

# EXECUTIVE COMMITTEE

## **EXECUTIVE COMMITTEE**

**November 11, 2020**

### **MINUTES**

#### **PRESENT**

Dina Richman, Chair  
Elizabeth Beltran  
Mark Higgins  
Gloria Leiva  
Louis Mitchell

#### **GUEST**

Larry DeBoer

#### **STAFF**

Melinda Sullivan

#### **CALL TO ORDER**

Ms. Richman called the meeting to order at 12:03 p.m. The meeting was held via Zoom.

#### **APPROVAL OF MINUTES**

**The minutes of October 14, 2020 were approved by consensus.**

#### **BOARD OF DIRECTOR'S TRAINING PLAN**

Ms. Sullivan advised the Committee that the Center received a letter from DDS indicating that FDLRC's Board Training Plan submitted on September 15, 2020 does not include the length of each training session as required. Ms. Sullivan shared with the Committee an updated plan to meet the criteria specified. The Committee was in agreement with the plan with the following edits: move "Leadership Training" from August to July and to incorporate a training on ARCA in an available month.

The plan needs to be submitted by December 15.

**The Executive Committee was in support of the revised plan going to the Board for information.**

#### **DECEMBER MEETING DATE**

The Committee discussed the need to meet in December as Board Committees typically go dark in December. The Committee agreed to hold Tuesday, December 8, 2020 as a placeholder should a meeting be needed.

### **ADJOURNMENT FOR EXECUTIVE SESSION**

**Mr. Mitchell moved to suspend the General Session meeting at 12:20 p.m. for Executive Session to conduct business on Approval of Minutes, Personnel and Litigation, Ms. Beltran seconded the motion, and it passed unanimously.**

### **RECONVENE FOR GENERAL SESSION**

**The Committee conducted business in Executive Session on Approval of Minutes, Personnel and Litigation.**

### **ADJOURNMENT**

The meeting was adjourned at 12:30p.m.

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## Board Training Plan January – December 2021

Month	Subject	Amount of Time	Presenter	Expertise
January	<ul style="list-style-type: none"> <li>Overview of DDS Contract</li> </ul>	½ hour	Leeann Christian	DDS – Deputy Director Community Services Division
February	<ul style="list-style-type: none"> <li>Recruitment Practices</li> </ul>	½ hour	Karem Chacana	Director of Human Resources
	<ul style="list-style-type: none"> <li>Medicaid Waiver</li> </ul>	½ hour	Gwen Jordan	Director of Clinical Services, RN
March	<ul style="list-style-type: none"> <li>Cultural Competency &amp; POS Disparity</li> </ul>	½ hour	Rose Chacana	Director of Koch Young Resource Center and Cultural Specialist
April	<ul style="list-style-type: none"> <li>Complaints &amp; Appeals</li> </ul>	½ hour	Carmine Manicone	Director of Client and Family Services
May	<ul style="list-style-type: none"> <li>National Core Indicators (NCI)</li> </ul>	½ hour	Melinda Sullivan	Executive Director
June	<ul style="list-style-type: none"> <li>Training &amp; Development (TBD)</li> </ul>	½ hour	Maureen Wilson	Director of Training & Development
	<ul style="list-style-type: none"> <li>Housing</li> </ul>	½ hour	Pablo Ibanez	Director of Community Services



<b>July</b>	<ul style="list-style-type: none"> <li>• Role and Responsibilities of Board Members, including By-Laws.</li> <li>• Leadership Training</li> <li>• Conflict of Interest</li> <li>• Whistleblower Policy</li> </ul>	2 hours	Melinda Sullivan  Michelle Heid  Melinda Sullivan  Melinda Sullivan	Curriculum developed by Corporate Legal Counsel, Enright & Ocheltree.  MA, BCBA, Legislative Educator, Director - Advanced Behavioral Pathways
<b>August</b>	<ul style="list-style-type: none"> <li>• The Role of ARCA</li> </ul>	½ hour	ARCA Representative (TBD)	
<b>September</b>	<ul style="list-style-type: none"> <li>• Performance Plan</li> </ul>	1 hour	Melinda Sullivan Carmine Manicone Pablo Ibanez Kaye Quintero	LRC Executive Team
<b>October</b>	<ul style="list-style-type: none"> <li>• RC Organization &amp; Staffing Plan</li> </ul>	½ hour	Kaye Quintero	CFO & Director of Administrative Services
	<ul style="list-style-type: none"> <li>• Alternative Staffing Model</li> </ul>	½ hour	Melinda Sullivan	Executive Director
<b>November</b>				
<b>December (Dark)</b>				

