



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

Monday, May 24 2021

Virtual Meeting

Approved 6/28/2021

**RCEB BOARD MEMBERS PRESENT:**

Kathy Hebert, President  
Lilian Ansari, Vice President  
Gerald Tamayo, Treasurer  
Dr. Stephen Whitgob, Assistant Treasurer  
Renée Perls, Secretary  
Nyron Battles, CAC Chair  
Brian Blaisch  
Teresita DeJesus  
Morena Grimaldi, Diversity & Equity Chair  
Caroline Ortiz  
Chloe Page  
Frank Paré, Co-Chair, Supports & Services  
Sister Marygrace Puchac, PVAC Representative  
Carmen Quinones  
Dinah Shapiro  
Lisa Soloway  
Linda Stevens

**ABSENT:**

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**STAFF PRESENT:**

Lisa Kleinbub, Executive Director  
Lynn Nguyen, Director of Finance & Administration  
Lucy Rivello, Director of Health & Behavioral Services  
Steve Robinson, Director of Community Services  
Kiera Swan, Director of Human Resources & Support Services  
Chris Hanson, Associate Director of Client Services  
Evelyn Hoskins, Associate Director of Federal Programs  
Elvia Osorio-Rodriguez, Associate Director of Children's Services  
Herb Hastings, Consumer Advocate  
Michi Toy, Executive Assistant

**GUESTS:**

Ben Chen/ACDDC  
Erika Gonzalez/24-Hr Cares

Vi Ibarra/CCDDC  
Sadia Mumtaz

Sheraden Nicholau/SCDD  
Angeleter Pringle  
Allan Smith/DDS

**CALL TO ORDER**

Board President, Kathy Hebert called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:05 p.m.

**CONSENT AGENDA / MINUTES**

M/S/C “The Board moves to approve the May 24, 2021 agenda as presented.”  
[Battles/Puchac] Unanimous. The motion was adopted.

M/S/C “The Board moves to approve the April 26, 2021 minutes as presented.”  
[Shapiro/Battles] Unanimous. The motion was adopted.

**PUBLIC COMMENT**

No public comments were expressed at this time.

**COMMITTEE REPORTS**

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**Executive Committee:** Kathy Hebert

**Acronym List**

<b>CCH</b>	Community Care Home	<b>ILS</b>	Individual Living Services
<b>CPP</b>	Community Placement Plan	<b>OPS</b>	Operations
<b>CRDP</b>	Community Resource Development Plan	<b>PEP</b>	Purchase of Service Expenditure Projection
<b>DDS</b>	Department of Development Services	<b>POS</b>	Purchase of Service
<b>EBSH</b>	Enhanced Behavioral support Home	<b>SLS</b>	Supported Living Services

**Contract Approvals**

**Department of Developmental Services Contract**

**#HD149015 E-5 Contract Allocation**

This amendment was approved by the Executive Committee at their May12<sup>th</sup> meeting. It adds an additional \$764,028 to the start-up allocation for the Community Placement Plan [CPP] and a small additional allocation for the Fairview DC closure placement.

Term: 7/1/2014-6/30/2021

M/S/C            “The board moves to ratify the DDS E-5 Contract Allocation adding a total of \$764,028 to the E-Series Contract.” [Shapiro/Battles] Unanimous. The motion was adopted.

**Budget & Finance Committee: Gerald Tamayo**

Purchase of Service

Through April 2021, 78% of our fiscal year 20-21 POS expenditures are in base. At this time, we are projecting a surplus of \$5.7M for NON-CPP POS Expenditures. This is an increase of \$.4M over the previous month’s projections.

At this time, 11 out of 21 Regional Centers including RCEB, are reporting a surplus in their POS projections. With the B-2 budget allocation, the statewide system is reporting in an overall deficit of \$21M, which is an increase of \$1.7M from previous month’s deficit of \$19.4M.

For CPP POS Expenditures, as reported in previous month we continue to have a deficit of \$1.2M for CPP POS Expenditures. We have spent \$1.5M for CPP placements of 16 clients to date from Porterville and Fairview developmental centers, skilled nursing facilities (SNFs) and Institutions for Mental Disease (IMD) facilities. DDS will fully reimburse for these expenses even if they are not allocated in advance. We continue to work with the Department to request additional CPP funding in the B-3.

Operations

As of April 2021, the Staff continues to report a projected balanced budget for the current fiscal year 20-21 with 75% of Operation expenditures in base, which is comparable to the 77% for last year’s OPS expenditures at this time.

