



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

Board of Directors Meeting

Monday, February 28, 2022

Virtual Meeting

Approved 3/28/2022

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice President
Dr. Stephen Whitgob, Assistant Treasurer
Renée Perls, Secretary
Nyron Battles, CAC Chairperson/Diversity & Equity Co-Chair
Brian Blaisch
Teresita DeJesus
April Key-Lee
Sadia Mumtaz, Diversity & Equity Co-Chair
Frank Paré, Co-Chair, Supports & Services
Sister Marygrace Puchac, PVAC Representative
Dinah Shapiro
Lisa Soloway
Linda Stevens

ABSENT:

Gerald Tamayo, Treasurer
Carmen Quinones

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
Ronke Sodipo, Director of Client Services
Kiera Swan, Director of Human Resources & Support Services
Chris Hanson, Associate Director of Client Services
Elvia Osorio-Rodriguez, Associate Director of Children's Services
Priscilla Gomez, Transportation Manager
Janaye Christian, Case Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Rapone Anderson
Kim Ard-Elutilo
Ben Chen/ACDDC
Rose Coleman
Michael Daniels
Melody Davis
Erika Gonzalez
Morena Grimaldi
Vi Ibarra/CCDDC
Evangeline Iyemura
Wendell James
Sabrina Jean
Danielle Mackey

Lillian Martinez
Reverend Jonathan Moseley
Ann Nguyen
Sheraden Nicholau/SCDD
Marizu Okemiri
Assata Olugbala
Fran Percelle
Ann Pringle
Maria Ramirez
Zack Wheeler
Sally Stewart
Geneva Ziaoure

CALL TO ORDER

Board President, Kathy Hebert read the Call-to-Order, then proceeded to call the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:03 p.m.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the February 28th agenda with updating the year to 2022.” [Whitgob/Stevens] Unanimous. The motion was adopted.

M/S/C “The Board moves to approve the January 24th minutes with updating the year to 2022 ” [Perls/Puchac] Unanimous. The motion was adopted.

PUBLIC COMMENT

Kim Ard-Elutilo spoke about parents and service providers who have approached her with claims of racial discrimination by RCEB. She states that the organization that she represents has started an investigation into this matter.

Assata Olugbala stated that the racism is centered on black and Latino service providers and that her group will continue to demand change until it is corrected.

Maria Ramirez stressed that there is no racial equity in the regional centers.

COMMITTEE REPORTS

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Executive Committee: Kathy Hebert

Acronym List

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

Contract Approvals

Supported Living Services [SLS]

Independent Solutions Community Services

This contract represents the agreement to operate a SLS agency that is meant to provide the necessary support to allow clients to live in their own home in the community. This agency will focus on the deaf/hard-of-hearing community.

Geography: Central/Southern Alameda County including Hayward, Castro Valley, Fremont, Union City, San Lorenzo, San Leandro and Oakland

Term: 3/1/2022 – 2/28/2027

Average monthly cost: \$7,500

Annual cost: \$1,350,000

Total Capacity: 15 individuals

M/S/C “The board moves to approve RCEB’s agreement with Independent Solutions Community Services to operate the Supported Living Services home as presented.”
[Perls/Ansari] Unanimous. The motion was adopted.

Questions from the board members focused on the history of the vendor as it relates to providing services for the DD community were addressed by Mr. Robinson and Ms. Kleinbub.

Budget & Finance Committee: Gerald Tamayo

Purchase of Service

Through January 2022, we have expended 50% of the total POS budget of \$583M. At this time, for NON-CPP POS Expenditures, we are projecting a surplus of \$29M, which is a decrease of \$2M from the previous month’s projection. Note that this PEP projection now has 7 months of expenditures in base. It does not have the cost impact for the rate increases in April 2022. With more expenditures in base, we experienced a \$2M decrease in the surplus.

Currently, all 21 Regional Centers are reporting a surplus in their POS projections. With the C-2 budget allocation, the Statewide system is reporting in an overall surplus of \$817M, which is an increase of \$31M.

We will continue to analyze monthly POS expenditures and trends as more data become available.

Operations

Based on the C-2 allocation, through January 2022, we have expended 49% of a total of operations budget of \$57M, which is slightly less compared to the 54% for previous year at this time. We continue to work with DDS to receive the remaining rent allocation that was not allocated in the C-2. At this time, we are projecting a balanced budget as we continue to hire more staff for new growth positions and attritions.

Cash Flow Status

The agency is currently maintaining a stable cash flow. To date, we have been receiving full reimbursement for our claims through February.

