



Regional Center of the East Bay
REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting

Monday, April 23, 2018
500 Davis Street, San Leandro
Approved 5/21/18

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Evangeline Iyemura, Vice-President
Mike Treppa, Budget & Finance
Nyron Battles, Secretary
Morena Grimaldi, Diversity & Equity Chair
Sister Marygrace Puchac, PVAC
Lilian Ansari
Gwen Nash-Butler
Dinah Shapiro

ABSENT [excused]:

Chi Lee, Treasurer
Linda Stevens
Gerald Tamayo

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Beth DeWitt, Director of Community Services
Terri Jones, Director of Human Resources
Lynn Nguyen, Director of Finance & Administration
Lucy Rivello, Director, Health & Behavioral Services
Steve Robinson, Director of Community Placement & SDC Closure Plans
Ronke Sodipo, Director of Consumer Services
Evelyn Hoskins, Associate Director of Federal Programs
Priscilla Gomez, Transportation Manager
Julie Whiskeyman, Case Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Patricia Albano
Shawn Costello
Sheraden Nicholau, SCDD
Vi Ibarra, CCCDDC
Geneva Ziaouré

CALL TO ORDER

Board President, Kathy Hebert called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:03 p.m.

WELCOME AND INTRODUCTIONS

Self-introductions were made and a quorum was present.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the April 23, 2018 agenda as presented.”
[Battles/Grimaldi] Unanimous

M/S/C “The Board moves to approve the March 26, 2018 minutes as presented.”
[Battles/Nash-Butler] Unanimous

PUBLIC COMMENT

Shawn Costello, RCEB CAC member, introduced himself to the Board and informed them that he is interested in applying to be a board member. Staff will follow up with giving him an application.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

BUDGET AND FINANCE COMMITTEE

Budget and Finance Report for April 23, 2018 – Mike Treppa

Purchase of Service

For Non CPP Purchase of Services Expenditures, RCEB continues to project a sufficiency ranging from a high projection of \$8.5MM to a low projection of \$10.6MM. This is an increase of \$1.5M to \$1.2MM from the previous month’s projections.

Currently nine regional centers including RCEB, are reporting a sufficiency in their POS budgets. The Statewide system has a deficit of \$3.6MM at a low projection and a deficit of \$33MM at a high projection. Overall, the statewide system deficit is decreasing compared to last month’s deficit of \$12.6MM at a low projection and \$44.4MM at a high projection with more regional centers reporting sufficiency’s and fewer deficits.

For CPP Purchase of Services Expenditures, RCEB continues to project a deficit of \$4MM. We have informed the Department about this deficit and requested for additional CPP plan funding. As of the end of March, we have placed 33 of the 58 consumers that we planned to place by the end of the fiscal year.

C-5 Amendment

The C-5 amendment for fiscal year 2016-2017 provided \$569,163 in additional funds for the Sonoma DC closure start-up costs. The total contract for Fiscal year 2015-2016 is \$408,880,697.

Operations

We continue to report a projected balanced operations budget for the current fiscal year with 68% of expenditures in base.

DDS Auditors

The DDS auditors have completed their biennial compliance audit for fiscal years 2015-2016 and 2016-2017. We had our exit conference with the auditors in early April. DDS conducted a fiscal compliance audit to ensure that RCEB is compliant with the requirements set forth in the Lanterman Development Disabilities Services Act and other Statutes. Overall, RCEB had a successful audit with no exceptions for most of the areas that were reviewed and our accounting records and supporting documentation for transactions were organized and maintained.

The audit also revealed that there were a few areas where RCEB's administrative and operational controls could be strengthened, but none of the findings constitute major concerns. We are still pending the preliminary report from DDS. The Staff is reporting to our Board that the following findings were discussed: Two of the findings were repeat from a previous audit regarding RCEB not assessing the Annual Family Program Fee (AFPF) and RCEB not notifying DDS of new placements, terminated cases, or death for consumers identified under the Parental Fee Program (PFP). RCEB has started to implement procedures to correct these two findings in fiscal year 2017-2018. There was also a new finding regarding incorrect reporting of hours and one missing timesheet for the Case Management Time Study. RCEB will review and strengthen our procedures to report accurate data for the next Case Management Time Study.

