



ASSOCIATION OF REGIONAL CENTER AGENCIES

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Minutes

ARCA Board of Directors

January 21, 2011

**Sheraton Grand Sacramento
1230 J Street
Sacramento, CA 95814**

Present

Phil Bonnet, Nancy Lea, ACRC
Robert Riddick, CVRC
Gloria Wong, ELARC
Laura Larson, Karen Bither, FNRC
Jim Shorter, Laura Bliss, GGRC
Pat Del Monico, Mariano Sanz, HRC
Carol Fitzgibbons, IRC
Michal Clark, KRC
Diane Anand, Larry DeBoer, LRC
Bob Hamilton, Martha Cornejo, NBRC
George Stevens, Jeremy Sunderland, NLACRC
Clay Jones, Tamera Leighton, RCRC
Larry Landauer, Tresa Oliveri, RCOC
Jim Burton, Anne Struthers, RCEB
Santi Rogers, Betsy Warner, SARC
Carlos Flores, Beverly Andreos, SDRC
Keith Penman, Sheryl Logan, SG/PRC
Dexter Henderson, SCLARC
Omar Noorzad, Bob Cobbs, TCRC
Dick Jacobs, Calvin Young, VMRC
Mike Danneker, Fernando Gomez, WRC
Peter Tiedemann, ACRC, Chair, Chief Administrators Group
Lisa Rosene, GGRC, Chair, Chief Counselors Group
Michael Statti, NBRC, Chair, ARCA Consumer Advisory Committee

Bob Baldo, John Popadak, Rick Rollens, Eileen Richey, Lisa Jackson,
Anh Nguyen, Carolyn Stiles, Jean Ritchie, ARCA

Guests:

Terri Delgadillo, Mark Hutchinson, DDS
Mark Higgins, LRC
Lori Ann Dotson, Institute for Applied Behavior Analysis
Marty Omoto, CDCAN
Mary Block, RCRC
Coleen Sullivan, Union Bank
Sara Walter, NBRC
Ami Sullivan, Kinetic Flow

Call to Order

The meeting was called to order at 8:00 a.m. by President Tamera Leighton.

Introductions

Self introductions were made around the table and the room.

Approval of Agenda

The Revised Agenda was accepted as presented.

Approval of Minutes

M/S/C To approve the Minutes of the ARCA Board of Directors of October 29, 2010 as presented.

Public Comment

None.

President's Report (ARCA and The Collaborative) - Tamera Leighton

The Executive Committee has met several times to offer perspective to the ARCA staff, but no actions have been taken so there is nothing to report.

DDS Report - Terri Delgadillo

Prior Year Budgets - 2008-2009
2009-2010
Prop 10 Meeting
Budget
Budget Hearings
POS Standards
Prevention
Allocation Methodology

ARCA Director's Report - Bob Baldo

Budget Update

The budget had already been discussed and there was nothing further to report.

ARCA Position on Governor's Proposed Budget for FY 2011-2012

This was discussed yesterday by the ARCA Executive Committee and last night by the Board Members Group. There was controversy regarding specific aspects of the document. The document is used as a basis for discussing ARCA's positions with legislators and in budget hearings, so it is very important for ARCA's Executive Director and Legislative Advisor to have this position statement.

It was suggested the Board review the document one section at a time.

- M/S/C To approve Item 1 under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document.*
- M/S/C To approve Item 1(a) through 1(d) under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document.*
- M/S/C To approve Item 1(e) under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document. (Vote was 12 yes; 9 no)*
- M/S/C To approve Item 1(f) under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document. (Approved by majority)*
- M/S/C To take a neutral position on Item 1(g) under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document. (17 yes, 1 no, 1 abstained)*
- M/S/C To approve Item 2 under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document.*
- M/S/C To approve Item 3 under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document.*

ARCA Board of Directors
January 21, 2011

- M/S/C To approve Item 4 under Purchase of Service (POS) in the ARCA Position Statement on the Governor's Proposed Budget document, with the change of spelling out MOE (Maintenance of Effort). (16 yes, 4 no)*
- M/S/C To approve Item 1 under Operations (OPS) in the ARCA Position Statement on the Governor's Proposed Budget document. (15 yes, 4 no)*
- M/S/C To approve Item 2 under Operations (OPS) in the ARCA Position Statement on the Governor's Proposed Budget document.*
- M/S/C To approve all positions under Other Issues (Items 1-5)*