# NOMINATING COMMITTEE

**SLATE OF DIRECTOR  
FOR ELECTION  
October 2020**

**DIRECTOR FOR ELECTION**

Jack Gilbertson

# Jack (John) T. Gilbertson

## Senior Counsel



Senior Counsel

Los Angeles

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## Overview

Jack Gilbertson has over 20 years' experience in providing legal, compliance, financial, tax and consulting services to clients in the health sciences industries, including tax-exempt and for-profit hospitals and health systems, physician groups, integrated delivery systems, academic medical centers, medical research institutions, health plans, pharmaceutical benefit management companies, pharmaceutical manufacturers and medical device companies. His background includes representation on a broad range of matters, including regulatory compliance, fraud and abuse, tax exemption, contracting, joint ventures, mergers and acquisitions (M&A), Foreign Corrupt Practices Act (FCPA)/anti-corruption, medical research, internal and government investigations, dispute resolution, arrangements with health care professionals, due diligence, risk assessment, governance, billing and collection, executive compensation, valuation, financing, tax exemption, quality measurement and reporting, government contracting, and Medicare and Medicaid reimbursement.

## Experience

- Representation of academic medical centers, medical foundations, hospital systems, integrated delivery systems, physician groups and other health science companies in a wide range of transactional and contracting matters, including: mergers and acquisitions, joint ventures, services agreements (professional and ancillary service providers, employment and medical direction) and supply chain.
- Directing corporate investigations for domestic and global health sciences companies, including discovery and evaluation of financial arrangements and interactions with physicians and other health care professionals, distributors, sales agents and other third-party intermediaries, with a focus on key regulatory compliance issues, including anti-kickback, anti-self-referral, false claims, corruption (such as involving the FCPA), and Medicare and Medicaid programs.

- Assisting hospital systems and other health sciences companies with the assessment and application of regulatory requirements to key processes, internal controls and systems, including those relating to billing, coding and collection, contracting, physician and vendor management, medical research, quality measurement and reporting, clinical documentation (including transition to ICD-10 and meaningful use of electronic health records), accreditation/conditions of participation, licensure, privacy and security, trade association and industry standards, and monitoring and auditing.
- Representing academic medical centers, medical foundations, and hospital and integrated delivery systems on matters relating to tax-exempt status, including private benefit and inurement, governance, conflicts of interest, physician arrangements, joint ventures, community benefit, community needs measurement and reporting, compensation, intermediate sanctions, valuation, and compliance with requirements imposed under tax-exemption financing.

Developing, implementing, assessing and executing key elements of compliance programs and related compliance functions for hospital systems and other health sciences companies, including programs relating to corporate compliance plans, risk identification and assessment, and monitoring and auditing activities.

## Insights

- "The Role of Information Technology Risk Assessment in Enterprise Risk Management," SNR Denton Client Alert, September, 2012
- "Community Health Needs Assessments for Tax-Exempt Hospitals," SNR Denton Health Care Law Alert, July 15, 2011
- "Know Your Risks: Emerging Markets, Third-Party Intermediaries, and the Life Sciences Industry," Deloitte Development LLC, April 2011
- Co-author, "Update on Medicare and Medicaid Pharmaceutical Pricing: Ongoing Challenges and Issues," American Health Lawyers' Association Member Briefing, *@Regulatory*, October 2009
- Co-author, "Continuing Changes in Physician Financial Disclosure and Referral Landscape," *@Regulatory*, October 2008
- Co-author with other health care professionals and providers, "The Compliance Officer's Role in Merger & Acquisition Due Diligence," section on physician arrangements, *HCCA Compliance Today*, December 2008
- Co-author, featured article, "Recent Revisions by CMS Underscore Complexity and Compliance Issues in Physician Self Referral Rules," *@Regulatory*, Winter 2008
- "Physician Arrangements Under Scrutiny," *@Regulatory*, Special Bulletin, November 2007
- Co-author, "Medicaid Prescription Drug Final Rule: CMS Makes Major Changes Required Under the Deficit Reduction Act to Medicaid Reimbursement and Rebate Methodologies," American Health Lawyers Association, "Life Sciences Newsletter," November 2007, *@Regulatory*, October 2007, Special Bulletin
- "Proposed Regulations Address a Broad Range of Compliance and Contractual Issues for Medicare Advantage and Medicare Part D Plan Sponsors," featured article, *@Regulatory*, Autumn 2007
- "Pharmaceutical Pricing Under Scrutiny: U.S. House Oversight Committee Investigates Fraud, Waste and Abuse and Overview of Other Significant Developments," *@Regulatory*, March/April 2007

