



Board of Directors Meeting

Monday, May 23, 2022

Virtual Meeting

Approved 6/27/2022

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice-President
Gerald Tamayo, Treasurer
Dr. Stephen Whitgob, Assistant Treasurer
Renee 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
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
Ronke Sodipo, Director of Client Services
Kiera Swan, Director of Human Resources & Support Services
Chris Hanson, Associate Director of Adult Services
Elvia Osorio-Rodriguez, Associate Director of Children's Services/Bilingual
Alisha Erskine, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Kim Ard-Elutilo
Denise Bradley
Sabrina Jean
Sara Martinez de Osaba

Wanda Cathran
Ben Chen/ACDDC
Rose Coleman
Nina Genera
Erika Gonzalez
Tanya Green
Vi Ibarra/CCCDDC

Lucy Navarro
Sheraden Nicholau/SCDD, Bay Area
Fran Percelle
Ann Pringle
Maria Ramirez
Melissa Robinson/DDS
Karen Schafer

CALL TO ORDER

Board President, Kathy Hebert explained the Webinar format that we are holding our board meetings in and read the call-to-order before proceeded to call the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:04 p.m.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the May 23rd agenda as presented.” [Perls/Battles]
Unanimous. The motion was adopted.

M/S/C “The Board moves to approve the April 25th minutes as presented.” [Battles/Perls]
Unanimous. The motion was adopted.

PUBLIC COMMENT

Maria Ramirez expressed her disagreement with the new Webinar format for the board meeting.

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

Note: All contracts are submitted to the board of directors 10 days prior to the board meeting for their review and opportunity to ask questions and provide comments.

Contract Approvals

There were no contracts to approve at this time.

Budget & Finance Committee: Dr. Steven Whitgob

Purchase of Service

Through April 2022, 74% of our fiscal year 21-22 POS expenditures are in base. At this time, we are projecting a surplus of \$32.7M for NON-CPP POS Expenditures. This is an increase of \$.4M over the previous month's projections.

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 \$809M, which is a decrease of \$37M. RCEB is reporting a \$32.7M surplus, which represents 5.6% of the overall statewide "surplus". We continue to monitor these *projections* (not cash) to report in next month's financials, which will include the result of the April rate implementation.

RCEB recently received the intent letter for the C-3 contract. We have not received the actual contract and therefore will submit for Board approval at the next Board meeting. The C-3 contract included funding of \$1.2M Home and Community-Based Services (HCBS) and \$2.1M CPP/CRDP start-up and placement. These allocations are included in these April financials. For CPP POS Expenditures, we have spent \$1.2M for CPP placements.

Operations

As of April 2022, the Staff continues to report a projected balanced budget for the current fiscal year 21-22 with 68% of Operation expenditures in base, compared to the 75% for last year's OPS expenditures at this time.

In the C-3 intent letter, DDS provided additional allocation of \$2.1M for Operations for rent and other policy items, including \$1.5M funding for Language Access and Cultural Competency, and \$.1M American Rescue Plan Act (ARPA) grant. RCEB will submit a plan for the Language Access funds to DDS by June 15th. These funds can be encumbered and used after June 30, 2022. For the ARPA grant, DDS allocates 1 position to each regional center to focus on developing collaborative partnerships with local school districts to promote inclusive options for regional center children who are transitioning to pre-school or kindergarten.

Cash Flow Status

The Agency had adequate cash to pay for April services in May. DDS plans to pay only 50% 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 FY22-23 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.

Diversity & Equity Committee: Nyron Battles & Sadia Mumtaz

Ms. Mumtaz stated that the committee did not meet this month. The Committee will meet on June 27th before the board meeting.

Supports & Services Committee: Lilian Ansari & Frank Paré

Ms. Ansari stated that this evening's meeting before the board meeting had many attendees; families and service providers participating in a robust expression of ideas and brainstorming. The committee was not able to follow the agenda as they engaged in good dialogue with the attendees. Ms. Ansari brought up the need for a parent advisory committee made up of families charged with advising the Supports & Services Committee on overall systemic issues and projects that can be coordinated. Mr. Paré added that the discussions were good and the meeting was beneficial for both attendees and management.