WeInclude Update

Eileen Richey provided an update on WE Include. WI was started in 2008 by Maria Shriver, the former First Lady of CA, in collaboration with DDS, ARCA and the CA Chamber of Commerce. Since its inception WI has worked with private and public employers to achieve 226 hires, 170 in paid positions and 56 in internships. In December, Maria Shriver sent out 60 letters to employers urging them to hire through WI, and the ARCA office and the employment specialists recommending the corporations are following up on the letters. Many thanks to the regional centers and their staff that have worked to make WI a success. In late December, we were notified that the WE programs including WE Include would be defunct as of 1/3/11. We can use the history and background that Maria Shriver started WI, but we cannot continue to use the name as it is copy write protected. Lisa Jackson continues to work on raising funds for our employment initiative and the program. The employment committee goals were approved by the ARCA BOD at a subsequent meeting and continue to serve as the foundation for the employment initiative. However, we need to identify a name to continue our work with corporations and to use for our website as most employers check our website before talking with us about WI. California Includes was the name recommended by the Employment Committee.

Legislative Advisor's Report - Rick Rollens

Terri Delgadillo was thanked for doing such a good job of reporting on the budget, and that information was not reviewed again. It was noted that it is imperative that the number one priority be to work to get the budget reduction down as low as possible. A lot of good feedback is coming from the Legislature that the \$750 million number is not sustainable as a real target for reductions in the DD program.

**ARCA Board of Directors
January 21, 2011**

Very few bills have been introduced so far. The Board is strongly urged to take a support position on AB 171, so that a letter of support can be sent to Assembly-member Beall.

M/S/C To support AB 171 (Beall) as read earlier in the meeting.

Today is the deadline for legislative requests to go to State Counsel for new bills. February 19 is the deadline to introduce new bills. Very few pieces of legislation have been introduced but it is anticipated a number of bills will be introduced that will impact the DD system, particularly surrounding transparency and accountability issues.

One of the important things ARCA is dealing with now is a two track process on how to deal with hearings and newspaper articles dealing with the fiscal side as well as the policy side of issues. ARCA feels the best way for this to be resolved is through trailer bill language and not through the policy committee process. The issues in policy committee tend to drag on for a long time and can do a lot of damage. ARCA will have input into the development of trailer bill language, both through the Administration and through the Legislature. That will be an expedited process that will get the issue behind us at a time when there is a need to concentrate on budget reductions.

It is expected there will be more hearings. Senator Emerson from the Inland Empire area, who is a member of the Human Services Committee and is on the Budget Subcommittee is expected to be very involved in a hearing by the Senate Human Services Committee specifically on IRC, which is in his catchment area. It is also expected there will be followup hearings by that Committee regarding the system as a whole. It would be good to have things in place to address the issues before that happens. It is possible trailer bill language may be dealt with in a time-line that will be beneficial to the system.

Nominating & Bylaws Committee Report - Keith Penman

Change to Bylaws Section 3.10

This resulted from a need to change language in the bylaws so that the membership principle document that was approved previously would conform. Santi Rogers, Laura Larson, Bob Cobbs, and Jeremy Sunderland, who are members of the Committee, were thanked for helping with this. The change is simply the addition of centers taking such action to make their local position known, and they shall communicate this intention to the ARCA President and Executive Director as early as possible, but no later than two working days prior to public action. It was requested this change to the Bylaws be approved by the Board of Directors.

*M/S/C To approve the recommended change to Bylaws
Section 3.10.*

Election of ARCA Treasurer

There is a mid-term vacancy. The Treasurer of the organization has left the position and it was necessary to look at the Bylaws to see how to fill that vacancy. It is necessary to follow the process in Bylaws Section 6.09, which is the same process used to come up with a slate of officers. In March a slate of officers will be presented to be voted on at the June meeting. Following Section 6.09 an e-mail was sent to every Board Member that presented the opportunity for recommendations. Four people were recommended. Those recommendations were passed on to the Committee and when the vote is held in March it will be the formal vote to fill the position. Tresa Oliveri is being recommended to fill the position. There are now 30 days in which Board Members may offer an alternate slate in writing, with the consent of the nominee and at least five ARCA delegates. Since this vote will take place in less than six months from the end of the fiscal year, it will not count as a full year term, so the person put in the Treasurer's position can hold the position for the rest of this fiscal year and for two more years if need be.

Treasurer's Report - Tamera Leighton

ARCA Financial Statements - November, 2010

There are no concerns with the report.

M/S/C To move into Executive Session.