- "IRS Addresses Relationship Between Tax-Exempt Status and Private Benefit and Excess Benefit Transactions," *Health Lawyers News*, December 2005

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# Activities and Affiliations

## Presentations

- Co-Presenter, "How Health Care Reform Impacts the Company's General Counsel and Other Members of the Senior Leadership Team," Association of Corporate Counsel/San Diego Chapter In-House Counsel MCLE Presentation, San Diego, California, May 17, 2012
- Co-Presenter, "Assessing How Health Care Reform Impacts Your Company and its Stakeholders," Los Angeles, California, January 18, 2012
- "Developments in Medicare and Medicaid Government Reimbursement," moderation of education programs conducted by Southern California Chapter of Healthcare Financial Management Association, Los Angeles, November 2010, August 2010 and March 2010
- "Update on Data Validation Requirements" webinar, September 2010
- "Accountable Care Organizations" webinar, July 2010
- "Focus on Fraud and Compliance in the Hospital/Physician Setting," Healthcare Financial Management Association, Dallas, January 2009
- "Compliance Approach to Physician Arrangements," Orlando, November 2008
- "Analyzing Physician Arrangements" webinar, October 2008
- "Government Scrutiny on Physician Arrangements in the Health Care Industry," New York, February 2008
- "Physician Contracting Management Considerations Arrangements," Healthcare Financial Management Association, Chicago, January 2008
- "HHS Promulgates New Stark and Anti-Kickback Regulations Designed to Facilitate Adoption of Health Information Technology and Electronic Medical Records," California Association of Physician Groups, Los Angeles, September 2006
- "Obtaining and Preserving Tax-Exemption; Overview of Recent Developments," National Executive Directors Retreat, Los Angeles, June 2005
- "Challenges to the Revenue Cycle—Rates, Collection Practices, Charity Care and Financial Assistance," Health Care Compliance Association, Las Vegas, November 2004
- "Hot Topics in Health Care Compliance," Health Care Compliance Association, Las Vegas, November 2004



## Memberships

- American Bar Association
- State of California Bar Association
- Los Angeles County Bar Association
- American Institute of Certified Public Accountants
- American Health Lawyers Association
- Healthcare Financial Management Association
- Corporate secretary, Board of Directors, Healthcare Financial Management Association, Southern California Chapter
- Corporate treasurer, Board of Directors, 826LA, an affiliate of 826 National
- Member, Administrative Affairs Committee, Frank D. Lanterman Regional Center, Los Angeles, California

## Prior and Present Employment

Prior to rejoining SNR Denton in 2011, Jack was a certified public accountant in Michigan and California, and has provided consulting, audit, reimbursement, forensic accounting and tax services to local, regional and global health sciences companies for over a decade at two of the world's leading Big Four accounting and consulting firms. Jack routinely publishes and speaks on a variety of key legal issues affecting health sciences companies.

## Areas of focus

### Practices

Corporate

- Internal Investigations
- Litigation and Dispute Resolution
- White Collar and Government Investigations

### Industry sectors

- Biotechnology Companies
- Government
- Health Care
- Life Sciences and Health Care
- Nonprofit Entities

Pharmaceutical Companies

## Education

- Georgetown University Law Center, 1999, LLM
- Wake Forest University School of Law, 1991, JD
- Michigan State University, 1984, BA, Accounting

## Admissions and qualifications

- California

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# CLIENT ADVISORY COMMITTEE

Frank D. Lanterman Regional Center

Client Advisory Committee

November 9, 2020

MINUTES

**PRESENT**

Howard McBroom, Chair  
Rachelle Cabrera  
Thomas Fambro  
James Li

**GUEST**

Nicholas Pietrantonio

**NOT PRESENT**

Thomas Espinosa  
Helane Schultz

**STAFF**

Carmine Manicone  
Lyndon Marshall

**CALL TO ORDER**

The meeting was called to order at 4:30PM.