Ms. Ansari stated that the brochure is now complete but they will hold off on distribution/posting until they are able to have it translated in major languages. There are now funds available for language translation of materials for our families.

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

Ms. Puchac reported that the committee met on May 13th starting with the Inclusion Time section where the topic of *What are you happy/excited about?* Unfortunately, there were no comments, so there is a need to think about the positives in everyone's lives as we all continue being resilient. There was a presentation from RCEB staff. Chris Hanson, Associate Director of Adult Services and Jeff Nagafuji, Manager of Specialized Services & Supports presented on Crisis and After-Hours Support. One of the main goals of providing this service is to care for those who need assistance as well as to prevent the need for hospitalization or unnecessary police intervention.

Also discussed was the productive collaborations, such as the Sonoma mobile interventions, STAR homes, and crisis homes for adults and children. Mr. Robinson addressed questions regarding the rate implementations. In particular, the rate being equal to 25% of the increase between the current rate and full rate increase for programs. There will be a quality incentive program in order for the programs to receive the last 10% increase after the 90% is received in 2025.

In addition, there was discussion relating to challenges in the form of missing POS' and the reasons for them, and issues of non-payment to vendors as a result. Chris Hanson is working on rectifying those cases. Ms. Kleinbub added that there were many alternative service purchases during COVID for those adults in day programs, in a care homes, transportation/alternative transportation, and many more which resulted in too many POS' for the individuals.

The next PVAC meeting on June 10th will be focusing on housing issues.

Consumer Advisory Committee [CAC]: Nyron Battles

The CAC met on Monday, May 9th as participants were anxious to return to in-person meetings. Also discussed was a leadership group that consumers can join as well as the People 1st Conference on June 11th from 9am – 5pm.

Membership Development Committee: Kathy Hebert

The board has 16 members, and open to a Latinx consumer.

EXECUTIVE DIRECTOR’S REPORT - Lisa Kleinbub, Executive Director

Ms. Kleinbub presented on the Community Placement Plan/Community Resource Development Plan to address the questions at the last board meeting regarding CPP funding. These funds will be able to be applied to the two new projects that are in the works of being developed. We will be receiving a number of housing contracts for approval, so this information will be good to know beforehand.

Ms. Kleinbub gave a background of the plan in addition to her presentation on the Community Placement Plan/Community Resource Development Plan [CPP/CRDP]. DDS developed these plans to enhance the capacity of community service delivery and to reduce the reliance on developmental centers and other restrictive living environments. In the early 2000’s, it was very common that those with severe needs ended up in this type of restrictive environment. Sonoma Developmental Center in an example of this living arrangement.

Each regional center submits proposals annually to DDS to receive these CPP/CRDP funds. DDS reviews all the proposals and either approves or denies the funding for that project. The CPP/CRDP funds can also be used for the funding of safe and affordable housing. The funds being requested include the development, acquisition, and rehabilitation of a home and start-up funding for a provider. When DDS awards us funds for the development and rehabilitation of a home, we have to use a housing development organization for the home to be held in perpetuity for those with DD. The housing organization is required to have experience in developing homes for those with DD and are responsible for acquiring, building, and renovating the home. The organization can be for-profit or non-profit entities, which is what RCEB usually contracts with. The homes need to be in Alameda or Contra Costa County and able to serve (4) regional center consumers. Last January, we submitted proposals to DDS for CPP/CRDP funds specifically for a Specialized Residential Facility [SRF] for the Deaf and hard of hearing [DHH] population and an Enhanced Behavioral Support Home [EBSH] for female adults, and to develop a home where the primary language is Cantonese or Vietnamese. We received funds for the SRF and EBSH last year. The only funds that we received this year was for the housing development organization to acquire the house. Next year, we are expecting that we will receive funds to identify a provider to provide services in that particular home. If for any reason that service provider does not meet our expectations and will not be used, we will still have the home available for our clients.

