL SESSION AGENDA	
	1	CALL TO ORDER	Gloria Leiva
	2	PUBLIC INPUT/ANNOUNCEMENTS	Gloria Leiva
ACTION	3	APPROVAL OF MINUTES <ul style="list-style-type: none"> April 27, 2022 	Gloria Leiva
	4	CLIENT ADVISORY COMMITTEE <ul style="list-style-type: none"> CAC Activities August 2021- Present 	Howard McBroom
	5	BOARD EDUCATION <ul style="list-style-type: none"> 2020 Administrative Report – Community Services (Quality Assurance and Vendoring) 	Melinda Sullivan Pablo Ibanez
	6	EXECUTIVE DIRECTOR'S REPORT <ul style="list-style-type: none"> May Revise Status Report 2022-23 Budget Act Request July Board Training DDS Approved – Social Recreation, Camp, & Non-Medical Therapies (POS Policy) DDS Approved – Medi-Cal Program Supplemental Change 	Melinda Sullivan
ACTION	7	EXECUTIVE COMMITTEE <ul style="list-style-type: none"> Contract over \$250,000. 	Gloria Leiva Pablo Ibanez Melinda Sullivan
ACTION	8	ADMINISTRATIVE AFFAIRS COMMITTEE <ul style="list-style-type: none"> Review of Financial Statements Line of Credit 	Larry DeBoer Kaye Quintero
For Information Only	9	NOMINATING COMMITTEE <ul style="list-style-type: none"> Proposed Slate of Officers and Directors for Election 	Al Marsella
CLOSED SESSION	10 ACTION	EXECUTIVE SESSION <ul style="list-style-type: none"> Approval of Minutes Litigation Executive Directors Performance Evaluation - June 2021-22 	Gloria Leiva Louis Mitchell Melinda Sullivan
	11	ADJOURNMENT	Gloria Leiva

APPROVAL OF MINUTES

LOS ANGELES COUNTY DEVELOPMENTAL SERVICES FOUNDATION

Board of Directors

April 27, 2022

MINUTES

PRESENT

Gloria Leiva, Chair
Elizabeth Beltran
Anthony Brouwer
Larry DeBoer
Danielle Dejean
Kim Isaac
Dr. Alex Li
Yudy Mazariegos
Louis Mitchell
Jae Rhee
Brigitte Sroujeh
Ana Villasenor

NOT PRESENT

Dr. Anila Guruji
Mark Higgins
Dina Richman

ADVISOR TO THE BOARD - PRESENT

Al Marsella

STAFF

Pablo Ibanez
Carmine Manicone
Srbui Ovsepyan
Kaye Quintero
Melinda Sullivan

GUESTS

Kimberly Bermudez
Mayra Cervantes
Michael Cooney
Tina Daley
Weller Killebrew
Lia Cervantes Lerma – SCDD
Kristianna Moralls
Diana Sandoval – DDS

CALL TO ORDER

Ms. Leiva called the meeting to order at 6:00 PM. The meeting was conducted via Zoom.

PUBLIC INPUT

Ms. Lia Cervantes Lerma announced that the SCDD will be conducting Independent Facilitator Training and distributed the information via the chat.

APPROVAL OF MINUTES

Mr. DeBoer moved to approve the minutes of March 23, 2022, Ms. Mazariegos seconded the motion, and it passed.

BOARD EDUCATION

2021 Administrative Report – Client and Family Services

As part of Board Education and Training, Mr. Manicone, Associate Director of Client and Family Service, gave an overview on Abuse & Neglect Allegations. Board members were given the opportunity to ask questions and discuss the content.

EXECUTIVE DIRECTOR'S REPORT

Annual Law Clinic Report

Ms. Meredith Goetz, Esq. & Director of the Lanterman Special Education Law Clinic, advised the Board that the law clinic was founded over 25 years ago at Pepperdine Law School as an on-site clinic and then moved on-site to Lanterman in 2013. Ms. Goetz gave an overview on the clinic's history and how the law student internship process has greatly helped and benefited the clients at Lanterman. Board members were given the opportunity to ask questions and discuss the content.

Caseload Ratios

Ms. Sullivan advised the Board that the Programs and Services Committee is hosting a Caseload Ratio Community Meeting on May 18, 2022. The information is posted on the website and has been distributed via social media.