**VOTE IN NEW MEMBERS**

The committee voted to have Mr. Nicholas Petrantonio and Mr. Thomas Espinosa become a voting member unanimously.

**REVIEW OF MINUTES**

The minutes of October 12, 2020 were reviewed and approved by consensus.

**2021 AGENDA TOPICS & ANNUAL PROJECT**

The committee discussed topics that they were interested in and would like to have as agenda items in 2021. These topics include:

- Self-determination

- IPP: what is it. Overall overview
- Conservatorship
- The budget
- Advocacy (State level)
- Employment
- Living independently

The committee did not choose an annual project at this time.

### **POS DISPARITY**

Mr. Manicone presented the Expenditure Data for Fiscal year 2018-19 to the committee. The purpose of this is to inform everyone about FDLRC's purchase of service expenditures based on ethnicity, race, language, and disability. The CAC is welcome to share insights about the reasons why differences in expenditures exist. Also, the committee will learn what is being done in order to address disparity and gather ideas from CAC about how the Center can address it.

Mr. Li asked for clarification regarding why a blind person might not be eligible for Center services. Mr. Manicone explained that in order to receive services, a blind person would be assessed and would have to have one of the five diagnoses: autism, epilepsy, intellectual disability, cerebral palsy or "category 5." He expanded a little about what category 5 is.

Ms. Cabrera asked if there was data regarding how much clients pay for rent in California and if this information can be gathered. Discussion followed.

There were no other questions or suggestions regarding this presentation.

### **CLIENT SATISFACTION SURVEY**

Mr. Manicone reported that all Lanterman clients were mailed a satisfaction survey and encouraged everyone to fill it out and return it if they hadn't done so already. He added that the deadline on the survey has been extended.

### **NEXT MEETING**

The next meeting is scheduled on January 11, 2021.

### **ADJOURNMENT**

The meeting was adjourned at 5:45P.M.

/gs

# PROGRAMS AND SERVICES COMMITTEE

Frank D. Lanterman Regional Center

Programs & Services Committee

November 11, 2020

MINUTES

**PRESENT**

Lupe Trevizo-Reinoso, Chair  
Debbie Cornejo  
Darryl Goodus  
Howard McBroom  
Yudy Mazariegos

**GUESTS**

Christopher Perri

**STAFF**

Carmine Manicone

**NOT PRESENT**

Gladis Cabrera  
Adrian Jimenez  
Oscar Carvajal  
Karla Garcia

**CALL TO ORDER**

The meeting was held remotely using ZOOM and was called to order by Lupe Trevizo-Reinoso at 10:03A.M.

**APPROVAL OF MINUTES**

The minutes of October 14, 2020 were reviewed and approved by consensus.

**2020 PERFORMANCE PLAN Q3**

Mr. Manicone reviewed with the Committee the Third Quarter 2020 Performance Plan. Mr. Manicone noted the following:

1. Under “Employment Goals 15-19” –DDS has not distributed the EDD reports necessary for the Center to capture third quarter activity.
2. The Center did well overall on the Medicaid Waiver Audit.
3. Due to the pandemic, Intake assessment numbers are low. Many families are opting to wait to have an in-person evaluation when the Center is re-opened. The Center has begun some in-person assessments, but appointment are limited.

The Committee engaged in discussion on the following issues affected by the pandemic:

- Intake Assessments
- Services for children 0-3 who are not transiting or aging out
- Clients who reside in skilled nursing facilities
- Service Provider vacancies

There were no changes suggested to the Q3 2020 Performance Plan.

### **POS DISPARITY**

Mr. Manicone presented the data on the disparity in purchased services for Lanterman clients related to age, race, primary language and disability. Mr. Manicone advised the Committee that these presentations are held annually to comply with (Welfare & Institutions Code, 4519.5) that calls for the Department of Developmental Services (DDS) and regional centers to annually compile data relating to purchase of service authorization, utilization and expenditures, and report with respect to several indicators including age, race, language and disability. Each year, this data will be compiled and posted by the regional center by December 31 for the prior fiscal year with public meetings to be held by the following March 31. He noted that the Spanish meeting was held on March 10, but the March 25 English meeting was postponed due to COVID-19 and has been rescheduled to November 18, 2020.