CONTRACT APPROVALS

Department of Developmental Services C-5 Contract Amendment

Ms. Hebert distributed DDS's C-5 contract amendment documents indicating a total POS Allocation increase of \$569,163 for the Sonoma's Community Placement Plan [CPP] as start-up modifications for five home renovations for fiscal year 2016-17.

M/S/C "The board moves to approve the Department of Developmental Services C-5 Contract Amendment as presented." [Battles/Shapiro] Unanimous The motion was adopted.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Ms. Hebert reminded the Board that a copy of the ByLaws was sent to them in February, and one suggested update was sent to them last month. This suggestion is to change the number of public

board meeting to 9 meetings instead of 10. The meeting that would occur in July this year will be a board training meeting in lieu of a public board meeting.

M/S/C “The board moves to approve of the ByLaw revision to 9 from 10 public board meetings per year, so that the board can utilize one of those meetings for a board training session.” [Shapiro/Battles] Unanimous The motion was adopted.

PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]: Sister Marygrace Puchac

The PVAC meeting was on April 13th, where there was a presentation by representatives from the Shreiber Center; Julia McGriff, Behavioral Health Clinician and Wendy Fass Zesatawney, Clinical Supervisor. Ms. Puchac also relayed Daniel Hogue’s appreciation to the RCEB Board for last month’s approval of PVAC’s new Ad Hoc sub-committee. The Board will be kept abreast of the committee summaries. The next PVAC meeting will be on May 11th in San Leandro.

CONSUMER ADVISORY COMMITTEE [CAC]: Mr. Battles stated that the CAC met on Monday, April 9th, where the focus was on a presentation by DDS’s CAC representative Nicole Patterson. The presentation surrounded on informing our committee on what their committee does in Sacramento, and in the need for new members. The next CAC meeting will be on May 14th.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Ms. Grimaldi reported on the Diversity & Equity meeting this evening. There were in-depth discussions on many important topics. Jairo Guiza reported on the last two Purchase of Services meetings that occurred at the end of March. The meeting at the La Familia Resource Center in Hayward was successful as there was a large attendance of around 25 people. Many at that meeting inquired about the need for the restoration of social/camp activities. Mr. Guiza stated that the summary report from all the POS meetings will be available at our next board meeting.

Ms. Grimaldi summarized the numerous outreach activities that our support groups have been busy with in the Spanish, Chinese, Cambodian and Mien populations. Anna Wang/FCSN spoke of the successful opening of their *Children’s Milestone Afternoon Tea Gathering* at FCSN in Fremont. Ms. Puchac gave an update on the Madres Unidas support group, Southeast Friendship Village and programs at the Lao Lu Mien Culture Association [LIMCA]. Esther Chow updated everyone on the Tailored-Day Service and Supported Employment, the new Adult Day Program starting in May, and their various support groups. Detailed minutes are available on the Diversity & Equity page of our website: <https://www.rceb.org/pod/agenda-minutes>. The next Diversity & Equity meeting will be on May 21, 2018 [1 week earlier due to the Memorial Holiday] from 6:00-7:00 pm.

EXECUTIVE DIRECTOR'S REPORT: Lisa Kleinbub, Executive Director
Department of Developmental Services Security Breach

Ms. Kleinbub informed the board of the February 11th break-in at the Department's Legal and Audit offices and the details surrounding the information that may have been compromised. Below is from the DDS website: <https://www.dds.ca.gov/SecurityNotice/>

DDS ISSUES NOTICE OF POTENTIAL BREACH OF CONFIDENTIAL INFORMATION

The Department of Developmental Services is informing the public about a recent incident that may have resulted in the breach of confidential information. On February 11, 2018, a break-in occurred at the DDS legal and audits offices building in Sacramento. The trespassers ransacked files, vandalized and stole state property and started a fire. The Department has no evidence that personal and health information was compromised due to the incident. However, out of an abundance of caution, it is notifying clients and the public about the incident and following federal requirements regarding potential breaches.