We had preliminary discussions with Union Bank about re-establishing our committed line of credit, which will begin in June'22 through September '22. We also learned that the acquisition of Union Bank by US Bank was delayed and the merger will not take place until 5/1/22 instead of 4/1/22 as previously anticipated. We don't anticipate any changes to RCEB's bank accounts structure until the 3rd or 4th quarter of this year.

We will finalize the line of credit documents and report to the Board at a future meeting.

Diversity & Equity Committee: Nyron Battles & Sadia Mumtaz

The committee met this evening where the discussion focused on strategies to minimize the disparity of services, such as re-extending outreach to different ethnic groups, taking data points, activities and also on how and they want to impact as a committee. They also discussed how the different committees can come together under the common goal and umbrella of diversity and equity in order not to duplicate work. The group discussed the history, goals and charge of the committee and what was successful in the past and what improvements need to be made.

Supports & Services Committee: Lilian Ansari & Frank Paré

This committee will not meet until March, but they did hold a workshop meeting this morning to touch base with everyone on the status of the brochure and what needs to be done next. In order to make the meetings more accessible, the committee is testing this morning meeting to meet on the months that they do not regularly meet. We had a family member attend this workshop meeting, which was beneficial as she provided good input.

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

Sister Marygrace reported that the committee met on February 11th. The meeting began with an Inclusion Time. The committee wanted to add this because prior to COVID, they had time to greet and connect with each other. That has been lost since the meetings are on ZOOM, but it is very important to bring back that tradition that extends friendship and sharing. One of the sharing questions was "What is going well during COVID?" It took a while for those to think about positives during this pandemic, but they did come up with agreeable points such as increases in simplicity and

creativity. There was also a heightened interest in the possibilities of the rate increase. A report was given by Donna Feingold at HireAble, which will be a monthly report given at the PVAC meetings. HireAble is composed of three agencies; East Bay Innovation [EBI], Futures Explored, and the ARC of Contra Costa. Ms. Feingold She spoke about the innovative ways that we can look at the possibilities of employment and training.

Consumer Advisory Committee [CAC]: Nyron Battles

The CAC met on Monday, February 14th where they shared stories of their activities, masking protocols and programs re-opening. They also had a presentation by Priscilla Gomez on person-centered-planning and how the consumer's goals are focused on what the consumer wants to do and accomplish.

Membership Development Committee: Kathy Hebert

The votes below were conducted via SurveyMonkey and the results reported at this board meeting.

BOD Terms: Frank Paré, Lisa Soloway, and Sister Marygrace Puchac were approved by a majority for new terms.

- Both board members Frank Paré and Lisa Soloway agreed to volunteer to serve their 2nd term in office effective today, February 28, 2022.
- Sister Marygrace Puchac also agreed to continue serving as the PVAC representative for 2022.

Board Training Topic for March 2022

Training Topic Choices:

- Resource Development/Vendorization Process
- Crisis & After Hours Support
- Case Management Structure & Expectations

There were three major topics listed in the SurveyMonkey. March and November board meetings also include a ½ hour training session at the end of a board meeting. The Crisis & After-Hours Support subject had the most votes at 78% and will be presented next month. Since the other two topics tied at 56%, we may present one of them at the November training. There were also two write-in topic suggestions; board roles/responsibilities including fiduciary, and housing. As a reminder, July is our yearly 3-hour training session in lieu of a board meeting. We will be devoting 1.5 hours to board governance and 1.5 hours to cultural/linguistic competency.

EXECUTIVE DIRECTOR'S REPORT - Lisa Kleinbub, Executive Director

Budget/Legislation

After the Governor's budget was proposed, budget hearings were held in both the state senate and assembly. The assembly hearings differed from the senate, as they were long agendas with many testifying on panels. The assembly looked at many issues including the overall reduction of case

management ratios and the new proposal for 1:40 caseloads for under 6 years old. There was a panel on the ending of sub-minimum wage for those in workshops. The assembly wanted additional data to better understand these proposals. Of particular interest regarding subminimum wage issues is how it may cause job loss, as well as how people will be transitioned from sub-minimum wage to regular wages. There was great interest in the impact to regional centers and staffing for the case load ratio reduction in the <6 year-old category. Ms. Kleinbub participated as one of the panelists relating to services for the deaf and hard of hearing community.

Another panel of great interest was in rate implementation. As you recall, the rate study is due to be implemented in April. There are advocacy proposals from both vendors and regional centers to move a portion of that rate study up this year. In April, providers are to get 25% of the difference between their current rate and the proposed 20-22 rate in the rate study. We are advocating to make that 50% this year in order to address the many issues and concerns that our providers have been sharing, especially in their ability to hire staff so that they can return to in-person services.

