



Board of Directors Meeting

Monday, March 25, 2024

Virtual Meeting

DRAFT

RCEB BOARD MEMBERS PRESENT:

Frank Paré, President
Sadia Mumtaz, Vice-President/D&E Chair
Dr. Steve Whitgob, Vice-Treasurer
Nyron Battles, CAC Chair/Diversity & Equity Co-Chair
Brian Blaisch
Teresita DeJesus
Daniel Hogue, PVAC Representative
April Key-Lee
Dinah Shapiro
Lisa Soloway
Linda Stevens

ABSENT:

Reneé Perls, Secretary

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Lynn Nguyen, Director of Finance & Administration
Steve Robinson, Director of Community Services
Ronke Sodipo, Director of Client Services
Ben Braun, Associate Director of Federal Programs
Chris Hanson, Associate Director of Client Services/Adults
Elvia Osorio-Rodriguez, Associate Director of Client Services/Children
Lindsay Meninger, Associate Director of Client Services/SDLAC
Michael Minton, Manager of Risk Management and Quality Assurance
Edda Banuelos, La Familia Counseling Services Case Manager Supervisor
Priscilla Gomez, Transportation Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Ala Costa Center
Families United for Equity
Revive Day Program

Jenica Hadley
Vi Ibarra/CCCDDC
Danielle Mackey

Chris Aguire/DDS
Denise Bradley
Maria D.
Tandra DeBose
Marcia Elizabeth
Erika Gonzalez
Norma Gonzalez
Morena Grimaldi

A.Martinez
Dominique Mellion
Diego Olmedo
Assata Olugbala
Ann Pringle
Maria Ramirez
James Vaughn
Zackery Wheeler

CALL TO ORDER

Frank Paré called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:06 pm. A quorum was established.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the March 25, 2024 Agenda as presented”
[Battles/Hogue] Unanimous The motion was adopted

M/S/C “The Board moves to approve the February 26, 2024 Minutes as presented.”
[Battles/Stevens] Unanimous The motion was adopted.

PUBLIC COMMENT

Regional Center of the East Bay uses Robert’s Rules of Order to guide our meetings. Robert’s Rules of Order is the most used manual of parliamentary procedure in the United States. Robert’s Rules of Order is designed to provide structure and guidance while facilitating the orderly operation of a meeting.

According to Robert’s Rules of Order, our board members are not allowed to comment, debate or respond to the public during our public meetings. There are other meetings such as our Diversity & Equity or Supports & Services meetings that begin at 5:30pm before the board meetings.

There were no public comments at this time.

EXECUTIVE DIRECTOR’S REPORT - Lisa Kleinbub, Executive Director

POS/Independent Living Service [ILS] Policy

As reported before, we have reached out to the community for feedback on this policy. It was also a topic of discussion at the March 18th D&E Policy sub-committee meeting, where we received some recommendations as questions. We were asked about what would happen if there was a disagreement between the case manager and the service provider on the assessment for ILS, and whether there should be an alternate dispute process in that policy, prior to going to the fair hearing

process. Also suggested was if there should be a standard tool that both the regional center and the providers utilize for ILS assessment.

We will put this policy approval on hold until we can look at some of the tools that were proposed to use. Ms. Kleinbub added that using tools is a good standard to follow, so that everyone is following the same process consistent with statewide standardization with respite.

<https://rceb.org/news/new-draft-independent-living-services-policy/>

Social Recreation Policy

The Board approved this policy in January, and we submitted it to DDS. DDS had previously reviewed it, however, they returned it to us for additional changes to that policy. Ms. Kleinbub reached out to DDS to get further clarification on the points. We will be making some minor revisions to the policy, which will make it clearer to understand, and will re-submit it to the Board for their approval at the April board meeting. The changes will be indicated for ease in seeing what was changed.

Supported Living Contracts

Ms. Kleinbub informed the Board that there will be 45 Supported Living Service [SLS] contracts that will be expiring in June, and will be brought to the board for renewal approvals. Ms. Kleinbub wanted to get feedback from the board on how they would like to tackle this endeavor; to approve at a board meeting, approve via virtual vote, etc. The board discussed many methods and in the end decided to span the contracts out to cover possibly three months [April-June]; therefore, around 15 contracts per month for approval over that timeframe. It was also important to the board members that a spreadsheet indicating if any changes to that ILS occurred from the last approval, the number of clients served, expected dollar amount for that provider, any issues brought up against that provider, etc.