2022-23 Budget Act Request

Ms. Sullivan advised the Board that they could find a copy of a letter from five assemblymembers (*Mathis, Wood, Grayson, Rubio, and Patterson*) to the chair of the Assembly Committee on Budget, Subcommittee #1 on Health and Human Services requesting the inclusion of \$21.6 M General Fund (\$32.2M Total Fund) to reform the regional center “Core Staffing Formula”.

Mr. DeBoer moved that Ms. Leiva send a thank you letter on behalf of the Board to the five assemblymembers, Ms. Beltran seconded the motion, and it passed.

Space Planning

Mr. Lara advised the Board that the Center is in the middle of its space planning efforts for office expansion space at the Center. As part of lease negotiations 5 years ago, the Center will receive additional space in May 2022 on the 1st floor. As part of this expansion, the reception/lobby/operations unit will move to that space. In addition, the Center will be redesigning existing space on the 3rd and 7th floor for the addition of new service coordination teams. It is anticipated that construction will commence at the end of May 2022 and is estimated to finish at the end of August – early September 2022.

EXECUTIVE COMMITTEE

Bylaw Amendment

Ms. Sullivan advised the Board that there is language in the DDS Contract with the Regional Center that requires training and monitoring of facilitators who support board members to ensure maximum understanding and participation in carrying out their roles and responsibilities. This provision can be either in a regional center policy or as part of the bylaws.

Ms. Sullivan reported that she has consulted with legal counsel, Enright & Ocheltree, and they recommend that it be incorporated into the bylaws. Ms. Sullivan presented a draft amendment for review and discussion and advised the Board that the Executive Committee has review the document and is recommending its approval.

Mr. DeBoer moved to adopt the proposed amendment to the bylaws as presented, Ms. Villasenor seconded the motion, and it passed unanimously.

Board Survey / In-Person Meetings

Ms. Sullivan engaged in an open discussion with the Board on retuning to in-person meetings or hybrid meetings in the future. Board members shared their thoughts.

ADMINISTRATIVE AFFAIRS COMMITTEE

Review of Insurance Coverages

Mr. DeBoer advised the Board that the Committee met with its insurance brokers to review the brokerage services and resources their agencies provide. A copy of the presentations to the Committee were in the board packet for review.

Review of Financial Statements

- Cash Flow

Ms. Quintero reviewed the cash flow statement with the Board and reported that we are projected to have \$22,069,100. available at the end of June 30, 2022.

Mr. DeBoer reviewed the financial statement summary through February 28, 2022 as follows:

- *Fiscal Year to date 2021-2022 (C-2)*

In Operations (main contract) we have spent \$16,377,913 (55.5% of budget). In Purchase of services (main contract) we have spent \$171,708,019 before we add late bills. Including projected late bills, we will have spent \$176,496,119 (59.7% of budget).

- *Fiscal Year 2020-2021 (B-3)*

This month we recorded \$373,096 in OPS and \$123,284 in POS. To date, we have spent 97% of our OPS and 99% of our POS allocations.

- *Fiscal Year 2019 - 2020 (A-9)*

This month we recorded \$2,304 OPS payments and \$127,709 in POS. To date, we have spent 97% of our OPS and 99% of our POS allocations.

PROGRAMS AND SERVICES COMMITTEE

Service Standard – Speech and Language, Occupational, Physical, and Other Therapies

Mr. Manicone advised the Board that they could find in their packet a copy of the draft service standard for Speech and Language, Occupational, Physical, and Other Therapies. Mr. Manicone reported that the Programs and Services Committee reviewed the service standard and is recommending that the Board approve the document as presented. Discussion and questions followed.

Mr. DeBoer moved to approve the Speech and Language, Occupational, Physical, and Other Therapies Service Standard as presented, Ms. Beltran seconded the motion, and it passed unanimously.

Service Standard - Extended Day, Year, and Saturday Services

Mr. Manicone advised the Board that they could find in their packet a copy of the draft service standard for Extended Day, Year, and Saturday Services. Mr. Manicone reported that the Programs and Services Committee reviewed the service standard and is recommending that the Board approve the document as presented. Discussion and questions followed.

Ms. Dejean moved to approve the Extended Day, Year, and Saturday Services Service Standard as presented, Ms. Sroujeh seconded the motion, and it passed unanimously.

ADJOURNMENT FOR EXECUTIVE SESSION

Ms. Beltran moved to suspend the General Session meeting at 8:00 PM for Executive Session to conduct business on Approval of Minutes, Litigation, Contract, and Personnel, Mr. DeBoer seconded the motion, and it passed.

