

Regional Center of Orange County

Self-Determination Program Local Advisory Committee Meeting Summary

December 4, 2017

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

Present

Rhys Burchill, Parent

Jyusse Corey, RCOC Peer Advocate

Cathy Furukawa, RCOC Training and Organizational Specialist

Tim Jin, Person Served

Larry Landauer, RCOC Executive Director

April Lopez, Parent

Jacqueline Miller, Clients' Rights Advocate

Michael Rillera, Parent

Christine Tolbert, Orange County Office of the State Council on Developmental Disabilities

I. Welcome and Introductions

Ms. Rhys Burchill 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. Community members in attendance also introduced themselves.

II. Purpose of meeting and how to obtain help with personal issues

Ms. Burchill encouraged members of the public to participate in the Local Advisory Meeting by asking questions and providing comments related to the Self-Determination Program. If there are issues not relating to the Self-Determination Program, members of the public may fill out a card with their contact information and concern so that someone from RCOC can contact them.

III. Approval of Minutes from November 6, 2017 Meeting

The committee reviewed the minutes from the November 6, 2017 meeting, and no changes were suggested. Mr. Michael Rillera gave a motion to approve the minutes, and Mr. Jyusse Corey seconded the motion.

M/S/C to approve the minutes as presented

IV. Adoption of a Civility Policy

Ms. Jacqueline Miller distributed a copy of the “Suggested Civility Agreements” from the Office of Client’s Rights Advocacy. Mr. Rillera gave a motion to approve the committee’s adoption of the Civility Agreements and Mr. Corey seconded the motion. Four members of the committee voted in favor of adopting the Civility Agreements with one abstention.

V. PRESENTATION: Financial Management Services (FMS)

Mr. Victor Lira of Premier Healthcare Services and Ms. Christine Sheppard of Community Interface Services gave a presentation on Financial Management Services (FMS) under the Self-Determination Program. The FMS is the only required vendor under the Self-Determination Program. The individual and the family member have the power to pick which FMS provider and model they wish to use. The FMS provider helps manage and pay for services from an individual’s budget. In addition, the FMS monitors the budget and alerts individuals if they are overspending. The cost of the FMS provider will be deducted from the individual’s annual budget. Even though this may appear that less money is available from the individual budget for direct services, Mr. Lira noted that under the Self-Determination Program people are able to negotiate rates which may be lower than vendored rates since they do not have to pay for costs associated with overhead, office equipment, and administration.

A member of the public asked if the fee for the FMS provider comes from the budget and Mr. Lira confirmed that the fee does come from the budget and the budget is based on the amount spent on services in the past 12 months. There is no increase in the budget to account for the FMS provider fees. He noted that FMS providers are working with the state on the fee schedule and that the fee will vary depending on the type of service.

The FMS provider provides participants and regional centers with a monthly budget statement, disburses funds based on the IPP and budget, and verifies provider qualifications. Service providers need to have legal status to work in the United States

and need to complete a background check and live scan. The FMS provider also ensures that all service providers have applicable licenses/certifications and that services meet Home and Community Based Services (HCBS) requirements.

The three different FMS models were reviewed: Fiscal Agent, Fiscal/Employer Agent, and Co-Employer. In the Fiscal Agent model, services for the individual are provided through a vendor and the FMS pays for services listed in the IPP – there is no employer/employee relationship between the individual served and the service provider. In the Fiscal/Employer Agent model, the individual served or the family member acts as the employer while the FMS assists with employer tasks (i.e. screening, payroll, and tax withholding). In this model, the individual served or the family member needs to have a tax ID number and acquire any necessary insurance as they are liable as the “employer of record.” Any costs related to obtaining worker’s compensation insurance come from the individual budget. The final FMS model, the Co-Employer, allows the FMS provider to share employer roles with the person served or the family member. The FMS provider is the “employer of record” but the individual maintains the ability to hire and terminate providers. The FMS provider maintains liability and provides support to hire and supervise providers.

