

## BOARD OF DIRECTORS' MEETING

July 28, 2008

Presiding: Ralph Griffin

### Board Members

Present: Patricia Albeño  
Ronald Clay  
Rose Coleman  
Hilda Mariscal  
Carmen Quinones

Nyron Battles  
Shana Cohen  
Mike Kuller  
Lauri Parks  
Will Sanford

### Board Members

Excused: Chi Lee  
Claudia Sladen

### Staff Present:

Bill Barbaria  
Jim Burton  
Terri Jones  
Nancy Kubota  
Marc Sugars

Carol Bohnsack  
Francine Davis  
Lisa Kleinbub  
Mark Neiman

### Guests Present:

Gina Jennings  
Rocio Smith

Cleo Manspeaker

### CALL TO ORDER

President, Ralph Griffin called to order the regularly scheduled business meeting of the Regional Center of the East Bay at 7:00 PM. Self-introductions were made.

### CONSENT AGENDA

M/S/C "The Board moves to approve the agenda for the July 28, 2008 and the minutes of the June 23, 2008 meeting as presented."  
(Kuller/Parks) Unanimous.

## PUBLIC COMMENT

Cleo Manspeaker thanked the Board, RCEB's Consumer Advisory Committee, Mr. Burton and regional center staff for supporting her participation in the 2008 People First Conference in Sacramento. Ms. Manspeaker noted that she enjoyed the conference and hopes to be able to attend future events.

Mr. Burton thanked Ms. Manspeaker for representing us so well at the conference and said this conference was reported to be a wonderful event with great participation by the East Bay. Three RCEB consumers were presenters at this year's conference and their sessions were very well attended.

Rocio Smith announced that Congreso Familiar would be held on Saturday, August 16<sup>th</sup> and everyone present was invited to join the event. Congreso Familiar, Inc. is holding their first fundraiser and raffle tickets are now available.

Ms. Smith also reminded the group that Barbara Garcia's retirement party will be held in September. Flyers are available for anyone needing details about the event.

## COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Ralph Griffin

Mr. Griffin announced that the Unmet Service Needs Report scheduled for this evening will be postponed to a later date due to the length of the agenda and the need for an extensive closed session this evening.

BUDGET AND FINANCE COMMITTEE: Mike Kuller

Mr. Kuller distributed and reviewed RCEB's Financial Status Report for June reflecting 12 months of expenditures through June 2008. Mr. Kuller reported that RCEB will end Fiscal Year 2007/2008 with a balanced POS budget and noted that our projected POS expenditures for the year were within the range anticipated at year end. RCEB will end the year with a balanced Operations budget.

Mr. Kuller reminded members that the California State Budget for Fiscal Year 2008/2009 has not been signed so we have not received our contract allocation for the year. Mr. Kuller commended the Department of Developmental Services for their efforts to secure access for regional centers to the Medi-Cal interim emergency fund. RCEB has received \$14 million from this fund as an advance payment for July claims. Members were informed that RCEB has sufficient cash to cover expenses to mid September without accessing our approved line of credit with our bank.

#### PROVIDER/VENDOR ADVISORY COMMITTEE: Will Sanford

Mr. Sanford reported his group had viewed an inspirational video highlighting ways to look at the art of possibilities rather than roadblocks. The group discussed the impact on services resulting from the lack of an approved state budget. Payment to Intermediate Care Facilities has already stopped. These facilities serve consumers with the most critical needs so this is a huge concern for our community.

#### SUPPORTS AND SERVICES COMMITTEE: Jim Burton for Claudia Sladen

Mr. Burton reminded Board members that they had previously approved a new POS policy on Family Training Services and the policy had been forwarded to the Department of Developmental Services (DDS) for review and approval. DDS returned the policy and the committee met to revise the policy to reflect the changes requested by DDS staff. The policy being presented this evening includes the corrections requested by DDS.

M/S/C            “The Board moves to accept the revised Family Training Services policy as presented.” (Coleman/Battles) Aye-9;Abstain-1.

#### CONSUMER ADVISORY COMMITTEE: Nyron Battles

Mr. Battles reported that CAC members had helped Mr. Burton celebrate his birthday at their last meeting. Mr. Burton updated the group on the budget status and the impact of cuts on consumers. The group also discussed the People First Conference and reviewed members' experiences as presenters at the conference. This year's conference attendees were selected by lottery and it was noted that the process was very positive. CAC members will have their annual team building event at the Oakland A's baseball game on August 12<sup>th</sup>.

#### MEMBERSHIP DEVELOPMENT COMMITTEE: Ralph Griffin

The Membership Development Committee had no report.

#### EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Mr. Burton reported that the state budget has not been completed and not much has changed since our last meeting. The Conference Committee finished their work and completed a budget with far fewer cuts than were proposed by the Governor and a little more than \$8 billion in increased taxes for high income taxpayers. A lot of effort went into this budget but there were not enough votes to secure approval so the budget has now been turned over to the Big Five. This group includes the Governor and the four top legislative leaders representing both houses. This group has been meeting regularly to discuss the budget and it

appears that some progress is being made but there is no clear indication when a budget will be approved.

Mr. Burton cautioned members that without a budget California will run out of cash in August or September. Mr. Burton acknowledged the DDS for their efforts to access a special fund that will provide some additional funds for regional centers. RCEB will receive funding for 30 days and every day of funding received is important to us. With this funding RCEB should have enough cash to manage until early to mid-September. At that time, we would have to access our line of credit to borrow funds to continue to meet our obligations. Some Medi-Cal funded providers are no longer able to be reimbursed without a state budget. This group includes our Intermediate Care Facilities (ICF) who serve children and adults with very significant physical and medical needs. We have been contacted by five of our ICF service providers that they are beginning to have difficulties. Although we do not directly fund these services, we are working closely with these providers who cannot access credit to continue these critical services and make sure that people remain safe.

Our system really did not have many items in Conference Committee because most of the cuts had been agreed to and put in place in February and through the May Revision process. Efforts were made to reverse the 10% reduction to Supported Employment rates proposed by the Administration and reluctantly agreed to by the Legislature. It would appear that those efforts have been unsuccessful in the Conference Committee.

Mr. Burton reported that in another budget related development, Children's Hospital of Oakland (CHO) announced very abruptly that they were laying off 84 staff due to MediCal reimbursement reductions now being implemented. Members were referred to their packets for news articles relating to this action. These layoffs will significantly impact children we serve. We are still trying to get a clear understanding of what has been cut but CHO provided us with no notice and no opportunity for collaboration.

Mr. Burton reminded members that a rate freeze on essentially all service provider rates was expanded and made permanent on July 1 and this rate freeze is already having serious implications. New rates must now be set using RCEB or statewide median rates, whichever is less. This rate setting process is insufficient to meet the needs of consumers who have greater than median needs. Additionally, DDS is approving virtually no health and safety rate exceptions at this time and that cannot be acceptable to us. As a result, a number of our programs that are fiscally on the edge aren't going to make it. Mr. Burton cautioned that consumers with significant needs are not going to be appropriately served. It was noted that we are only one month into the fiscal year and situations are getting more serious and dangerous with each passing day. Transportation, behavioral and health related services have all been impacted. There will be hearings on the impact of this cost containment plan and we will

need to work diligently to move out of the state wide median rates in order to provide appropriate services to consumers with the most significant needs.

Mr. Burton reported that First Lady, Maria Shriver, and the Governor have undertaken an employment initiative and are asking the Chamber of Commerce to commit to expanding employment by 20,000 new jobs for people with disabilities. This is a positive effort and every job that comes out of this action will be important to the people we serve.

Mr. Burton told the group that the Capitol People First lawsuit, originally filed six years ago to provide community living arrangements for people living in state developmental centers or large private facilities, is now moving forward and efforts are under way to try to achieve a settlement.

The Agnews Closure Plan continues to make excellent progress and we continue to have wonderful new homes delivered to us. All RCEB homes will be completed by September. A great array of new services are being put in place and we continue to make placements at a healthy and safe rate. Agnews Developmental Center continues to consolidate and is now serving fewer than 120 people. We are pleased to report that families of Agnews' residents have become very supportive of community placement.

Mr. Burton encouraged everyone to try to participate in Congreso Familiar on August 16<sup>th</sup>. This annual family event is guaranteed to be an exceptionally great day for all who participate.

#### PUBLIC COMMENT

There were no further comments at this time.

#### ARCA REPORT: Ralph Griffin

Mr. Griffin reported that the ARCA membership held their annual meeting on the 17<sup>th</sup> and 18<sup>th</sup> of July in Sacramento where members were recognized for their outstanding achievements. The group referred the Lanterman White Paper to the Executive Committee and this committee has come up with a plan that includes some of the Lanterman suggestions. Mr. Griffin also reported that the ARCA officers were re-elected for the coming year. ARCA members agreed to increase meetings to a minimum of five each year to provide members the opportunity to be fully informed on all critical issues relevant to the developmental disabilities service system. Dues for the Association have been increased slightly. Finally, Mr. Griffin reported that the ARCA Outreach Committee has produced a beautiful poster featuring regional center consumers and entitled "These are Your Neighbors." The posters will be available shortly and we look forward to sharing them with our community.

Mr. Griffin reminded all present that there will be no August meeting of the Board of Directors and the next meeting of the full Board will be September 22<sup>nd</sup>.

ADJOURNMENT

Following a closed session to discuss pending legal issues and real estate negotiations, the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Rose Coleman  
Secretary  
RCEB Board of Directors