RECONVENE FOR GENERAL SESSION

The Board discussed in Executive Session the Approval of Minutes, Litigation, Contract, and personnel.

ADJOURNMENT

Mr. Mitchell moved to adjourn the meeting at 8:22 p.m., Mr. DeBoer seconded the motion, and it passed.

Mark Higgins, Secretary

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BOARD OF DIRECTORS

ACTION LOG

April 27, 2022

	DESCRIPTION	ACTION	STATUS
	Approval of Minutes – March 23, 2022	<ul style="list-style-type: none">• Approved	
	Bylaw Amendment	<ul style="list-style-type: none">• Approved	
	Service Standard – Speech and Language, Occupational, Physical, and Other Therapies	<ul style="list-style-type: none">• Approved	
	Service Standard – Extended Day, Year, and Saturday Services	<ul style="list-style-type: none">• Approved	
	Letter - DDS Rate Study Implementation Rate Acceleration	<ul style="list-style-type: none">• Send thank you letter	

CLIENT ADVISORY COMMITTEE

CAC ACTIVITIES AUGUST 2021- PRESENT

Thank you to the Board of Directors for your interest in the activities of your Client Advisory Committee (CAC). This report highlights the activities of the committee in the current fiscal year.

The CAC has met 6 times and has done the following:

- Received a presentation from Bill Crosson, Regional Manager, who provided an overview of the IPP process. The committee also updated an informational flyer in its efforts to recruit new members.
- Hosted the annual community meeting on the Center's 2022 Budget and the updated 2022 Performance Plan presented by Mr. Manicone.
- Developed a plan for future meetings to include topics on Self Determination, employment and Department of Rehab, personal financial management, Cal ABLE, Independent Living Skills, COVID-19, and housing.
- Reviewed and provided input on the Center's new Service Standard for the restored Social Recreation, Camp and non-medical therapies services.
- Welcomed a new SC liaison, Mr. John Valencia, and received an update on the Self Determination program from Mr. Adrian Jimenez, FDLRC Self Determination Coordinator.
- Received a presentation on the Center's 2020-2021 POS expenditures based on ethnicity, race, language, and disability.
- And finally, this past month, the CAC hosted an informational session to an extended audience on the Cal ABLE program, facilitated by Lia Cervantes-Lerma from the State Council on Developmental Disabilities.

Frank D. Lanterman Regional Center

Client Advisory Committee

May 9, 2022

MINUTES

PRESENT

Howard McBroom, Chair
Rachelle Cabrera
Thomas Espinosa
Gaby Funes
James Li
Nicholas Pietrantonio

STAFF

Carmen Jimenez-Wynn
Carmine Manicone
John Valencia

NOT PRESENT

Thomas Fambro
Stefanie Scott

GUESTS

Krishna Rajagopalan

CALL TO ORDER

The meeting was called to order at 4:36PM

REVIEW OF MINUTES

The minutes of April 11, 2022 were reviewed and approved by consensus.

EMPLOYMENT OPPORTUNITIES

Ms. Carmen Jimenez-Wynn, Employment Specialist at Lanterman, attended to update the committee about clients and employment. She reported that paid internships are still in existence and they provide new skill opportunities to clients. She added that there is an incentive for providers to earn \$750 for a client that stays 30 days and \$1,000 for a client who stays 60 days. Ms. Jimenez-Wynn explained that all service coordinators are well informed about this and clients

may ask about this at any time. Some committee members shared their experiences with various jobs they've had or are interested in having. Discussion followed.

DARK IN JUNE OR JULY?

The committee decided to meet in June and possibly also meet in July depending on the need for it.

NEXT MEETING

The next meeting is scheduled on June 13, 2022.

ADJOURNMENT

The meeting was adjourned at 5:26PM.

/gs

BOARD EDUCATION

ANNUAL ADMINISTRATIVE REPORT PROGRAMS AND SERVICES DIVISION

COMMUNITY SERVICES UNIT 2021

The following report represents a summary of significant activities and accomplishments of the Community Services Unit over the course of calendar year 2021. The information in this report is organized around the major functions and program areas of the unit.

UNIT OVERVIEW

The Community Services unit is responsible for resource development, vendorization, quality assurance monitoring, investigation of complaints involving providers, client employment programs, housing information, and the provision of technical assistance to improve and enhance the services provided to clients and their families.

