

Regional Center of Orange County (RCOC)

Self-Determination Program Local Advisory Committee Meeting Summary

November 30, 2020

6:30 p.m. to 8:30 p.m.

Virtual Public Meeting

Present

Jyusse Corey, Self-Advocate

Cathy Furukawa, RCOC Training and Organizational Specialist

Bruce Hall, Parent

Tim Jin, Self-Advocate

Andrea Kumetz-Coleman, Parent

Larry Landauer, RCOC Executive Director

April Lopez, Parent

Keli Radford, RCOC Director of Services and Supports

Karen Millender, Parent

Jacqueline Miller, Clients' Rights Advocate

Michael Rillera, Parent

Tina Stang, Parent

Scarlett Von Thenen, Orange County Office of the State Council on Developmental Disabilities

I. Welcome and Introductions

Ms. April Lopez called the meeting to order at 6:33 p.m. She welcomed all attendees of the Self-Determination Program Local Advisory Committee (SDPLAC) Meeting. Each committee member introduced him/herself.

II. Approval of Minutes from September 21, 2020 Meeting

The committee reviewed the minutes from the September 21, 2020 meeting. Ms. Scarlett Von Thenen made a motion to add information to Section V of the meeting notes. She motioned that the notes indicate that “Ms. Burchill created a sub-committee to determine the funding allocation due to the lack of consensus during the previous committee meetings.” Andrea Kumetz-Coleman made a motion to approve the minutes with the modification to the meeting notes.

All committee members voted in favor of approving the minutes with the modifications.

III. RCOC Self-Determination Program (SDP) Updates

Ms. Cathy Furukawa provided updates in regards to the implementation of SDP. There are currently 147 people who are in the program and 26 people who chose to opt out of the program. To date, 60 people have received an Individual Budget and 15 people are actively receiving services and supports through SDP. Eleven (11) people have chosen to have RCOC fund for a separate Person-Centered Plan (PCP). There are currently four (4) agencies vended to provide Financial Management Services (FMS).

A committee member asked how many people have yet to complete the Orientation training. Ms. Furukawa shared that at this time, 11 people have not completed the Orientation. As Orientations were scheduled, Service Coordinators were asked to reach out to participants who have not completed the Orientation. Ms. Furukawa has an Orientation with a Spanish-speaking participant coming up. If there are any selected participants who are interested in completing the Orientation, they can reach out to their Service Coordinators for assistance with scheduling.

Another committee member asked what type of issues prevents participants from completing their Spending Plan. Ms. Keli Radford shared that the following issues may cause a delay in completing the Spending Plan: incorrect line items, incorrect figures, or services left out of the plan.

A committee member asked what RCOC’s plans for Orientation training are once Self-Determination is available for all eligible persons in June 2021. Ms. Furukawa shared that hopefully by then the Orientation training will be recorded for easier access.

IV. Follow-up to 9/25/2020 State Self-Determination Meeting

After the State Self-Determination Meeting on September 25, 2020, the following information was requested from RCOC:

- a. Comparing 12 current SDP participants, how do current compare with previous budgets?
- b. Of the 42 people who have their budgets, how many have been provided Notice of Actions (NOAs)?
- c. Has RCOC been keeping track of unmet needs approved vs. denied?
- d. Are unmet needs causing budget approval delays? If so, why?

Ms. Radford shared that out of the 12 current SDP participants, eight (8) Individual Budgets had identified unmet needs. Additional funds were added to these eight (8) budgets. The other four (4) did not have any unmet needs identified. Out of the 42 people who have their individual budgets, one person received a Notice of Action (NOA).

Ms. Radford shared that RCOC does not keep track of unmet needs that have been denied. RCOC is able to keep track of unmet needs that have been added to the Individual Budget because it is included in the Individual Budget worksheet.

In regards to unmet needs and budget delays, Ms. Radford stated that unmet needs do sometimes cause delays in certifying a budget. These need to be requested through traditional services and go through the planning team process. All service requests go through this way and not all those requests are authorized. The Individual Budget process varies – some services get approved quickly while others not as quickly. When a service does not get approved a Notice of Action (NOA) is sent out. If a SDP participant chooses to go through the appeal process, this process can delay certification of the Individual Budget.

Ms. Karen Millender asked for clarification on how long this process takes and asked if it can take up to 1-2 months. Ms. Radford stated it does not need to take this long since resource groups meet on a weekly basis and planning team meetings can be held at any time. Ms. Radford shared that out of the 12 people who are currently participating in SDP, there were only two (2) Notice of Action (NOA) provided. Ms. Millender stated that the NOA may be a barrier for people to get started.

A member of the public asked what is a NOA. Ms. Radford explains that when an individual or family makes a request for services and RCOC is not in agreement with the request a notice, or NOA, is sent out that starts the appeal process. It is a legal process that outlines what the family requested, why RCOC not in agreement, the legal codes supporting why RCOC is not in agreement, and how individuals can move on and get support with their appeal.

Mr. Bruce Hall asked what steps has RCOC taken to avoid issuing a NOA. Ms. Radford stated that the planning team process is where discussions held. Everyone sits down and

tries to figure out what services and supports can meet needs. There may be generic sources that can meet the need. The planning team meeting can be effective for problem solving and to make sure services are appropriate. There are services RCOC cannot authorize based on the Lanterman Act and in these cases, RCOC needs to issue a NOA.

Ms. Millender asked what services are available for people in SDP due to COVID-19. Ms. Radford shared that for some cases, hours of support were added to the Individual Budget when a family indicated that their child is at home due to COVID-19 and school closures while the parent continues to work.