Executive Session

- **Discussion of Strategic Consideration RE the Governor's Proposed 2011-1012 FY Budget and Pending Legislation**
- **Executive Director Transition**

M/S/C To move out of Executive Session.

ARCA Board Committee/Task Force Reports and Action Items

Executive Committee - Tamera Leighton

There have been no actions on behalf of the Board so there are no items to report.

Board Members Group - Martha Cornejo

The group met last night. Bob Baldo and Rick Rollens were present at the dinner meeting. The committees were discussed but no action was taken. The Group is considering sending out the agenda prior to the Board Members Group meeting and requesting RSVPs in order to keep down costs.

Community Education & Outreach Committee

No report.

Consumer Advisory Committee - Michael Statti

The Committee is discussing a new name. There have been several suggestions. There is some feeling that the word "consumer" does not carry the right connotation. The next meeting is February 25th and at that meeting they will continue the discussion.

Contract Negotiating Committee - Jim Burton

No report.

Directors Group - Omar Noorzad

The Directors met yesterday for three hours and spent a great deal of time discussing budget issues. They also discussed a number of operational issues. There was discussion about the need for the 21 centers to get together and think through what the recommendations to the Department will be around POS standards. This discussion took place prior to the DDS report this morning which laid out the specifics of the process that the Department will utilize. A conference call is going to be scheduled around February 1, to discuss budget issues and the POS standards will be on the agenda at that call as well.

Employment Committee - George Stevens

No report.

Finance Committee - Mike Clark

The Committee held a conference call on December 15. The Minutes of that call are available on the ARCA website and have been distributed.

A presentation by David Maxwell-Jolly had been scheduled for today's meeting regarding the 1115 Waiver. This is the large Medicaid Waiver program that involves virtually all Medi-Cal recipients in the state of California. David is no longer the head of that program. He is now working for the Health and Human Services Agency. His replacement, Toby Douglas, will meet with the Board at the March ARCA meeting. For the regional centers that serve the 14 counties in California that have managed care Medi-Cal programs, beginning in June, the regional center clients who are Medi-Cal recipients that are not in one of the managed care programs will receive a letter informing them that they will be rolled into the managed care program. The letters will go out

ARCA Board of Directors
January 21, 2011

according to birth date, so people who have birthdays in June will get their letter in early June. People with birthdays in July should get their letters in July, etc. It is believed the letters will tell clients that non-managed care Medi-Cal is no longer going to be an option, that they will have to opt in to one of the Medi-Cal managed care programs within their county. Regional centers will be asked to have their case management staff apprised of the situation and ready to help consumers make appropriate choices and decisions. A lot of information will be forthcoming at the March meeting.

The next Stakeholder Advisory Group meeting is on February 10. If there is any detailed information from that meeting it will be shared among regional center Directors.

ARCA's Executive Director noted he has directed an ARCA consultant, David Riester, to provide support in this effort.

It was pointed out the program will have a new name now, which was not known, but the program is in essence, bridging toward the Affordable Care Act, healthcare reform. The 1115 waiver is being viewed as an aggressive move by the state to move forward with the issues that are to be addressed between now and 2014 with respect to the federal healthcare act.

Housing Committee - Mike Danneker

The Housing Committee met last week in a joint meeting with the CPP Committee. The major part of the discussion was about how to get funds for housing and included everything from the closure of Lanterman D.C. to marrying CPP funds with bond funds. They are exploring using the State's housing community development people, CHAFA and their money and perhaps doing it in the private bond market. There are similar issues between the CPP Committee and the Housing Committee and they may meet jointly again. The Housing Committee decided to do a needs survey. There has been talk for years about the housing needs in California but there is no clarity around the issue. They also adopted a Housing Committee work plan, basically divided into three parts: Housing financing; policy and legislation; and housing programs.

A presentation was made during the meeting by people who are actually developing housing, and very exciting and successful things are happening. This presentation will be presented to the Directors Group at a future meeting.

There was discussion about the New Day Conference and housing will be a part of that. The ARCA website is up at ARCAnet.org/housing. Union Bank had three or four people at the meeting and Union Bank has expressed interest in possibly funding, in some way, houses. The people at Union Bank were thanked for their help in putting together a program.

Legislative Committee - Phil Bonnet

Much of the needed discussion was done earlier in the meeting and a vote in support of the Assembly bill sponsored by Assemblymember Beall regarding the mandatory insurance for autism services was taken and passed.