We issued a Request for Proposal [RFP] on April 7, 2022 with a due date of May 2nd for housing development organizations to submit their proposals. Name-blind applications are used, so that

there are no biases. We started the interview process on May 18th with a June 1st selection date and completion by June 30th. We have held meetings and FAQ's to explain to providers how they can apply for the projects. We use a broad mailing list when we solicit for providers, including all the housing development organizations in California. We have also sent them to groups that we have not worked with before, such as those involved in the criminal justice system.

Ms. Kleinbub reiterated that this selection procedure is the only way that we can acquire homes with DDS funding, and there is a tight timeline. Ms. Kleinbub shared pictures of some of the homes that have been funded through DDS, and highlighted the individual bedrooms. Ms. Kleinbub added that the public is also involved from the beginning, as we always invite the community for their input in what kind of projects are needed and those are taken into account when we submit our proposals to DDS. The DHH that we are trying to have a DHH home developed in Fremont since there is a larger population of our clients who are DHH residing in that area.

Caseload Ratio Survey and Plan of Correction

We will have a public meeting on Wednesday May 25th to share our numbers and are asking for the public's input on where we should allocate new positions. Every year for the past 20 years, most all of the 21 regional centers have not met the required caseload ratios that are in the Lanterman Act. A fundamental reason for this is because we are given just \$34K/case manager for each core case management position. We are going to receive funds this July to reduce caseload ratios. These positions are allocated with reasonable salaries.

Our caseload ratio that we reported in February only meet the ratio in three areas and the balance is much higher than what is required. This is the first year that we are asked to hold a meeting instead of just submitting a plan of correction. We know that an improvement would be needed in Early Start and in the children under 6 y/o categories and we are going to be receiving funds to reduce those caseloads to 1:40. For the balance of the reductions, we are asking the community for their ideas. One popular category may be in Self-Determination to reduce caseload and consolidate cases. There is also interest in focusing on those in licensed residential homes, independent living, transition from high school age, etc.

Governor's May Revise

The Governor's May Revise was released on Monday, May 16th. The May Revise is where the Governor makes changes to the January budget proposal. As you recall, that January budget proposal was very positive in that we saw new caseload ratio reduction positions as well as the idea of caseload reduction for the children under 6 y/o to 1:40. Currently, ARCA and the service providers are advocating to see the implementation of another 25% of the rate study to be in July 2022, so that the providers can benefit from receiving that increase earlier. The state budget is flush with money this year and the consensus is that it will only be available one time and not continue. Therefore, moving the rate implementation up by a year would be one time monies. The Governor did not put that in his budget plans, but the legislators have been very supportive of moving it up. Senator Skinner of our area serves as the Chair on the Senate Budget and Fiscal Review committee and is the legislator to send your letters to regarding the rate increase advancement.

There are proposals to provide two \$500 payments to provider direct-service professionals for additional education in certain categories, as well as a tuition reimbursement plan for regional center service coordinators. Currently, there are limited details on this and so it is difficult to comment on.

Early Start: There is an expansion of the Early Start program proposed. Children would be eligible for Early Start if they had a 25% delay (down from 33%) in one area of development. Currently, the Speech category is counted as one category; both in the receptive and expressive areas. It would change to each of those areas being a separate category so that it would not be necessary to see a 25% delay in both categories to be eligible for Early Start.

Fetal Alcohol Syndrome: The budget detail also has adding Fetal Alcohol Syndrome [FAS] as a risk factor for developmental disabilities in Early Start. Our regional center has always seen it as a risk factor that may contribute to having a developmental disability for many individuals.

Service Access and Equity: Every year the Governor has grants of \$11M in the budget. This year an additional \$11M is proposed. This should allow for more proposals from community based organizations and regional centers to be supported.

Self-Determination Fiscal Management Services [FMS]: Currently, the fiscal management portion of self-determination is paid from the client's budget for using the SD services. In the new proposal, those dollars would move outside of their individual budgets. This will be good because of rate increases needed for FMS sources. This would not decrease dollars for the other services they would want in SD.