Ms. Lopez stated that she heard that this DDS Directive for COVID-19 related services has not been extended past November. Ms. Radford stated that the end date for the directive is December 7, 2020 and in the past the Department of Developmental (DDS) has issued the next directive on the day it expires.

Ms. Millender asked if SCs are reaching out to SDP participants and inviting them to the SDPLAC meeting. She stated that SCs should inform participants and their families the importance of these meetings. Ms. Furukawa stated that at the Orientation, attendees are informed of the purpose of the SDPLAC and are invited to attend meetings. In addition, people selected for SDP are notified when a SDPLAC meeting is scheduled.

A member of the public stated that receiving one day notice for a NOA and for services to end may be difficult to handle. Ms. Radford clarified that a 30 day NOA is given if a service is recommended by RCOC to end. Ms. Jacqueline Miller noted that if a family receives additional COVID-19 related support hours it is unusual for these support hours to be terminated without notice. Ms. Radford confirmed that this should not be happening. However, if support hours were put in place because schools were closed due to COVID-19, a NOA may not be needed if the family is in agreement for support hours to end since the child is returning to school.

Mr. Tim Jin commented that the [recent DDS Directive temporarily waives the FMS fees from a person's budget](#). Ms. Radford stated that RCOC spoke to DDS to receive clarification on how to implement this directive and there is no implementation plan yet. DDS confirmed with RCOC that this directive will be most helpful to individuals with smaller budgets and those with new unmet needs due to COVID-19. Ms. Radford shared that RCOC has already been addressing requests for new unmet needs due to COVID-19 prior to this directive.

Ms. Von Thenen stated this is not accurate and that the FMS fee waiver applies to everyone in SDP, not just for those with a smaller budget and unmet needs. There seems to be discrepancy between the DDS directive and what DDS told RCOC. Ms. Radford stated that RCOC was not provided with a financial or budget implementation plan on how FMS fees will be waived and what will happen once the waiver is lifted.

Ms. Judy Mark stated that this DDS directive applies to everyone and will especially help people with lower budgets and is effective October 1, 2020. Mr. Larry Landauer stated that RCOC will implement the directive as prescribed by DDS but at this time there is no information on how to fund the FMS fees and how FMS billing will work for RCOC.

V. Community Input and Barriers to Completing the SDP Process

There were no comments at this time.

VI. Review Request for Proposals (RFP) Draft Form

A sub-committee was created by then-chair, Ms. Rhys Burchill, to determine the funding allocation and to create a draft of the Request for Proposals (RFP). Feedback is requested from committee members and participants on during this meeting.

In regards to the request for a technology consultant, Mr. Hall suggested that applicants should submit samples of previous work for review to make sure it their work fits the need identify by the committee. Ms. Judy Mark stated there is a “clearing house” where people can share information. It is already built and it is free for people to access it. She stated it is not necessary to use the \$18,282 for technology consultation and there have been great success using funds for mentoring.

Ms. Von Thenen stated that at the last meeting, it was agreed that 15 percent of the funds would be used to hire a technology consultant. Ms. Lopez suggests that the committee reconsider the allocation of funds. Ms. Mark stated that at Westside Regional Center, the committee decided to use funds to staff their committee meeting (staff to organize “Meet and Greets” and meetings for the committee).

Ms. Von Thenen shared that it has taken several months for the committee to decide on fund allocation and at this point there is no RFP out yet. The sub-committee was created so that there would be no violation of the Bagley-Keene Act. Ms. Lopez asked Ms. Miller if she had researched to confirm if the sub-committee can meet without violating the Bagley-Keene Act. Ms. Miller confirmed that if there are too many people (a majority of committee members) on the sub-committee, then it would need to be a public meeting

Ms. Lopez stated that the review process needs to be transparent and information needs to be available to any person/agency in the event their proposal was not accepted. Ms. Miller expressed appreciation to the sub-committee that met to create the draft RFP. She stated that the whole committee should review the RFPs and decide who should receive the contract during open public meetings.

VII. Addition of RFP Subcommittee Members

There were no comments during this portion since the RFP will be reviewed by the whole committee.

VIII. Recommendations and Adoption Process in Order to Administer the Self-Determination Grant Process: State Council Response

There was a discussion on how to move forward with allocation of the funds. Ms. Miller made a motion to reduce funds for technology to \$8,282 and to put half of the remaining funds towards “self-advocacy” and the other half towards “coaching.” Use of these technology funds will be determined at a future date. All committee members voted in favor of approving the new reallocation of funds.

Mr. Jin made a motion that the RFP process move forward once the RFP is updated with new allocation of funds - \$78,929.60 allocated to SDP coaching and \$29,643.20 allocated to Self-Advocate Capacity Building toward employment as Independent Facilitators. All committee members voted in favor of moving forward with the RFP process the new reallocation of funds.

Ms. Von Thenen asked for clarification regarding when the funds need to be spent. It was confirmed that funds needs to be used by March 2022.

The RFP will be posted on RCOC’s [website](#) once available.

IX. Nomination of Committee Chair

Due to time limitation, Ms. Lopez recommended that the nomination of committee chair be delayed until the next meeting. Ms. Lopez stated she is available to act as Chair for the next meeting.

A member of the public asked how people get selected to be on the local advisory committee. It was shared that half of the committee members are appointed by RCOC and the other half are appointed by the Orange County Office of the State Council on Developmental Disabilities. People are encouraged to submit their information if they are interested in joining the committee and to continue attending the meetings.

X. Agenda Items and Date of the Next Meeting

The committee agreed to include to the next meeting agenda: Nomination of Committee Chair and review of Request for Proposal submissions.

XI. Adjournment

The meeting was adjourned at 8:36 p.m.