Another area of great interest was the Department's proposals around equity and how that was being measured by the Department. A concern of the legislature and analysts was on data collection; the lack of data/tracking that is available in order to be able to follow trends and to make measureable changes.

The hearing in the state senate was shorter, more cut and dry and did not cover as many topics. Unlike the assembly hearings which had many panel discussions, the senate hearings did not. There will be a lull in the legislature until the Governor's May Revise is released, which will no doubt take into account what tax revenue is seen between now and May and possibly changes that occur from the hearings. We will keep the board updated on the Department proposals and the legislature.

Developmental Services [DS] Task Force

Originally created to support the move of clients from large institutions into the community, the DS Task Force has evolved into focusing on how regional center services can support those in the community along with having more measureable positive outcomes across the system. Some of the questions to be answered include; what are the right things to measure and how should they be measured? DDS has had many workgroup meetings to discuss these topics and outcome measures for both regional centers and their providers. Incentive payments are involved for those who meet these outcome measures. The Department has a deadline of the beginning of May to have indicators and benchmarks for regional centers starting this July. For the first year, we will be more process driven but eventually will become more specific. We foresee that we may have measures such as the percentage of case managers at each regional center who have been trained and are using person-centered-planning with the clients on their caseloads. We may also see a more robust way of looking at satisfaction surveys that provide input and feedback.

Quality Incentive Programs for Service Providers

During the first couple of years of the rate incentive program, quality payments will not be part of service provider rates. Ten percent of the final rate will be dependent on outcomes being met by the

service providers but we do not know what that is going to be at this time. Those conversations have been going on in DDS's public meetings via ZOOM.

Community Navigator Program

This project is intended to provide additional funding to the Family Resource Centers [FRN's] to have community navigators to support individuals and families and to assist them through the regional center service system. This would really be beneficial during the intake level; as it is a very complex system. We will be looking forward to working with our Family Resource Centers as that program moves forward.

Performance Contract 2023

Next year's performance contract will include some new measures which are based on the performance incentive program. The Department has just sent the data from the 2021 year, and we are reviewing it to see if there are any questions or issues with the data, then we send the data back in March. The Department reviews our draft report and will send the approved final year-end report to us. We will then hold a community board meeting to share the data and take any community comments. We expect lower number for timeliness of the intake process as COVID has affected our ability to have enough qualified staff to complete assessments.

COVID-19

For a while, we were getting 100 new cases/week, but since the surge has ended, the numbers have dropped considerably. However, the winter infections of our clients, family and service providers were very challenging for all. Some businesses had to close their doors, which impacted many. Throughout the pandemic, we have really appreciated our partners in the developmental disability offices in our counties, the state council, and DDS as we worked together to gather and distribute PPE's for those in licensed homes, supported living, and family homes. These homes received PPE's either via the organized drive-by's or we had them delivered directly if they were not able to come by. Most recently, we had two distribution days of COVID-19 antigen test kits in Alameda County for our licensed residential providers, since they would be having visitors in their homes. Contra Costa County had a different method of distributing the test kits through their community care licensing. We are always looking for ways to support people through the pandemic to make sure that people have their needs met. As our Governor eases many of the emergency orders, we will see more re-openings of programs, our offices and our public meetings.

Rate Implementation

Ms. Kleinbub thanked both staff and service providers who have really worked hard to submit the needed data to DDS for the implementation of the new rates. Worksheets were sent out which provided information on current rates, experience and credentials at certain programs, hours of service provided by day programs as well as on-site vs. the community. All this information will impact the rates that DDS will establish. This is one of the first times that we actually see rates that take our high cost-of-living area into account. Therefore, the rates that are assigned to RCEB are much higher than the rates that are assigned to regional centers in for example, the Inland Empire. Last week, DDS updated the rate study to reflect actual 2022 costs, which are now posted on their website. This will be the basis for what the April rates will be.

Example: Service provider X has a rate of \$100/day and the rate study states that it should be \$200/day based on costs in our area. This year, the provider will receive 25% of the difference between their current rate and the higher rate. Therefore, in April, provider X with a rate of \$100/day will then get \$125/day. The next year, they should get the other 25% and other adjustments until 2024. One of the advocacy issues that was mentioned earlier, is to move up one of those incremental increases so that the providers will receive 50% of that difference this year.

Completing these changes is an incredible amount of work, and we have hired a Rate Specialist (funding for this was received) in Community Services as well as an Accounting Rate Specialist, in order to implement these rate changes.

