

Board of Directors' Meeting  
April 23, 2012

Presiding: Anne Struthers

Board Members

Present:           Rose Coleman                           Kathy Hebert  
                      Mike Kuller                             Chi Lee  
                      Hilda Mariscal                       Donald Morris  
                      Gwen Nash-Butler                   Sister Marygrace  
                      Mike Treppa

Board Members

Excused:           Ronald Clay                             Steve Whitgob

Staff Present:

Bill Barbaria                           Francine Davis  
Susan Driggs                            Terri Jones  
Rhonda Kimble-Kelly                 Lisa Kleinbub  
Nancy Kubota                           Pam Thomas

Guests Present:

Nyron Battles                         Cleo Manspeaker  
Rocio Smith                            Sandi Soliday  
Todd Struthers

CALL TO ORDER

President, Anne Struthers, called to order the regularly scheduled business meeting of the Regional Center of the East Bay (RCEB) at 7:00 pm. Self introductions were made.

CONSENT AGENDA

M/S/C            "The Board moves to approve the agenda for April 23, 2012 and the minutes of March 26, 2012 as presented. (Treppa/Lee)  
Unanimous.

## PUBLIC COMMENT

Cleo Manspeaker shared that she has been asked to participate in the annual CARH fashion show on September 15, 2012. Anyone interested in attending can contact CARH to purchase tickets. Ms. Manspeaker also shared that she had been featured in an article for the California Supported Living Network newsletter a few years ago and she was happy her story had been used to demonstrate the success of supported living services.

## COMMITTEE REPORTS

### EXECUTIVE COMMITTEE: Anne Struthers

Ms. Struthers reported that Executive Committee members had reviewed and approved the C-3 Amendment to RCEB's contract with the Department of Developmental Services (DDS). Members were reminded that DDS requests these contract amendments be signed and returned to them in ten days. It will not always be possible to hold the contract until the Board meets. When this occurs, the Executive Committee has been given the authority to act on behalf of the Board.

M/S/C            "The Board moves to ratify the signature of Board President, Anne Struthers, on the C-3 amendment to the RCEB contract with DDS."  
(Lee/Hebert) Unanimous.

Ms. Struthers presented the case management contract with Asian Community Mental Health Services (ACMHS). Members were reminded that this contract had previously been time limited to allow ACMHS to transition their day program services to another service provider in order to resolve a conflict of interest. The transition of day program services has been completed and the contract has been extended through June 30, 2012.

M/S/C            "The Board moves to approve the contract with ACMHS for the provision of case management services through June 30, 2012."  
(Lee/Kuller) Unanimous.

Pam Thomas reviewed RCEB's annual service coordinator caseload survey with the group. Ms. Thomas reminded everyone that we continue to struggle with staff openings in all areas of the agency. We currently have 25 vacant case management positions so we are not able to maintain the required ratios. Ms. Struthers asked if there were consequences for not meeting the required caseload ratios. Ms. Thomas explained that we expect DDS will request a plan of corrective action and we will respond to that request by outlining our efforts to reach compliance. Ms. Thomas also noted that with the budget reductions

imposed on regional centers, all regional centers are struggling to comply with this requirement.

#### BUDGET AND FINANCE COMMITTEE: Mike Kuller

Mr. Kuller distributed and reviewed the Financial Status Report for March 2012. Mr. Kuller reported that we continue to project a POS insufficiency of \$18.5 million. The initial decline in expenditures for respite services seen following the transition from voucher services to Employer of Record services appears to be stabilizing. Mr. Kuller shared that 20 of the 21 regional centers continue to report POS insufficiencies for this fiscal year. Members were reminded that DDS Director, Terri Delgadillo believes there are sufficient funds system wide to balance the POS budget but the margin of available funds is reported to be razor thin. RCEB continues to struggle to balance our Operations budget. RCEB staff continues to carefully monitor all Operations expenditures and are working diligently to ensure a balanced Operations budget by the end of the fiscal year.

Mr. Kuller reported that DDS has been informed of regional centers' cash flow problems when DDS does not provide full reimbursement of state claims. DDS is committed to working with regional centers to address the problem. Mr. Kuller informed the Board that RCEB will face cash flow issues toward the end of the fiscal year if DDS is unable to provide funding for our POS projections and if we do not receive full reimbursement of our state claims. Members were reminded that we have a line of credit in place but we cannot borrow beyond the limits of our state contract. Staff will continue to keep the Board updated on the status of our cash flow.

Mr. Kuller reported that he, along with Mr. Burton and Ms. Kubota interviewed a possible CPA firm to replace our current independent audit firm, Lautze and Lautze. Members were reminded that regional centers are now required to switch audit firms every five years. Mr. Kuller recommended to the Board that RCEB engage the CPA services of Lindquist, van Husen and Joyce for our independent audit for fiscal year 2011-2012.

M/S/C            “The Board moves to contract with Lindquist, van Husen and Joyce for the completion of our independent audit for fiscal year 2011-2012. (Morris/Treppa) Unanimous.

#### MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

Ms. Struthers distributed and reviewed the Board Composition Compliance Report for April 2012. The Membership Development Committee is actively working to increase board membership and will direct recruitment efforts to ensure their membership is representative of the community we serve and provides the expertise outlined in the Lanterman Act.