Governor's Budget

Ms. Kleinbub stated that the most significant issue we are facing, is the proposal to delay the rate reform from July 2024 to July 2025. Senate and Assembly hearings have been in agreement to keep the rate reform as originally agreed upon. However, we have a large budget deficit in the State of California. The Legislative Analyst's office continues to speak about different ways to delay the rate reform, but at this point, we do not know what will happen.

Other Topics of Interest in the Budget Committee Hearings

Preschool Inclusion Program- This is a program to provide grants to different preschools to support young children with IDD. This item has never been implemented, and it was taken off the table last year.

Master Plan for IDD- This is a plan created through California Health & Human Services. They will have Victor Duran as Project Director. The aim of the Master Plan is to ensure that current services delivered are more equitable, consistent, and accessible by addressing inequities and geographic disparities in both the access to services and payment of services and addressing how consumers and their families ultimately navigate the developmental services system.

BUDGET AND FINANCE COMMITTEE – Lynn Nguyen for Dr. Steve Whitgob

Purchase of Service

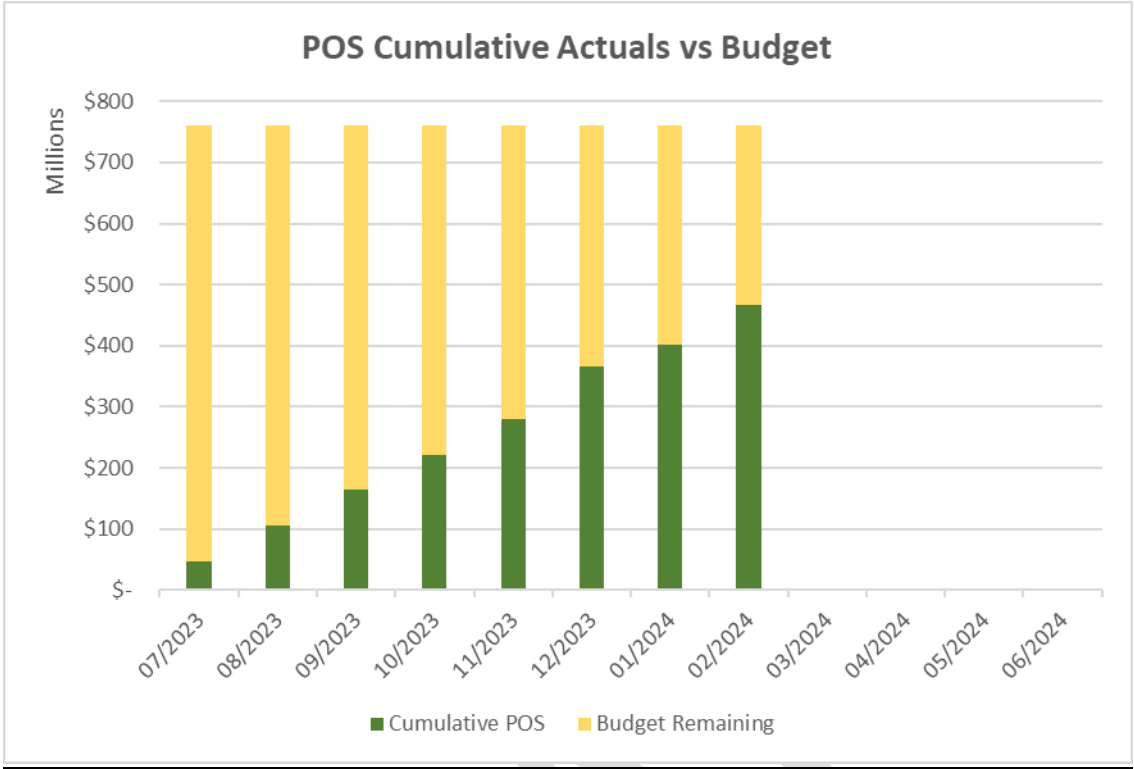
Through February 2024, we have expended \$466M, or 61% of the total POS budget of \$761M for Fiscal year 23-24. This is compared to 55% of the total budget of \$720M for the last fiscal year at this time.