As detailed in the notices below, the people who broke into the building had access to the health information of about 582,000 individuals served by DDS. They also had access to the personal information of about 15,000 employees of regional centers, service providers, applicants seeking employment with the Department's audits office, and parents of minors enrolled in DDS programs.

Ms. Kleinbub also added that we informed our CAC members at their meeting this month, of that breach and how it is very important to check your credit report regularly.

Pending Subjects from DDS

Regional centers are still waiting for the guidelines from DDS on the usage of the CPP funds previously utilized to move individuals out of the developmental centers. In the 2018-2019 year those funds will be available for community development projects.

We are also waiting for the community awards for the Home and Community Based Services [HCBS]. The goal would be to make the homes and day services more home-like in many different ways to meet the settings rule. There were many submissions from our area. We received an email last week that DDS is making their final decisions, so we should be hearing about these awards in the next week.

Governor's State Budget

We are awaiting the release of the governor's May Revise. We expect discussions at the Senate and Assembly hearings on the restoration of recreational and camp services. While the announcement about a uniform holiday schedule will be made by DDS, we are hopeful that it may be eliminated from the Budget due to lack of support.

Assemblymember Chris Holden's Bridge Funding Request passed an assembly sub-committee, but there remains many hurdles. This bill is a one-time funding request of \$25MM to the general fund dollars as a temporary bridge to help those service providers affected by local minimum wage and other mandates.

Assemblymember Kansen Chu's AB2522 originally had language to restore services that were cut several years ago. The language of the bill is currently being updated. The last iteration proposed changes in eligibility for Early Start and over 3 services. This bill is unusual so we will be keeping a watch on it as it could have a major impact.

Self-Determination [SD]

Ms. Kleinbub reported last month that the State had submitted the final waiver application to the Centers for Medicaid/Medicare Services [CMS]. CMS now has 90 days to respond. Ms. Kleinbub thanked our Self-Determination Committee and Vi Ibarra, Self-Determination Chair in our area as well as Sheraden Nicholau, Manager at SCDD, Bay Area for organizing the informational meetings (also posted on our website) at various times and in different languages. Attending this meeting is a prerequisite to submitting ones name into the lottery. The presentation is also available on our website <https://www.rceb.org/purchase-service-data>. After viewing it, you can enroll to be listed in the lottery via Survey Monkey. We are starting to receive responses. There are many questions about Self-Determination; such as how the budget is established, and how the case loads are set for planning for people and developing services. Even when we do receive the approval, it could be up to 9 months out before we can really get rolling with the program.

Sonoma Developmental Center [SDC] Status – Steve Robinson

Mr. Robinson stated that at SDC, we are down to 39 individuals plus 1 case transfer from North Bay Regional Center remains to move to the community. We have a total of 13 homes that are licensed, 3 homes completely done with construction and just awaiting fire approvals and licensing. Scioto is our last housing developer and on their last 8 homes to develop. We foresee the completion date to be in June. Ms. Kleinbub added that there are many interpretations of the same building code by different localities and that Mr. Robinson and his staff have been diligently staying on top of the housing developers recruiting others to assist.

Ms. Kleinbub also added that we have been partnering with DDS and Scioto to develop the Northstar unit, which will be operated by DDS but owned by a private housing foundation. We have had to issue a new Request For Proposal [RFP] as Scioto was not on target to meet the completion deadline. We may have a new housing developer as early as May.