Unit staff participated in meetings with various community agencies including, but not limited to: Community Care Licensing; ARCA Employment Committee; ARCA Housing Committee, local and statewide regional center meetings; school district and SELPA meetings. Staff were active participants on many LRC work groups and committees including: Funding Review Committee, Risk Management Committee, Community Living Options Review Committee, and QA/Liaison meetings. Staff support was provided to the Service Provider Advisory Committee.

In 2021 the unit was comprised of 13 positions: 1 Resource Developer; 2 Provider Specialists, 1 Employment Specialist, 1 Housing Specialist, 1 QA Manager; 4 Quality Assurance Specialists; 1 Executive Assistant, 1 Resource Assistant; and 1 Director.

SIGNIFICANT ACTIVITIES AND ACCOMPLISHMENTS

CONTINUED COVID RESPONSE

Due to the coronavirus pandemic the Community Services unit continued to respond to the needs of our service providers, clients and community. The Department of Developmental Services (DDS) continued issuing a number of pandemic related directives which impacted our service provider community requiring information dissemination and implementation. Remote and alternative service delivery continued as allowable service modalities through 2021. COVID assistance in the form of rate adjustments and reimbursements, primarily to our residential service providers, continued at a decreased rate. Most providers have resumed some level of in-person services with many providers using a hybrid approach meaning both in-person and remote service offerings.

RESOURCE DEVELOPMENT

The Resource Developer focuses on identifying and developing resources needed for all Frank D. Lanterman Regional Center clients. The Resource Developer maintains a community resource needs survey and works with the KYRC to distribute and post on the website. Input from service coordination also informs our resource needs assessment. The Resource Developer used this information to help with the fiscal year 21/22 Community Placement Plan/Community Resource Development Plan (CPP/CRDP) proposals which were submitted to DDS in late 2021.

In terms of residential development, the primary challenge continues to be the limited pool of housing in an affordable price range to prospective service providers, as well as the non-profit Housing Development Organizations that receive limited start-up funds from DDS' CPP/CRDP programs. The housing market in 2021 saw a steady climb in real estate costs with homes selling well above asking prices making it difficult for HDOs to compete. Also impacting residential development are inadequate reimbursement rates, Community Care Licensing over-concentration restrictions (licensed homes must be at least 300 feet apart), and rising minimum wages that have hampered hiring and retention efforts of service providers.

Developing homes for individuals who destroy property, scream and have underlying mental health disorders continues to be challenging in neighborhoods with little space between houses, which requires additional funding for noise mitigation efforts. Obtaining permits from cities, clearances from fire departments, and licenses from Community Care Licensing continues to be a lengthy process due to their decreased staffing. While DDS has an assigned point person to work closely with Community Care Licensing (CCL) to prioritize licensing of CPP/CRDP homes, homes that are not developed through this process are not a priority for CCL and providers are waiting six months or more to be licensed.

The Resource Developer continues to provide technical assistance to parties interested in developing non-CPP homes. Three non-CPP homes were opened this year. No homes were closed by providers this year.

The Resource Developer continued to participate in the Community Living Options Review Committee (CLORC), which reviews the residential needs for clients living in the community. Referrals are made to Family Home Agencies, licensed homes (both Community Care homes and Intermediate Care Facilities) and independent living options as appropriate. CLORC reviewed 111 referrals this year (114 referrals in 2020). In 2019, pre-COVID referrals were almost double that number, 237. We attribute this significant drop in referrals to the pandemic.

VENDORIZATION

The Unit continued to provide information and technical assistance to prospective service providers to ensure they understood and met Title 17 requirements and LRC expectations for quality services. Pre-vendorization site visits were conducted both virtually and in-person at preschools, after-school programs and early intervention providers. Vendor application packets were given only to those sites/programs meeting criteria for vendorization.

Following is a summary of 2021 vendorization tasks:

- 173 new providers were vendored (259 in 2020).
- 357 Vendor Status Notification requests from other regional centers were processed (325 in 2020).

- 70 out-of-area providers were added (95 in 2020).
- 325 rate changes were processed (334 in 2020)
- 192 changes to vendor information were processed (name change, new tax identification number, etc.) (232 in 2020).
- 56 new service or sub-codes were added to existing vendors (81 in 2020).
- 33 contracts were updated (36 in 2020)
- 77 requests for vendorization were withdrawn because the family no longer wanted the service or the requested provider was determined to be ineligible for vendorization or the provider failed to complete the application packet (77 in 2020).
- 148 requests were pending at the end of the year and will be processed in 2021 (92 in 2020).