For NON-CPP POS Expenditures, we are projecting a surplus of \$28M, which is a decrease of \$2M from the previous month's projection. We now have the cost impact of the rate increases in January 2024, including Community Care Facility (CCF), State minimum wage increases, and the remaining rate increases for the Service Rate Reform with 50% of the benchmark rates. Note that we are still pending to hear from DDS regarding another rate increase expected on July 1, 2024 or postponed to July 1, 2025.

In this projection we included an estimate of \$4.2M of lag loans to be issued to 14 ICF providers. RCEB has signed 14 loan agreements to be issued to Intermediate Care Facilities (ICF) providers for the services its renders to consumers between January 1 through June 30, 2024. This is to support the timely transition of ICF payments from Medical fee-for-service to Managed Care Plan (MCP). Within 15 days of receipts of payment from the MCP, the ICF providers must repay RCEB.

Currently, 13 out of 21 Regional Centers are reporting a surplus in their POS projections, while 8 centers are reporting a deficit. With the E-1 budget allocation, the Statewide system is reporting in an overall deficit of \$15M, which is a decrease of \$8M from previous month's projection.

The graph POS cumulative Actuals versus Budget shows POS expenditures trending month-over month compared to the overall budget for FY 23-24.



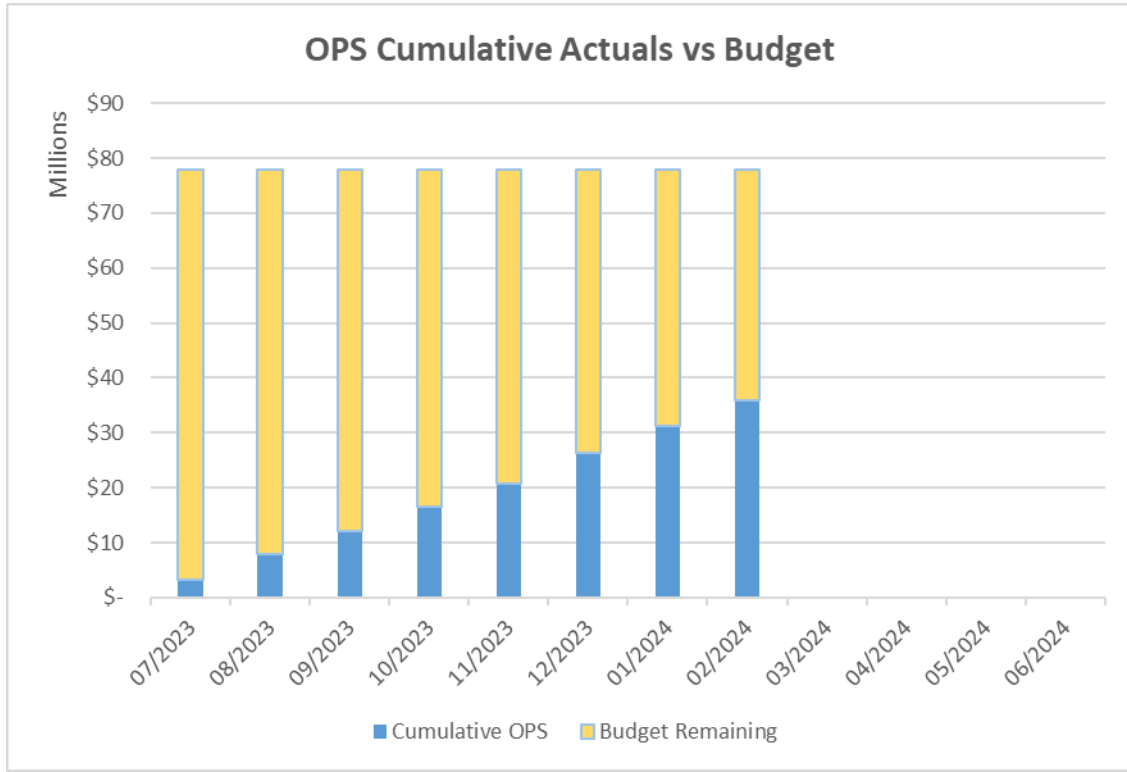
Operations

Based on the E-1 allocation, through February 2024, we have expended \$36M, or 46% of a total of operations budget of \$78M, which is slightly less compared to the 49% for previous year at this time. Although DDS has sent us the approved CPP budget for FY23-24, we are still waiting for the remaining CPP allocation that was not included in the E-1.

We are pleased to report that RCEB has made great efforts in hiring 29 additional staff in the first quarter, as shown in the employee count schedule below. These hires are mainly from the 2 job fairs that were held in February.