Earlier this month the Committee discussed the large number of new people involved in the Legislature and committee assignments. This is a frightening time for everyone.

The next meeting on the February 28 will be the big meeting where they annually bring in Board Members, regional center staff and others to go through the large number of bills that need to be reviewed in order to take an ARCA position.

ARCA Guiding Principles and Legislative Priorities for 2011 - This document is virtually unchanged, other than the dates, from the one the ARCA Board supported last year. There might be a need for discussion about the second part which talks about the Lanterman Act entitlements and there was a question about whether the word "entitlement" should be used in a document that will go to the public. The main concern is using the word with the elected officials who may be nervous about the term. There may be some other word that would not raise so many red flags. The entitlement is the backbone of the system, but it may not be a good idea to actually use the word outside of the ARCA group.

It was suggested in the first paragraph, after "Lanterman Act Entitlement", the language be changed to talk about the "right to services" or something similar. After hearing the pro and con regarding this suggestion it was decided to leave in the word "entitlement" as taking it out could be seen by some as a retreat from the Lanterman Act.

*M/S/C To approve the ARCA Guiding Principles and
Legislative Priorities for 2011 as presented.*

The Legacy Homes concept - Every year ARCA brings forward ideas for legislation to be sponsored by ARCA. This year the Association is looking at a Senate Concurrent Resolution that would essentially recognize those programs that have in the past provided the idea of a legacy home. Originally, the idea was to look at one particular program that deals with legacy homes, but it was discussed in the Committee that there are many of these examples around to state, so the resolution would basically recognize the work of these organizations and also urge the Department and others to consider developing best practice models and to use the resolution as an advertising tool to the community about the availability of this option for families in the system.

M/S/C To support in concept, the SCR regarding legacy housing.

Strategic Planning Committee

No report.

NCI Task Force - Larry Landauer

The National Core Indicator survey first round was completed in December. 8,600 consumer surveys have been completed and that data is being compiled. The second round is just getting started and consists of 6,702 adult family and family guardian surveys. That will include all movers from Lanterman D.C. as well as any other movers from developmental centers. The State Council manages this and they have asked regional centers to make sure the families that are selected for these surveys are aware of this process.

DDS should be releasing the names of the four pilot training centers this next week.

ARCA Directors Group Committee/Task Force/Discipline Group Reports and Action Items

Federal Revenues Committee - John Popadak

Discussion about the 1115 waiver has taken place earlier in the meeting. The current HCBS waiver expires September 30, 2011 and is up for renewal. Recently CMS performed quality assessment of the Medicaid system in California and CMS made recommendations for improvement in the areas of level of care determinations; IPP reviews; documentation of risk management activities; and FFP recoup. There will be a meeting on January 27, where more will be learned about this. Bob Hamilton has tentatively agreed to replace Omar Noorzad on the Federal Revenues Committee and will attend the next couple of meetings to learn more about the Committee.

Forensic Committee - Keith Penman

The Forensic Committee and the Mental Health Collaborative are merging into one over time. The Mental Health Committee has been ongoing over a long time period and is now huge in number and doing a lot of good work.

In the Forensic Committee there was a handout about a conference called "Trading Secrets" and SDRC is one of the sponsors. The conference is only \$25 and regional centers are urged to send staff to this conference on March 9. The theme of the conference is working together with individuals with dual diagnoses, meaning mental health and developmental disabilities, that are also connected, unfortunately, to the criminal justice system. The Forensic Committee has worked with solutions building.

Right now the focus of the Forensic Committee is preparing for, and lining up speakers to participate in the conference in March.

Mental Health Collaborative - Carlos Flores

The Conference “Trading Secrets” on March 9, is part of the solutions building monies that started as the “Difficult to Serve” projects. The program is expanding statewide and the conference will include people from district attorney’s offices, public defenders, sheriffs, judges from all over the state. For the year, the Mental Health Collaborative and the Forensic Committee have merged in order to work on these issues jointly. Issues around forensic and crimes committed by regional center clients. Ideas that the ARCA Board would like the joint Committees to concentrate on for the next year should be relayed to Carlos Flores.

The last in the series of training sessions that have gone on around the state from the Mental Health Collaborative Project was in Los Angeles County. There were over 500 people from regional centers, Department of Children and Family Services, Mental Health, Probation, school systems, and the local restaurant around the corner sent some people. Feedback has been very positive. There was a very good showing from the seven L.A. County regional centers.

Information Systems Committee

No report.