QUALITY ASSURANCE

Residential Monitoring: A minimum of two unannounced monitoring visits to each residential program were conducted in-person before the pandemic and virtually the rest of the year due to the pandemic. Following is a summary of 2021 monitoring tasks:

- 134 Unannounced Annual Reviews (UAR). These reviews include: monitoring of compliance with Title-17 and Title-22 regulations; an inspection of the physical plant; a review of the Personal and Incidental (P&I), medication logs, medical records and client files for all residents; and a review of all personnel records. UARs take an average of 8-10 hours to complete for a 6-bed home.
- 136 Unannounced Visits (UV). These reviews include an inspection of the physical plant to ensure that previously noted concerns have been corrected, and a review of food supplies, client rights and medications. UVs take an average of 1-2 hours to complete for a 6-bed home. Unannounced Visits are also conducted if a home is on a Corrective Action Plan (CAP). CAP related visits are not included in the total provided.

Residential monitoring visits included on-the-spot discussion and technical assistance regarding identified concerns or deficiencies as appropriate. Meetings were scheduled with providers with ongoing or repeat issues to meet with the SC/Liaison, their Manager, the Q.A. Specialist and Q.A. Manager to discuss the concerns and the actions necessary to avoid being placed on a Corrective Action Plan. These meetings took place in person pre-pandemic and both virtually and in person during the pandemic.

The QA Manager helped providers prepare for the HCBS Virtual Site Assessments (VSA). Most recently she has been tracking the regional center requirement to gather provider HCBS compliance data for review and posting to the FDLRC website. The manager informed providers of HCBS Compliance funding which was once again made available. The HCBS final rule requirement deadline is March 17, 2023.

Abuse/Neglect/Complaint Investigations: Community Services staff collaborated with Service Coordination in conducting 34 investigations. These consisted of 7 allegations of abuse (sexual, physical, verbal or fiduciary); 9 allegations of neglect; 8 complaints, 6 injuries of unknown origin, 4 deaths unanticipated. Of the 34 allegations/complaints: 4 were substantiated, 17 were unsubstantiated and 9 were inconclusive. In addition, and related to the 4 death investigations, Community Services

collaborated with the Clinical Services Unit in four (4) mortality reviews of individuals who passed away in a licensed residential home.

When an allegation is substantiated the provider received technical assistance from Community Services. The provider is also required to remediate the situation.

Corrective Action Plans: Corrective Action Plans (CAPs) are issued when issues/concerns observed during a monitoring visit or as the result of an investigation are significant and determined to be detrimental to the health, safety or well-being of the client(s). All CAPs identify the problem and a plan of action to resolve the problem, including technical support, training or specific tasks needing to be completed by the service provider within a defined time frame.

In 2021 one CAP was initiated for a level 2 Community Care Facility (CCF). This provider met the terms and the CAP was lifted.

EMPLOYMENT

California has an Employment First Policy, as does LRC, which states employment should be the first option for all individuals with Intellectual/Development Disabilities. The Employment Specialist is responsible for educating clients, families, staff and providers about the Employment First Policy and the variety of employment options available to the individual. In addition, the Employment Specialist coordinates and/or conducts training regarding the impact of employment on benefits.

Employment options include, but are not limited to, competitive integrated employment, Project Search internship programs (2 sites), paid internships, self-employment, and supported employment. Employment should be at minimum wage or higher.

The Employment Specialist is responsible for promoting and tracking the Paid Internship Program and the incentive payment program for service providers who assist clients in obtaining competitive, integrated employment, both of which are funded by DDS. Incentives are paid after the client has worked for 30 days, 6 months and 12 months in the same position. In 2021 there were 560 LRC clients employed at the end of the year, which is an increase of 103 from 2020; this increase in employment is consistent with places of employment opening up during the pandemic.

HOUSING

The Housing Specialist has two primary roles: 1) provide affordable housing resource information to Service Coordination, clients and families, and 2) develop relationships with affordable housing developers to obtain units of affordable housing for regional center clients.