After the presentation, the Committee was given the opportunity to share their input:

During the discussion that followed the presentation, committee members suggested that they would like to have more information regarding the per capita expenditures by ethnicity and living arrangements.

Members voiced their disappointment to continue to see disparity, but noted that it appears that respite usage is beginning to even out amongst most of the ethnic groups.

Members also expressed that the data raises a lot of questions about what we can learn and suggested it is worth a deeper analysis.

### **CLIENT SATISFACTION SURVEY**

Mr. Manicone reported that satisfaction surveys were mailed out to all clients/families. For surveys that were returned for bad addresses, they have been resent and the deadline was extended. To date, the Center has received about a 16% return rate. Overall, the responses have been positive. Once all the data is compiled, it will be shared with this committee.

### **OTHER**

The committee voted unanimously to elect Christopher Perri as a committee member.

### **NEXT MEETING**

The next committee meeting is scheduled on January 13, 2021.

### **ADJOURNMENT**

The meeting was adjourned at 11:34A.M.

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SERVICE PROVIDER  
ADVISORY COMMITTEE



**Frank D. Lanterman Regional Center  
Service Provider Advisory Committee  
November 4, 2020  
Minutes**

This committee Zoom meeting was called to order at 10:02 AM and roll call was taken.

**SPAC MEMBERS PRESENT**

Kimberly West-Isaac  
Traci Jones-Martinez  
Keri Castaneda  
Jim Storck  
Yvonne Nakamoto  
Kyra Griffith  
Dee Prescott  
Kelly White  
Nicole Hajjar

**EXCUSED**

Greg Sanchez

**Guests:**

Beatriz Diaz/In2Vision  
Michaelann Gabriele/CDK  
Lendy Ruano/Easterseals  
Maura Enriquez/Easterseals  
Janet Upjohn/Cheerful Helpers  
Veronica Aleman/SVS

Pam Arturi/Easterseals  
Yancy Chavez/Easterseals  
Nancy Niebrugge/The Campbell Ctr  
Charlotte Heim/Precise Care  
Bryan Chacon/Maxim Healthcare  
Kendra Espinoza/Tender Touch  
Harry Bruell/PathPoint

Isis McDonald/AbilityFirst  
Adrian Estrada/In2Vision  
Brian Nguyen/Easterseals  
Andrea Devers/PCS Lanterman  
Bijan Beizai/In2Vision  
Christian De Paz/ACT

**Staff**

Pablo Ibañez  
Sonia Garibay

**Public Comments**

None

**Approval of Minutes**

The minutes from October 7, 2020 were accepted as submitted.

**REPORTS**

**Board**

Ms. Isaac did not attend the Board meeting, Mr. Ibañez reported the following:

- There were no announcements or public input and minutes were approved.
- The December Board meeting has been rescheduled a week earlier due to the holidays.
- LRC proposal for the Alternative Staffing Model has been approved.

- LRC still in the process of sending out the satisfactory surveys to clients and families. Once all the information is gathered from the surveys it will be shared.
- ARCA report:
  - Harbor RC and Westside RC have new Executive Directors; Central Valley RC has an Interim Director.
  - The DDS Disparity Grants, now called Service Access Equity Grants, funding cycle has been approved.
  - Legislative Budget – There are cuts to K-12 education, State colleges and State employees in the 2020-21 budget as a result of a lack of federal assistance.
- The Administrative Affairs Committee gave a presentation on the Operations Budget and Staffing Plan for 2021; both were approved.
- The Endowment Plan Proposal to provide clients with technology (devices and Internet services) was approved. This plan is in its early stages. More info to follow.
- The Nominating Committee provided an update on the SPAC Nominations. SPAC has 2 vacancies.
- The Board of Directors is still recruiting a new member.

### **HCBS Self-Assessment Status**

Ms. Garibay reported that DDS announced that they will be doing another round of HCBS compliance funding during the holidays. Providers were encouraged to be on the lookout for it. This funding is available to service providers that are out of compliance with the HCBS requirement, that have an identified need which can be addressed with some modifications in order to be in full compliance. The next meeting is scheduled for early December.