Employee Count as of 03/22/2024			
	Jan-24	Feb-24	Mar-24
Hires	12	10	7
Terminations	3	2	1
Total Employees	490	498	504

The graph OPS cumulative Actuals versus Budget below shows OPS expenditures trending month-over-month compared to the overall budget for FY23-24.



The additional graphs are provided for informational and comparison purposes:

- Operations actual versus budget as compared to February 28, 2023.
- Operations 7 months YTD for the last 5 fiscal years.
- Purchase of Services actual versus budget as compared to February 28, 2023.
- Purchase of Services 7 months YTD for the last 5 fiscal years.

Ms. Nguyen explained the graphs in detail to the Board and guests.

COMMITTEE REPORTS

Executive Committee Report/President’s Report: Frank Paré

Acronym List

ARFPSHN	Adult Residential Facility for Persons with Specialized Health Care Needs	HCBS	Home and Community Based Services
BAHC	Bay Area Housing Corporation	ILS	Individual Living Services
CCH	Community Crisis Home	ILS	Individual Living Services
CPP	Community Placement Plan	OPS	Operations
CRDP	Community Resource Development Plan		

DDS Department of Development Services
EBSH Enhanced Behavioral Support Home
FHA Family Home Agency

PEP Purchase of Service Expenditure Projection
POS Purchase of Service
SLS Supported Living Services

CONTRACT APPROVAL

Regional centers are required by Medicaid law to vendorize SLS applicants if they meet the minimum qualifications. All the contracts for SLS providers are similar at the basic level. The rates are moving towards all the SLS providers to be the same by 2024. The provision of a higher rate than the standard rate is only possible if a vendor files for a health & safety exception on behalf of an individual consumer due to a specialized need, such as needing a qualified staff person with training in that specific area. SLS contracts are different from those for start-ups or housing developments.

Contracts

There were no contracts for approval this evening.

Strategic Plan Update

Ms. Kleinbub stated that the Focus Group Leads have met with the Helen Sanderson group, and are having staff volunteer to join and contribute to a focus group of their choosing. We currently have around 55 staff volunteers. Mr. Hogue added that amount is a statistically significant sample size. We will continue to have focus group meetings for the next month, and will be looking at potential outcomes and measurements for those outcomes. We are looking to bring a draft to the Board in May with measureable metrics that are reportable.

Five focus and desired outcomes:

1. Process Improvement- to streamline the processes
2. Work Culture- to make regional center an employer of choice in our area
3. Diversity, Equity, Inclusion, Belonging- to positively impact the community and assure that people are supported by the regional center.
4. Communication and Engagement- to be more responsive and transparent about supports and relationships with case managers
5. Person-Centered Services Planning- to make sure communities are able to seek regional center services that are personalized and identified through a person-centered-planning process

These focus points came about as a result of the surveys that were done in our community, including the concerns from those in our community, as well as priority decisions that were made by the team at the retreat.

Consumer Advisory Committee [CAC]: Nyron Battles

The CAC met in-person on March 11th. Mr. Battles added that Ms. Kleinbub informed the committee of what is currently happening at the legislation. He also reiterated about the importance for all clients to speak up if they feel that they are being taken advantage of and not being heard, because you are your own strongest advocate. Mr. Battles also added that it is important to communicate this to your case manager and supports so that they can partner with them to make needed changes.

Membership Development Committee: April Key-Lee

Terms

Nyron Battles- Mr. Battle's second term of three years on the BOD is up this month. We conducted a vote via Survey Monkey this month and can confirm that he has received a majority vote to continue his service effective this month.

Dinah Shapiro- Ms. Shapiro is currently serving her last term of one year on the BOD. She will be terming-out at the end of July this year.

New Candidates

We have a couple of individuals who have not only sent in their Board application and Conflict of Interest forms, but have attended more than two Board meetings, which is the minimum requirement in order to proceed to the interview stage.

We are continually looking for new members who are Latinx who reside in the Contra Costa County. Please check our website and read about the board and e-mail your interest:

<https://www.rceb.org/about-us/board-directors/members/>

Supports & Services Committee: Frank Paré

Mr. Paré reported that the committee met this evening prior to the board meeting. The main topic discussed was the challenge we have in serving our homeless individuals with I/DD. This topic was first brought up in June 2023, where RCEB was to partner with faith-based organizations for outreach. This did not occur as the outreach plans were different.