The Housing Specialist maintained a list of affordable housing options in the LRC catchment area that was shared with anyone looking for affordable housing. The Housing Specialist maintains a master wait list of clients looking for an independent living option. We continued collaboration with Home Ownership for Empowerment (HOPE) and helped six clients move into their own apartments. The Housing Specialist formed relationships with new housing developers and has been engaged in active discussions regarding prospective developments.

ANNUAL ADMINISTRATIVE REPORT for 2021

SERVICE PROVIDER ADVISORY COMMITTEE

The Service Provider Advisory Committee (SPAC) is comprised of ten representatives from Lanterman vendored service providers. The committee provides guidance, recommendations and technical assistance to the Board of Directors in regard to issues related to the provision of services to clients and their families. While SPAC membership is limited to LRC providers, the meetings are open to anyone providing services to LRC clients.

SPAC reviewed and/or discussed the following during 2021:

- Updates on alternative, remote and State of Emergency (SOE) services related to the pandemic.
- Updates on vaccination, in-person services and other COVID provider protocols dictated by the Department of Public Health.
- HCBS Virtual Site Assessment (VSA) requirements related to the CMS Final Rule requiring person-centered plans and inclusive service settings.
- Updates on the HCBS transition grant funds and how selected providers are using their grants to help transition their programs from segregated to inclusive.
- Trailer Bill Language and input regarding LRC's implementation of new requirements.
- Updates on the implementation of the Self-Determination Program.
- Updates on the implementation of the Electronic Visit Verification (EVV) requirement.
- Rate reform implementation process and tracking including accelerated rate reform advocacy efforts.

SPAC sponsored a community meeting in September to review progress on LRC's 2021 Performance Contract, the proposed 2022 staffing plan and the proposed 2022 Performance Contract objectives.

The annual SPAC Breakfast was not held in November due to COVID.

The Committee sponsored a virtual vendor fair for Service Coordinators focusing on how service providers changed service delivery due to the pandemic.

SPAC set their 2022 committee goals: 1) Host the annual Community Meeting in September; 2) Host the annual breakfast in November; 3) Host a vendor fair; and 4) Host a Provider training.

EXECUTIVE DIRECTOR'S REPORT

May 16, 2022

Senator Susan Talamantes Eggman
Chair, Senate Budget Subcommittee #3 on Health and Human Services

Assemblymember Joaquin Arambula
Chair, Assembly Committee on Budget, Subcommittee #1 on Health and Human Services

RE: Department of Developmental Services (4300) – 2022-23 May Revision

Honorable Senator Talamantes Eggman and Assemblymember Arambula:

California's regional centers are a network of 21 community-based non-profits, represented by the Association of Regional Center Agencies (ARCA). The regional centers coordinate services for, and advocate on behalf of, nearly 400,000 Californians with developmental disabilities. We thank you for this opportunity to comment on the Governor's proposed Budget for FY2022-23 for the Department of Developmental Services (DDS).

Investing in the Workforce

Individuals with developmental disabilities and their families rely upon a network of dedicated professionals to bring the Lanterman Act's promise of individualized planning and service delivery to life for them. ARCA appreciates the one-time investments included in the May Revise that would strengthen the service provider and regional center workforce, and supports the inclusion of \$185.3M to do the following:

- Provide training stipends for Direct Support Professionals;
- Incentivize new employees to enter the Direct Support Professional workforce through internship opportunities and retention stipends;
- Support the pursuit of advanced degrees by regional center service coordinators, which will both incentivize their employment and strengthen future leadership; and,
- Pilot programs to explore the role technology can play in augmenting staff support and increasing opportunities for greater independence for those with developmental disabilities.

ARCA also supports the proposed increase of \$2.1M for regional center monitoring of specialized homes, an increase that reflects not only the increased number of homes requiring intensive monitoring, but also the higher salaries necessary to recruit and retain the skilled staff to carry out these functions. Updating all regional center staff funding formulas, including the Core Staffing Formula, is the only path to achieving stability for critical functions, such as service coordination, clinical and intake services, and resource development and quality assurance.

Supporting Equity

ARCA supports the two additional investments in equity measures proposed in the May Revision. A one-time increase of \$11M in the DDS Service Access and Equity Grant Program will provide greater opportunity for innovative projects to reach California's increasingly-diverse population. The ongoing increase of \$2.1M to support interpretation services for regional centers' Deaf Specialists will enhance the effectiveness of those professionals and regional centers in meeting the needs of the Deaf+ population.

Lessons from the Pandemic

The pandemic highlighted several truths about California's developmental services system, including the preference for flexible, individualized services and the need to eliminate barriers to service access.