Deaf Specialists/Interpretation: There is more funding in the budget to be used for providing DHH Interpretation.

Minimum Wage Increases: There is minor rate adjustments since minimum wage will go up to \$15.50/hour in January 2023.

Annual Family Program Fee/Family Cost Participation Program: These have been in law since around 2002 but were suspended during COVID. Although these fees are relatively a small amount, they have been a deterrent for families to obtain certain services. The budget has the reimplementation of the program fees in January 2023 where it would impact only those families at more than 600% of the Federal Poverty Level. We are not in support of this as it is not very supportive of families and does not provide any substantial fiscal benefits.

Those are some of the key points in the budget, and there are possibilities that some of those will be changed as they go through the budget committees. There have been both senate and assembly hearings on the proposals.

COVID-19

Ms. Kleinbub stated that we are seeing an increase in COVID cases both amongst our staff and in our community. Therefore we are halting our in-person visits with those who live outside the family home

at least for the next two weeks to get us through this period. Since April we had an increase of 85 client cases.

Language Access and Cultural Competency Plan

We have roughly \$1.4M to spend on the development of plans that include materials and other accessibility for those whose primary language is other than English. This includes having materials that are understandable by all. This also includes our consumers who need materials in plain language. Up to 50% of the dollars can be used to hire staff, and the balance to provide translation and interpretation. We are looking at which meetings we will be needing regular translations. We are also looking at having more orientations for new families which go hand-in-hand with our new brochure project, as well as to have incentive stipends for attending focus group meetings.

We will be receiving funds yearly for language access and cultural competency, and we know what we would need to do with it the first year. We will be analyzing and developing a strategic plan on how we can do things better in the future.

We will be submitting a plan to DDS as a service access and equity grant.

PUBLIC COMMENT

Maria Ramirez told us that a parent in the Spanish room was hearing the English simultaneously with the Spanish interpreter. Maria was informed that attendee just needs to press the “Mute original audio” when she is in that room. The instructions were also in the Chat, on the website, and explained at the beginning of the meeting. We will re-post that portion in the chat mid-point in the meeting. Ms. Ramirez also informed about her relative who applied for a case management position at the agency but has not received any feedback.

Sabrina Jean spoke about POS difficulties in being able to use a job coach in another county in the Peninsula. RCEB staff will follow up with her.

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

June 9: Register for the 32nd Annual Joint DD Councils Awards Event from 7-8:30 via Webinar. Service awards will be presented to community members and HireAble will also be presenting awards to recognize employers who are making a difference in the lives of those with developmental disabilities.

May 25: This is the next CCDDC board meeting with a Spanish presentation of an overview of our service systems; *who does what?*

Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]

Mr. Chen stated that the COVID cases are on the rise. On May 13th the health office’s recommendation was to continue masking in indoor settings and to immediately test if symptoms arise.

June 8: ACDDC Board meeting at 9:30am. Usually there is no board meeting in the same month as the council awards event, but this month they will meet for a shorter time.

June 14: ACDDC has been hosting a monthly COVID-19 Community Advisory Group. The next meeting is from 5:30-7pm and will focus on the county's long-term strategies.

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

May 24: Next SCDDC meeting

May 26: Part 2 Fair Housing Rights two-part webinar with Department of Fair Employment/Housing

June 6: Employment First committee meeting

June 15/16: This is the next Statewide Self-Advocacy Network

June 29: Next RAC meeting

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that ARCA is working very hard on legislative issues, especially around the rate implementation as well as the core staffing formula update request. They are also working on commenting on the Fair Hearing language proposals which are in front of the legislature as trailer bills.

ARCA will be reinstating in-person meetings starting in June, taking all the precautions.

CLOSED SESSION - Personnel

MEETING ADJOURNED

The board meeting adjourned at 8:55 p.m.

Virtual Meetings on June 27, 2022

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

The next Board Meeting will be at 7:00 PM