Also discussed was the ILS policy updates, and the disparity between service providers with wait-lists vs. those with open beds and if those homes are not receiving equivalent referrals and if this is due to the internal review process. Ms. Kleinbub responded that when a referral is made for SLS/ILS, they will know if the client has extreme physical needs or behavioral challenges, along with basic information that is shared with the providers, in order to see who is interested and has availability so that we can match them accordingly. That information is accessible to the providers without the case managers making that referral.

Also discussed was the complaint processes in both the corrective action plan and the 4731 processes. Ms. Kleinbub clarified that the 4731 response from RCEB is made directly to the complainant. If they disagree to the resolution given, they are allowed to appeal it to DDS. There is also the Fair Hearing

process, for those who have complaints regarding their services or supports. This process was more simplified as of last year.

Provider/Vendor Advisory Committee [PVAC]: Dan Hogue

Mr. Hogue stated that PVAC met on Friday, but unfortunately there was no quorum for voting, and he was also not in attendance. Mr. Hogue stated that Ms. Kleinbub gave her monthly report, but there is nothing official to report at this time. He added that their equity subcommittee meetings are where the vendors express their issues, which could be where the client referrals subject was brought up originally. Ms. Kleinbub stated that our DD system is very complex and there are constant changes and updates, so we are continually working on that.

PUBLIC COMMENT

Assata Olugbala spoke about the important of the availability of housing, transitional housing for the homeless population with all disabilities. In reference to early childhood development services and funding issues, she suggested to look into the Measure AA for requests for proposals. Ms. Olugbala added that it is good that the board wants to thoroughly review the SLS contracts that are expiring in June.

Maria Ramirez expressed her concerns about the legislative hearings, and the Governor's budget cuts to the DD service. She also brought up how the regional center Exceptions Committee cases take too long for a resolution.

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

March 27: This is the next CCCDDC meeting with a presentation from SCDDC, Bay Area with an overview of their agency, what they do to support the DD community.

April 10: National Siblings Day: Siblings Matter. This is put on by the Office of Clients Rights Advocacy [OCRA] from 10-12pm focusing on the relationships of regional center clients and their siblings. You can register for this free webinar.

Annual Transition Conference and Resource Fair- This all day was held at the College of Alameda on March 23rd. It is designed for students and adults with disabilities, their family and supports. It was a very successful in-person conference with 250 individuals registered to attend this year, which is double the amount from last year. There was 60 resource tables, on-site vaccination clinic, 18 break-out sessions, both in English, Spanish and ASL interpreters were available.

Ms. Ibarra spoke on behalf of both herself and Ben Chen/ACDDC, thanking RCEB for their yearly support of this event with their sponsorships, break-out session presentations, staff participation in the planning committee, language interpretations and volunteering on the day of the event.

Association of Regional Center Agencies [ARCA] – Lisa Kleinbub

Ms. Kleinbub reported that ARCA delegates attended the Senate hearings to hear the testimonies. There is a bill in the legislature, AB3291, which would allow regional centers to provide housing subsidies to those with unstable housing, so we are following that one closely.

Special Statement from Frank Paré on Lisa Kleinbub/RCEB Executive Director

Before the conclusion of the board meeting this evening, Mr. Paré read his announcement regarding Lisa Kleinbub’s retirement, to commence March 1, 2025. The statement highlighted Ms. Kleinbub’s experience and tenure at RCEB, which began in 1994. Mr. Paré added that the Board will be searching and using a recruiter to assist in the search for Ms. Kleinbub’s replacement.

Ms. Kleinbub added that she has enjoyed working with this Board and through the challenges that we have had. She will assist the Board with identifying a successor who not only understands and can support the regional center and its complex system, and will work to make sure the transition is successful. Ms. Kleinbub added that her work has always been for the individuals and families of those who we serve, as that has been at the heart of what she does. She has always been in this field of work, and in retirement, she will continue in that arena. She is also looking forward to spending quality time with her young grandchildren and family.

Several board members thanked Ms. Kleinbub for her service to RCEB; her vast knowledge of the system as well as her commitment to RCEB itself, her patience, flexibility and availability to them at all times.

MEETING ADJOURNED

The board meeting adjourned at 8:31 p.m.

Virtual Meetings on April 22, 2024

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

The next Board Meeting will be at 7:00 PM