Social Recreation Policy

Our board has already approved the Social Recreation & Non-Medical Therapy Services policy and we are awaiting for DDS' approval. Our case managers have been trained, and we have had community meetings as well. DDS reviews all the various regional center policies with their legal teams and they make sure there is consistency across all the regional centers.

Regional Center Staff

We are in the process of staff recruitment, which includes 40-50 new case managers in July. We have hired an HR recruiter and will be proactively hiring in order to meet our goal in July.

Purchase of Services [POS]

In March, we will be holding many public POS expenditure meetings and welcome public comments. Regional centers are required to hold these meetings in a variety of forums and languages that reflect our community, in order to share our data. The data is categorized by diagnosis, ethnicity, language, age and residence, as well as some service types and how those dollars are being spent is posted on our website: <https://www.rceb.org/about-us/public-information/expenditure-reports/>. The public comments are recorded in the minutes, and will be used as the basis for a report to DDS, which they use to determine a number of service and equity grants that they give out each year. Historically in our area, there have been 6-7 grants given to our community based organizations to support individuals and families in the community. This year's funding stream has showed 5-6 approved as well as a couple of new providers in the deaf and hard-of-hearing community.

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

PUBLIC COMMENT

Rose Coleman spoke about her dental procedure and reimbursement. Ms. Kleinbub contacted her case manager who will communicate directly with Rose.

Zack Wheeler made a comment about SLS and their ability to pay rent in the bay area, and questions why we would add a new SLS as an account.

Assata Olugbala also inquired about the new SLS contract, and if there was a RFP put out for additional SLS contracts and if there is an equity component with that. She also had questions related to equity issues.

Ann Pringle inquired regarding in-home day programs and their future and licensed settings.

Maria Ramirez spoke of frustrations that families have endured during COVID and how it has affected the availability of services.

Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]

Mr. Chen spoke about moving through the COVID surge and the statewide indoor masking guidance to end on February 16th as well as the masking guidance in K-12/childcare settings. We are aligning with state guidelines but still recommend masking indoors and getting COVID boosters. ACDDC had their board meeting on February 23rd with a presentation on CalAIM, Person-Centered Planning, & Independent Living Centers: <https://youtu.be/9ANfPWylX2k>

March 8: COVID-19 Alameda County Community Advisory Group Meeting 5:30-7pm to provide updates and receive feedback.

March 12 & 15: Alameda County Transition Faire holding workshops and youth activities and the resource fair on the 15th. <https://www.rceb.org/event/transition-faire/>

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

Ms. Ibarra thanked the East Bay Legislative Committee [EBLC] for working on the legislative issues that relate to our service systems by tracking and discussing proposed bills and planning events such as forums and the legislative breakfast. If you are interested in joining this group, please contact Vi Vi.Ibarra@cchealth.org

April 9: The Autism STAR Conference is geared towards children/teens and their families with autism, but is open to everyone to attend: <https://www.rceb.org/event/autism-star-conference-register-early/>

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

Ms. Nicholau informed on the National Core Indicator [NCI] surveys have started going out to a sample size of those served in California. These surveys are a way that California, DDS, regional centers and advocates can learn how the CA IDD system still works for people with DD and their families. In this cycle there are three different types of surveys to homes; adult family, guardian and child family surveys. Inquiries for additional info can be sent to bayarea@scdd.ca.gov 510-286-0439

March 9 & 10: Statewide Advocacy Network meeting

March 17: This is the next State Council Legislative & Public Policy Committee meeting

March 21: This is the next Self-Advocacy Advisory Committee meeting

March 22: This is the next council meeting

April 27: Bay Area Regional Advisory Committee meeting

ARCA REPORT: Lisa Kleinbub

On March 10th ARCA will host a public Webinar meeting on the regional center intake process; eligibility, services, and what to expect.

<https://www.rceb.org/event/arca-webinar-on-the-regional-center-intake-process/>

April 5th is ARCA's yearly Grassroots Day, where regional centers' board members have the opportunity to speak to the legislators/staff about the various important issues affecting our community. Some of the topics will be on rate implementation, services, direct service providers and long-term stability in the system as well as rate increase when necessary, etc. We are hopeful that this Grassroots will be the last year that it is held remotely, as we usually attend in person at the capitol.

Ms. Hebert added that March 8th is ARCA Academy training for the regional center board members on the subject of *Your Role in Legislative Advocacy*.

CLOSED SESSION - Legal

MEETING ADJOURNED

The board meeting adjourned at 8:48 p.m.

Virtual Meetings on March 28, 2022

The next Diversity & Equity Meeting will be at 5:30 PM

The next Board Meeting will be at 7:00 PM