Through April 2021, RCEB has expended Covid-19 costs of \$513k for Operations, which are all chargeable to the \$627k CARES funding received from HHS. These Covid-19 costs include increased technology for remote work, increased staff costs and other miscellaneous office-related expenses.

Cash Flow Status

The Agency had adequate cash to pay for April services in May. DDS plans to pay only 45% of April claims in the first week of June and offset the remaining balances in July and August. At this time, we project that RCEB will have adequate cash to pay for May services in June. This is similar to what we have done in the past.

We have not heard about any delays in FY21-22 cash advances. The Staff will continue to monitor the Agency’s cash flows at the end of the fiscal year and will draw on the line of credit as needed before paying for June services in July.

### Request for Proposal [RFP] for New CPA Auditors

FY 2020-2021 is the final year for Marcum, LLC to do our independent audit. The staff has started to work on sending out RFPs to potential auditors to bid on for the audit and tax services for FY 2021-2022 through FY 2025-2026, which is a 5 years contract. The staff will inform the Board at a future meeting.

### **Diversity & Equity Committee:** Morena Grimaldi

Ms. Grimaldi reported that the committee met this evening with a smaller attendance than usual. Jenifer Castaneda, RCEB's Self-Determination Program Specialist, informed the committee on the current status of the Self-Determination program as well as its accomplishments and the barriers encountered. The next regular meeting will be before the Board meeting on July 26th.

### **Supports & Services Committee:** Lilian Ansari & Frank Paré

Ms. Ansari stated that they are continuing to move forward with the bi-fold *School Aged Children Living in the Family Home* brochure and are on schedule with the July publication date. The draft brochure received approvals and feedback from this committee as well as from the Board. It is now being reviewed by the focus group of families (@12 families) for their feedback by the end of next week. The next committee meeting will take place before the Board meeting on June 28<sup>th</sup>.

### **Provider/Vendor Advisory Committee [PVAC]:** Sister Marygrace Puchac

Sister Marygrace stated that the committee met on May 14<sup>th</sup> and added that it is very valuable to hear updates and reminders from RCEB as well as insights on prevailing issues from Lisa Kleinbub, Steve Robinson, and Mike Minton as we continue to meet virtually. Steve Robinson's presentation was on the federal PPP loans with DDS and Regional Center's expectations for reporting receipt and use of those funds. We continue to await DDS Directives and for guidance.

### **Consumer Advisory Committee [CAC]:** Nyron Battles

The CAC met on May 12<sup>th</sup> and the meeting was well attended. The main topic in Ms. Kleinbub's report was when and how day programs will reopen, and what that will look like. Transportation to/from the programs are especially difficult. Another topic of interest to the committee was when Self-Determination would open up to everyone, which was determined that the effective date may move out to July 1<sup>st</sup>.

### **Membership Development Committee:** Kathy Hebert

In lieu of a standard July Board of Director's meeting, we will have a dedicated board training session for the board members only. We are currently receiving feedback via SurveyMonkey from our members on their training topic choice and will advise soon on which topic received the most votes.

**EXECUTIVE DIRECTOR'S REPORT** - Lisa Kleinbub, Executive Director  
Budget/Legislation

Ms Kleinbub stated that the Governor's May Revise this year has many positive developments and is one of the best May Revise's that we have seen in our service system. With the large budget surplus, there are a number of new proposals (investments) that impact the regional center system as well as other health and human services areas:

- . There are no changes/deletions from the January budget. This includes emergency coordinators for regional centers.
- . There is an elimination of the suspension provision for supplemental provider rates and the Uniform Holiday Schedule for our service providers as well as for all Health & Human Services areas. This includes the 8.2% provider rate increases in January 2020. IHSS had a built-in 7% reduction in hours if the budget doesn't look good. The legislature and the administration both agree on eliminating those planned reductions.
- . There is funding to provide wage increases for direct-service professionals who go through a training program. We do not have details on it at this point but it is planned to have a couple of tiers of people being trained and able to earn higher wages.
- . There is also a proposed verification of direct-service providers' bi-lingual status, which also includes ASL. Therefore, if they pass the qualification test, they will be eligible for a wage increase. Not all the details are available.
- . Implicit Bias Training is proposed for Intake staff at all regional centers. The DDS has linked this to the later diagnosis of autism in communities of color. This training is also being considered to be expanded to all regional center and service provider staff.
- . There is a caseload ratio reduction proposal to lower the ratio for those individuals who have no or minimal POS authorizations. The ratio would be 1:40. This proposal is exciting as it replicates a disparity funds proposal from Eastern L.A. Regional Center. With lower caseloads, they were able to spend the time on researching generic resources, learning about service needs and creating more tailored IPP's.
- . There is a proposal to create a Provisional Eligibility category proposal for those ages 3 and 4 years. In this new category, children will not need to have a diagnosed disability or more than limitations in 2 areas of functioning. These children would be eligible for all Lanterman services. It would not be an extension of Early Start. Some of the services they would be eligible for would be respite, specialized day care, equipment as needed, etc. This category is necessary since it can be difficult to make an eligibility decision on a 3 year-old. It will allow more time to observe and support the child/family as they go through maturity changes and preschool. This is in response to the many discussions on extending Early Start to 5 year-olds.
- . There is also a Performance Incentive Program proposal. Regional centers would be funded for lower caseloads while there would be money held back as incentives for regional centers meeting performance targets. Some of these targets would be reducing disparities or achieving Performance Contract Outcomes. Currently our state is short 800 case managers. This incentive program was originally in the budget in 2020 and removed