RCEB Audit

Ms. Kleinbub thanked the RCEB staff and our vendors for all their work on the audit. The DDS audit was lots of work centered on the fiscal department where Silvia, our Controller and Lynn our CFO gathered all the information requested. This also involved Community Services and Case Management pulling the requested information. All of our departments contributed to the effort. Two of the auditor's comments were repeats from the last audit. We had already corrected these. This did not show in the years that they were auditing because we had not received the previous year's audit report in time. The other comment had to do with keeping a closer track on our Targeted Case Management units [TCM] units.

In-House Computer System Transition

RCEB is currently upgrading to Sandis 7, a case management software package which will lead the way to our agency being more updated and with greater capabilities. There are also tracking components for the IPP and other processes that would be streamlined as well as less paperwork and more information on-line. We look forward to the roll-out completion around the end of the fiscal year.

Everbridge System

We are working with DDS on updating our database so that we will have a notification system that would quickly reach our staff and providers in case of disasters. There will be an ability to request a response and provide instructions to consumers and providers. This breaks down notifications by geography so that we can target which area we need to communicate with. It will be a while before that will be completely set up.

PUBLIC COMMENT

Patricia Albano, Care Parent Network

The Congreso Familiar in Oakley will be on April 28th at O'Hara Park Middle School, with lots of workshops and resources for our Spanish speaking community in Contra Costa County. So far there are 100 adults and 80 children have signed up to attend.

Vi Ibarra, Contra Costa County Developmental Disabilities Council [CCCDDC]

4/25: This is the next CCCDDC meeting where there will be a presentation by the Office of Access and Functional Needs under the California Governor's Office of Emergency Systems: *2017 A Year in Review: Lessons Learned*. They will give an overview of projects that they had been working on.

May 17: This will be the final presentation from the Transition Task Force Crossroads Speaker Series. This will be at RCEB/Concord at 6pm and the subject will be on *The Final Rule and Self-Determination*.

6/12: This will be the DDC's Annual Awards Dinner at Pleasanton Double Tree. The invitations and the nomination forms for Excellence in Service awards will be sent out this week. This meeting will also be when the committee votes in their new members, since the term for the existing members will be expiring.

Lisa Kleinbub for Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Ms. Kleinbub announced the pending October retirement of Sandi Soliday and wished her well. Ms. Soliday is actively tying up loose ends; she was at the Board of Supervisor's meeting this morning advocating for emergency services in Alameda County with functional impact.

Sheraden Nicholau, State Council on Developmental Disabilities [SCDD], Bay Area Office

Ms. Nicholau gave an update of the National Core Indicators [NCI] for the region and reiterated that SCDD partners with DDS to ensure that California participates fully in NCI to measure and

take a sample of the quality of services and supports at each regional center in California. There are 48 states that participate in NCI as well as a few countries. This is on a 3-year cycle where a different population is targeted for the surveys and personal interviews. This past cycle, we conducted 550 interviews in 9 counties and have 900 more to go before July.

Mover Longitudinal Study- This is another important research project that we participate in. This study initially followed around 125 residents who are moving out of the developmental centers into the community. They are tracked through their progress at various intervals in their transition. Now we have extended the study to include all the DC residents who are moving into the community.

4/25: This will be the next SCDD meeting at GGRC in San Francisco. They will be sharing a report from a field representative from the office of Nancy Pelosi, Minority Leader in the U.S. House of Representatives. Topics such as social security, MediCare/MediCaid, and the tax reforms effect on long term support services will be discussed.

May 8: Statewide Employment First Committee in Sacramento

May 14: Self-Advocacy Advisory Committee Meeting in Sacramento

May 31: This will be the next Regional Advisory Council meeting in Sacramento

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub informed everyone that the next ARCA Board meeting will be in June

MEETING ADJOURNED

The board meeting adjourned at 8:07 p.m.

**** Due to Memorial Day falling on the 4th Monday, the next board meeting will meet earlier ****
The next Board Meeting will be at 7:00 PM on May 21, 2018 in San Leandro