Family Fees

While ARCA appreciates the acknowledgement that the Annual Family Program Fee and Family Cost Participation Program as currently structured get between too many children and their services, the proposed suspension and restructuring of these programs does not address their fundamental flaw – linking time-sensitive developmental services to discussions about family income. ARCA has led the advocacy effort for elimination of both fees and continues to believe only this will allow the focus to return to each child's needs.

Intermediate Care Facility Rates

ARCA strongly supports the proposal to make permanent the pandemic-era 10% rate increase for Intermediate Care Facilities, as this service option allows 6,000 Californians with developmental disabilities and health care needs to live in homes that can meet their unique needs. Long-term rate freezes for this service prior to the pandemic threatened its ongoing viability as an option.

Supporting Flexibility

To enable the greater service flexibilities many have come to appreciate, ARCA supports the proposal to eliminate the half-day billing policy and the allowance for the use of remote service delivery to meet an individual's unique needs. Acceleration of the next service provider rate increases to July 1, 2022, is essential to sustainably rebuild the Direct Service Professional workforce to a level needed to support flexible, dynamic service delivery.

Financial Management Services (FMS) in the Self-Determination Program (SDP)

Funding FMS outside each person's individual budget in SDP as a pandemic flexibility has made the program more accessible, including for those with lower budget amounts. ARCA supports the proposal to make this change permanent. An additional investment needed to strengthen this service for those interested in SDP is funding for transition-related services from FMS agencies. FMS agencies should not be expected to provide uncompensated intensive support in this area.

Laying a Foundation for the Future

The May Revision includes largely one-time investments across program areas. ARCA appreciates and supports two specific proposals for ongoing investments that will, in the long term, strengthen services to individuals with developmental disabilities.

Early Start Expansion

Early intervention is the key to maximizing developmental outcomes for the youngest children, which puts them on a stronger trajectory for the remainder of their lives. ARCA strongly supports the proposal

to expand Early Start eligibility through identifying Fetal Alcohol Syndrome as a risk-factor, reducing the delay that must be present to qualify for services, and considering receptive and expressive language separately. These changes will serve more children in need of intervention in the Early Start program. Updates to service rate models for early intervention programs and associated therapies are needed, however, to enhance provider capacity to effectively support this expanded population.

Emergency Preparation

Unfortunately, natural disasters and Public Safety Power Shutoffs are now a way of life in California. For people with developmental disabilities and their families, this can mean additional considerations, such as the need for a power supply for essential medical equipment or refrigeration for medication. ARCA supports the proposed ongoing investment in emergency supplies and battery power to meet the needs of this community.

ARCA will continue to build on our long-standing collaborative relationships to partner with those served, their family members, the Legislature, the Administration, and community organizations. We are deeply committed to meeting today's needs with an eye towards the future. With thoughtful investments and policy, we will be able to keep the promise of the Lanterman Act for hundreds of thousands of Californians who rely on it.

Sincerely,

/s/

Amy Westling

Executive Director

Cc: Renita Polk, Consultant, Senate Budget Subcommittee #3 on Health and Human Services
Nicole Vazquez, Consultant, Assembly Budget Subcommittee #1 on Health and Human Services
David Stammerjohan, Chief of Staff, Office of Senator Eggman
Karen Jones, Legislative Aide, Office of Assemblymember Arambula
Nicki Taylor, Legislative Aide, Office of Senator Melendez
Darin Walsh, Chief of Staff, Office of Senator Pan
Justin Boman, Legislative Director, Office of Assemblymember Mathis
Sarah Boudreau, Legislative Aide, Office of Assemblymember Patterson
Michael Chen, Legislative Director, Office of Assemblymember Ramos
Daniel Folwarkow, Legislative Aide, Office of Assemblymember Rubio
Liz Snow, Chief of Staff, Office of Assemblymember Wood
Megan DeSousa, Consultant, Senate Republican Fiscal Office
Eric Dietz, Consultant, Assembly Republican Caucus
Marisa Shea, Principal Consultant, Senate Human Services Committee
Debra Cooper, Chief Consultant, Assembly Human Services Committee
Joe Parra, Principal Consultant on Human Services, Senate Republican Caucus
Mareva Brown, Policy Consultant, Office of the Senate President Pro Tempore
Kelsy Castillo, Policy Consultant, Office of the Speaker
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