when the pandemic started. There is a lot of advocacy in reducing case-load ratios across the state and in the legislature

### Not in the Budget

- . The proposed budget includes no monies for implementation issues of the rate study. The DSP training and bi-lingual pay were recommendations in the rate study by DDS and Burns & Associates. Other aspects of the rate study such as rate increases for direct-service professionals, and different rates based on geography have not been implemented. There are many advocacy efforts underway to have that implemented. Our area would benefit likely with more services available as providers could afford expansion. It negatively impacts those served and their families.
- . Many service providers cannot expand their services to other individuals because they can't fill in the gaps between the rates and actual costs. They do not have enough funds to be able to support adding additional participants.

### Deaf and Hard of Hearing Community

No proposals addressing the Deaf/Hard of Hearing community were in the January budget or May Revise. DDS put forth a separate proposal to have one coordinator at their headquarters who can communicate with this population and work on resource development and coordination/identification of services. The proposal also includes one coordinator in each regional center for resource development and to look at particular community concerns. In the Bay Area, we have more resources for this population than other areas have, but it still is not enough. We are hoping that we will also have start-up funds for more resource development. Although we requested CPP funds to develop a home for this population, we did not receive support for that project.

### Self-Determination

There are a lot of questions surrounding the rollout and what it is going to look like as well as when the program will roll out to everyone. Currently, there is funding in the budget to provide additional supports for transition into self-determination. There is also funding for participant support workers at regional centers to assist families through the process. There are also discussions regarding spending plans and budget mechanisms in how to streamline them. Although trailer bill language has been published, there are aspects of cost effectiveness and requirements that are unclear and are being challenged by advocates. DDS has proposed to offer their own orientation frequently which would be standard for all participants statewide.

However, we don't know how developing a budget based on a person-centered plan will be looked at because there is a requirement in the trailer bill language for regional centers and DDS to review amounts above a certain dollar amount, which does not concur with person-centered planning and IPP's. We have heard concerns that budgets are very high. One thing about self-determination is that it allows us to address unmet needs. There are many individuals in that group with no POS who have not been able to find the right provider, so we need to look at what we need to do as a system in terms of looking at this issue. The self-determination program will

be good for meeting those unmet needs, inequities and disparities and serve individuals appropriately.

Ms. Kleinbus is very excited about all these proposals and the legislator's additional questions about other issues including lowering case-load ratios and the rate study for service providers. Additional funding for 1-time projects may also come our way via the American Rescue Plan which is from the Biden administration. Some of these projects are incentives to get people to go back to work and also may include some investments, such as updated computer systems, and possibly investments into housing via the Lanterman Coalition.

#### COVID-19 Update

In our database, we show that 4,200 individuals have received the COVID vaccine (this is what our staff has input in the system per confirmation from their clients), which includes most of those who live in licensed care facilities. We are looking to participate in pop-up vaccine clinics for 12-18 year-olds in both counties, although we have not received that much demand for that age group. The last time we did this was in San Leandro as we partnered with Alameda County Public Health and Curative, who administered the vaccines. It appears that it is easier for people to make appointments these days with greater availability of vaccines. We are not done with COVID vaccine challenges, as the next one may be fall vaccine booster shots. Our client COVID cases have been on a downward trend starting with (14) in March, (8) in April, and just (1) in May.