Mr. Kuller reminded the group that Ms. Struthers has completed her first term of service on the Board and has agreed to continue to serve for a second three-year term. Following a ballot election, it was reported that Ms. Struthers was unanimously elected to serve a second three-year term.

#### PROVIDER/VENDOR ADVISORY COMMITTEE: Sister Marygrace

Sister Marygrace reported her group had met on Friday, April 13<sup>th</sup> and the meeting was very well attended. One of the topics discussed was the use of social media and technological use in various agencies. This was an interesting exchange of the various ways social media is being used by providers and a discussion of the risks involved. The group agreed it is always important to assign responsibility for the posting of information.

#### CONSUMER ADVISORY COMMITTEE: Rose Coleman

Ms. Coleman reported that Mr. Burton updated the group on the budget hearings that have been held but advised members not to expect much action until the May Revision to the budget proposal has been released. Ms. Coleman also reported that CAC member, Carmen Quinones, has sold some of her artwork and it has now been moved to New York. The next CAC meeting is on May 14<sup>th</sup> and will include an emergency preparedness training by CIL.

#### EXECUTIVE DIRECTOR'S REPORT: Pam Thomas for Jim Burton

Ms. Thomas expressed Mr. Burton's apologies for not attending this evening's meeting but he is out of state attending his son's wedding.

Ms. Thomas reported that the state economy continues to improve but the improvement is coming very slowly. As a result state revenues continue to come in below what was budgeted, leaving a state budget deficit larger than the initial \$9 billion projected in January. The legislature has, for the most part, delayed action on the state budget until they have a better picture of state revenues. Since revenues have not been meeting expectations, we can expect the Administration to again propose all of the cuts included in the Governor's Budget and hopefully no more in the May Revision. The Governor will release the May Revision in mid-May and legislative hearings are typically scheduled shortly thereafter.

Ms. Thomas explained that for the developmental disabilities services budget the biggest issue is the Administration's proposal to cut an additional \$200 million. Following the "stakeholder" process, the Department of Developmental Services has been working very hard to find ways of reducing \$200 million in state general fund expenditures without cutting services to people with developmental disabilities and without continuing the debilitating 4.25% payment reductions to service providers and regional centers. This is an extraordinarily difficult task

given the breadth of cuts implemented over the past few years. The May Revision will include details of the steps the Administration proposes to reduce expenditures by \$200 million. Hearings on the May Revision will be more important than ever and consumer and family participation and advocacy will be critical.

Ms. Thomas reminded members that Mike Kuller reported earlier that the Director of DDS continues to believe that we will have a balanced budget by a razor, razor thin margin. There are however, twenty regional centers, including RCEB, still projecting sizeable deficiencies. Most regional centers, including RCEB, continue to report little or no savings from Trailer Bill changes put in place last year. With only a little more than two months remaining in the fiscal year, coupled with delays in the receipt of federal funds and First Five California funding, regional centers are very concerned about cash flow. ARCA and DDS are working to find ways to keep regional centers from running out of cash over the next few months. Members were cautioned that we have a very challenging few months ahead.

Ms. Thomas reported the Federal government has finally approved California's MediCaid Waiver renewal for the next five years after two ninety-day extensions of the prior Waiver. This is a critically important accomplishment of the Department of Developmental Services as over a billion dollars of our budget for services is reliant on this Waiver. Ms. Thomas noted that because of the extraordinary efforts of regional centers, particularly RCEB, we anticipate meeting statewide revenue expectations this fiscal year.

Ms. Thomas shared that the Senate Select Committee on Autism will be holding a hearing on April 30, 2012 at 10:00 am on the issue of Fair and Equal Access to Regional Center Services for Autism Spectrum Disorders. This hearing has been scheduled following newspaper articles in southern California raising questions about the equity of services being provided to regional center consumers. Both Rocio Smith and Jim Burton will be testifying.

Ms. Thomas reported that RCEB's regularly scheduled biennial DDS Audit on fiscal and contract compliance began on April 16, 2012. The audit is expected to last 4-5 weeks and we will keep the board apprised as the work progresses. Ms. Thomas noted that we are extremely proud of our ongoing efforts to ensure that every state and federal dollar is properly spent and accounted for and that we provide our best efforts to comply fully with requirements of law, regulation and our contract. We expect the DDS audit will again confirm the high quality of our efforts in this regard in spite of the extraordinary challenges of the past few years.

## PUBLIC COMMENTS

Sandi Soliday announced that the next Alameda County Developmental Disabilities Council meeting will be held on May 9<sup>th</sup> and will focus on legislative advocacy. Ms. Soliday also reminded the group that the annual joint DD Councils' dinner will be held on June 7<sup>th</sup> at Scott's in Oakland.

Kathy Hebert shared that she had travelled to China with her son and the Dream Achievers where this talented group of musicians performed for Chinese students. The performance can be viewed on YouTube.

Cleo Manspeaker stated that on June 7, 2012 she will have been out of high school for 33 years. She has now done advocacy work for 30 years.

## ARCA REPORT: Anne Struthers

Ms. Struthers reported that ARCA had not met this month and the next meeting will be held in June.

## ADJOURNMENT

Ms. Struthers reminded everyone that the next meeting of the Board of Directors will be held on May 21, 2012 in San Leandro. The meeting was adjourned at 7:48 pm.

Respectfully submitted,

Rose Coleman  
Secretary  
RCEB Board of Directors