Prevention Committee - Dexter Henderson

The Committee met recently. There were no action items, however, the committee did talk about being very much involved in development of the statewide standards as relates to Early Start and Prevention. A meeting is scheduled for February 16, to begin deliberations regarding that.

Community Placement Plan Task Force - Robert Riddick

The joint meeting with the Housing Committee was very informative. There was a provocative report from DDS that the Task Force will take up in March, related to the net capacity under CPP homes that have been developed over the past few years, identifying approximately 1,000 vacancies that exist in those facilities. There was discussion about analyzing that report and that will continue in March. It was suggested that every regional center needs to verify that number.

The deflection tracking form that folks will be using and getting information back to ARCA regarding deflection was discussed. All 21 centers have sent their plans for CPP to DDS and they are under review, with the centers connected with the Lanterman DC closure having highest priority in the review process.

Dental Services Task Force - Phil Bonnet

The dental services situation is a real problem. This was discussed at the Executive Committee yesterday. The Department has released a graphic representation of how funds will flow in some proposed future dental funding plan. It was shared with the Directors Group yesterday. It is pretty much the same as the SPA billing and it is anticipated it will be an administrative nightmare for regional centers to try to figure out how to push this money through multiple different entities which ends up in the State Controller's Office who will then somehow pay back the money. Phil Bonnet reported he has been dis-invited from meetings at DDS, even though he was asked to chair the Dental Services Task Force, so all of the knowledge he gets comes second hand. It appears that DDS is lacking in expertise on how to do something about dental care. NBRC and other centers had plans that would have involved Delta Dental but were forbidden from using those plans while this scheme was being developed. The good news is that there is still money that will be set aside for regional centers to pay for dental services, but how or when it will be delivered is a great concern. Meanwhile, many consumers are not getting dental services because they are waiting for this plan. All regional centers are having to take action in extreme circumstances, and it was suggested that perhaps a letter to the Department expressing concern might be well placed.

John Popadak reported he has had one meeting with Department staff regarding this and developed the graph based on that conversation. There is still a lot of detail to be worked out. There was to have been a meeting in December but that was postponed to January, and now has been postponed to February 2. Still in the budget for this year and next year \$750,000 for Delta Dental to provide the coordination of these services. Last year there was \$11 million in the POS budget to pay for the actual dental services and that is now included in the base. The folks at DDS involved in preparing the Delta Dental contracts are also involved in preparing the November estimate, working on the ICF SPA, and host of other issues, so we may not see action soon. So, the question becomes what can individual regional centers do, and how bold are they willing to be in using this relatively small amount of money that is in the base to pay for dental care.

Emergency Preparedness Task Force - Dick Jacobs

The Task Force has not met since before the holidays. They have been waiting for the Department to hire a replacement for Carol Risley, as it is important for the Department to be represented at these meetings. Apparently that is not going to happen soon, so the Committee will go ahead and schedule a meeting within the next few weeks.

Chief Administrators Group - Peter Tiedemann

No report. The Minutes of the last meeting will be forthcoming.

Chief Counselors Group - Lisa Rosene

The Chief Counselors Group last met December 9-10 at GGRC. APPLE did a presentation at that meeting on all of the applications that are available for no or minimal

cost for various types of disabilities. Lisa commented that she has the names of the APPLE representatives if any center wants to have a similar presentation.

The software system, set up by SCLARC to capture documentation on the least costly services, is very impressive, and can also double as a way of locating those served and vendors in the case of disasters. This could be cost saving for RCs as a result.

Old Business

None.

New Business

None.

Information Sharing

Mike Danneker shared a story about a press conference involving a DD person who had been kidnapped, tortured and raped by four men over a two day period. The perpetrators had been arrested, but the Los Angeles D.A. passed on this, but something was done by the City Attorney. The crimes had been lowered to a misdemeanor and one of the perpetrators spent time in prison and one went back to Iran. The man who did time got an unbelievable 30 days. In order to do something about this miscarriage of justice, WRC has contacted a Steve Lopez, a writer for the Los Angeles Times. He is interested. Disability Rights California has also been contacted to see if there is something they can do. The statistics say that 90% of developmentally disabled people are sexually abused in their lifetime and the legal system does not do anything about this. Something needs to be done about this.

Rick Rollens stated that he will talk to Public Safety Committee staff in the Senate to see if people with developmental disabilities can be covered under the hate crime provisions in law. That would ratchet up a lot of the penalties.

Adjournment

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Glenda Larsen
for
Tamera Leighton, President