#### Program Reopening

Site-based programs are still eligible for alternative service funds. We have asked our programs to submit their reopening safety plans by May 26<sup>th</sup>. Most have been submitted. Our day-services and licensed providers have outlined how they intend to reopen. The biggest stumbling block is transportation. Our transportation drivers, including Paratransit are still required to have their passengers wear masks as well as to maintain a distance of 6-feet from others. We are unsure whether this will change on June 15<sup>th</sup> when the Governor has stated that California will be fully re-opened. Paratransit was not eligible for the alternative service funds, and have lost drivers over the year when they were shut down. Therefore, some of our clients will not be able to attend site-based programs as often as they would like, due to the lack of transportation availability.

#### RCEB Office Reopening

We are close to completing our negotiations with our union on specifics regarding how case managers will start in-person quarterly visits. We will probably start with allowing our vaccinated staff to conduct 15-minute indoor meetings with those in licensed care homes, independent living, and supported living. We are also going to be starting our in-person intake evaluations. We will be providing air filters for each evaluation room that we are using. Some families are advocating for the flexibility to continue to have some meetings via ZOOM, and some in-person.

Our office reopening will be done carefully and slowly. Cal/OSHA, the California workplace for safety and health regulations is deciding on the guidelines. Considerations include what Santa Clara County is doing in requiring that all employers keep track of the vaccination status of their staff. Those who are not vaccinated are required to wear a mask in the office. Cal/OSHA will make

decisions in early June. We are keeping an eye on this as we start to bring more staff back into the office.

Questions were asked by the board and addressed by Ms. Kleinbub.

#### **PUBLIC COMMENT**

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

**June 1:** The DDC Annual Awards Event will start at 7pm virtually; registration required. This is Alameda & Contra Costa County Developmental Disabilities joint annual awards event to recognize the contributions of our community members.

**May 26:** The next CCCDDC Board Meeting is at 10am and I will be presenting with Peter Kangas on *Self-Determination: Get Ready for the Rollout*. This will include a few profiles from those who have transitioned into self-determination.

*Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]*

In-home vaccinations have begun! RCEB families may be receiving outreach from their case managers to see if in-home vaccinations are needed. Individuals can call 510-208-4VAX or visit <https://bit.ly/AlCoSignUp> to fill out the form to indicate that an in-home vaccination is needed.

#### **FCC Emergency Broadband Benefit Program**

Beginning May 12th, monthly discounts towards broadband service are available for eligible households. The discount is \$50 – 75 per month (plus \$100 for equipment) on internet service.

Households can apply in three ways:

1. Contact your preferred participating broadband provider directly to learn about their application process.
2. Go to [GetEmergencyBroadband.org](https://www.getemergencybroadband.org) to apply online and to find participating providers near you.
3. Call 833-511-0311 for a mail-in application, and return it along with proof of eligibility to: Emergency Broadband Support Center / P.O. Box 7081 / London, KY 40742

**June 9:** Next ACDDC Board Meeting is at 9:30-10:30am.

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

PPE's- We have a variety of PPE's available, just contact us if needed.

SCDD, Bay Area has been working with Disability Rights of CA on a 3-day/4-part summit called *Building Back Better for Diversity Summit* promoting of hiring of those with ID/DD in both the public and private sector.

**May 25:** This is the next SCDDC, Bay Area meeting

**June 3:** This is the next legislative and public policy committee meeting.



**June 9/10:** This is the statewide Self-Advocacy Network session where self-advocacy leaders across the state meet to collaborate and share resources.

**June 15:** This is the next state planning committee meeting.

**June 23:** California Community Vaccine Advisory Committee meeting from 3-5pm.

If you are having difficulty in scheduling an appointment or getting a COVID vaccine, please let us know and we can assist you.

**June 30:** Next local Bay Area Regional Advisory Committee meeting with a focus on Home Care Advocacy.

**ARCA REPORT:** Lisa Kleinbub

Kathy Hebert began with thanking board member Chloe Page, for once again being on the panel at ARCA's Web Academy board training on Diversity Part 2, as well as thanking the board members who attended the training.

Ms. Kleinbub stated that ARCA has been working on a lot of advocacy issues; one of them being the reduction of regional center caseloads this year vs. waiting another year. ARCA is currently working on a campaign geared towards our legislators. This will feature our clients to telling their compelling stories about the work of regional centers with the message that service coordination is good, but it's hard for everyone when the caseloads are high. ARCA continues working with all our stakeholders including the Lanterman Coalition to make sure that our priorities for the additional American Rescue Plan monies are being heard.

**CLOSED SESSION** - Personnel

**MEETING ADJOURNED**

The board meeting adjourned at 8:25 p.m.

<p>The next Supports &amp; Services Meeting will be at 5:30 PM on June 28, 2021 The next Board Meeting will be at 7:00 PM on June 28, 2021 via Virtual Call</p>
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