The on-site assessments will start soon with a small pilot program, with about 50 providers. RCs will work with providers and will let DDS and PCG know when providers are ready. These assessments will be done on a weekly basis; PCG intends to complete the 1,200 assessments by June 30, 2021.

### **Staff Training/Vendor Fair Committee**

In the absence of Mr. Sanchez, Mr. Ibañez shared the possible use of a new platform to disseminate information to service coordination. Instead of having a broader remote vendor fair the plan is having smaller presentations to service coordinators; more info to follow.

### **OLD BUSINESS**

#### **Legislative Advocacy**

Ms. White shared that the L.A Coalition of service providers is meeting with all supported living providers as another budget is coming out in January. As she gets additional information she'll share with the group.

#### **DDS Updates**

Mr. Ibañez reported the following:

- Alternative Services updates - DDS definitions in terms of Alternative and Traditional Services were once again shared.

- LRC has taken the position that, if the provider is providing the same type of services they were providing before the pandemic, in the same way, in a different location, or remotely providers are encouraged to stay traditional and bill traditional. It was clarified that the final decision on how to receive services will be made by the provider and the family.
- Monthly Reports – to date, LRC has not received the promised DDS templates.
- December 1<sup>st</sup> is the new date for Alternative Rates set by DDS to be in effect. Once those rates are set, DDS will distribute them to the RCs, and then RCs will distribute them to providers. We expect the first monthly report will be due by December 5<sup>th</sup> for the months of September, October and November.
- LRC will follow up with day service and possibly other providers asking them to send a template letter (provided by LRC) to let the RC know if they are or they will be resuming in-person services. Mr. Ibañez once again clarified that LRCs is not approving in-person service plans but providers are encouraged to send their plan to the RC and planning team is aware of the precautions that will take place to keep everyone safe.
- Cares Act – A third run of funding is available through this Friday with an increasingly simplified process. Providers were encouraged to take advantage of this funding.

Ms. Isaac shared a concern regarding clients with underlying health conditions returning to day programs and asked if the LRC Clinical Team would be able to provide guidance and best practice guidelines to follow before sending clients back out. Ms. Ibañez confirmed that, in fact, the Clinical Team can be of assistance but that guidance and best practices as it relates to COVID precautions are still being issued by the CDC and local and state Public health departments.

## **NEW BUSINESS**

### **LRC Updates**

Mr. Ibañez and the committee gave a warm farewell to Ms. Jones Martinez for her commitment and contributions to SPAC for 10 years. She will be missed.

### **SPAC Vacancy**

Mr. Ibañez announced that the committee has 2 vacancies. He encouraged potential participants to send a letter of intent and their resume to him.

## **UPDATES/ANNOUNCEMENTS/CONCERNS**

- Mr. Ibañez – the e-billing technical issue has been fixed. This issue prompted Ms. Castaneda to suggest having an Accounting representative attend a SPAC meeting to clarify questions providers may have. It was agreed that, since there will be a rate change in December, to have Accounting representation invited to an upcoming meeting.

## **ADJOURNEMENT**

The meeting was adjourned at 11:30 AM.

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*Service Provider Advisory Committee Meeting*  
**ATTENDANCE**

<b>2020-2021</b>	<b>N O V 20</b>	<b>D E C 20</b>	<b>J A N 21</b>	<b>F E B 21</b>	<b>M A R 21</b>	<b>A P R 21</b>	<b>M A Y 21</b>	<b>J U N 21</b>	<b>J U L 21</b>	<b>A U G 21</b>	<b>S E P 21</b>	<b>O C T 21</b>	<b>T O T A L</b>
<b>K. WEST-ISAAC - Chair</b>	X												
<b>T. JONES MARTINEZ</b>	X												
<b>K. CASTANEDA</b>	X												
<b>N. HAJJAR</b>	X												
<b>D. PRESCOTT</b>	X												
<b>J. STORCK</b>	X												
<b>Y. NAKAMOTO</b>	X												
<b>G. SANCHEZ</b>	E												
<b>K. GRIFFITH</b>	X												
<b>K. WHITE</b>	X												