A member of the public asked what model would be used if a therapist is hired. Mr. Lira said these types of professionals may be 1099 hires, however if there is an established relationship, this may be a provider with a W-2.

A member of the public asked if individuals can change FMS models. Mr. Lira stated that the model may be changed but the individual may need to wait for the end of a quarter for the change.

A member of the public asked how much he or she can charge for tasks completed related to payroll and human resources. It was clarified that family members and parents cannot act as the FMS provider.

A member of the public asked if there are differing fees for each model and Mr. Lira clarified that the Fiscal Agent model is the least expensive since the FMS provider processes less paperwork and bears no liability. The more services there are, the higher the cost.

A member of the public asked if special equipment or apparatus may be included in the budget. The individual and the family works with the IPP team to determine the needs to see if this item can be included in the budget because it meets the need of the disability. Generic resources still need to be used first since RCOC is the payer of last resort.

A member of the public asked if services outside of the state can be included in the budget, such as national conferences or having providers work out of state with the individual served. Mr. Lira noted there is no answer to that question at this time.

A member of the public asked if they need to have an Independent Facilitator and it was clarified that it is their choice if they want to have one or if they would like to have a family member or Service Coordinator act as the Independent Facilitator. Some people pay for an Independent Facilitator for the first year to help establish the Person Centered Plan and do not need one in future years.

A member of the public asked how a budget is determined if they have not had a needed service over a long period of time. Since this is an “unmet need” the individual and family member may ask the regional center to add this service to the budget. In addition, if there is a life change, the budget can be changed.

A member of the public asks what happens if all the money in the budget is not spent. Mr. Lira stated that money in the budget does not roll over into the next year’s budget and unused money goes back to the state. Mr. Lira shared that a pilot program participant had all his needs met and did not spend all the money within his budget. The goal of the Self-Determination Program is to enhance your life so if all your needs are met with the money spent, then the goal is met.

VI. Discussion Regarding Civility Policy

Mr. Tim Jin requested to revisit the Civility Policy that was approved by the committee earlier in case members of the public had any questions about what the policy entails and how it will be used. Ms. April Lopez noted that when voting on a motion, after an initial and second motion to approve, there should be time for a discussion before the whole committee votes. Ms. Miller confirmed these steps noted by Ms. Lopez are appropriate. Ms. Miller reviewed the “Suggested Civility Agreements” which states the values for effective teamwork and states that everyone should be treated with respect and dignity. Ms. Burchill asked that a motion to adopt this policy again be made. Mr. Rillera gave a motion to approve the committee’s adoption of the Civility Agreements and Mr. Corey seconded the motion. The motion was adopted unanimously.

VII. Public Comments

A member of the public asked if informational meetings are scheduled yet. Ms. Christine Tolbert shared that State Council on Developmental Disabilities has an informational meeting scheduled for February 6, 2018 in the evening. They will also hold a meeting in the mid-afternoon. Committee members discussed potentially holding an informational

meeting during one of the Local Advisory Committee Meetings. Ms. Judy Mark noted that the purpose of the Local Advisory Committee is to provide oversight and checks and balances over the Regional Center in matters regarding Self-Determination and suggested that the time during the Local Advisory Committee meeting not be used for an informational meeting.

A member of the public asked where she can obtain more information regarding upcoming informational meetings. Mr. Landauer noted that more information will be posted on the RCOC website. He also suggested that interested persons add their email to the interest list to receive emails on informational dates once they are scheduled.

A member of the public shared that oftentimes parents hear about the Self-Determination Program but they do not have information on the program. She stated that she gets information from other parents and attends meetings in Los Angeles County for more information. She requested for more details on the program and how it works.

A member of the public stated this is the second Local Advisory Committee that she has attended. She also attended the “Train the Trainer” session hosted at San Gabriel Pomona Regional Center and stated that she received good information. She suggested that people be provided with more information as to prevent further confusion.

Ms. Lopez noted that notices on informational meetings need to be sent to everyone and not just people on the interested list. In addition, she said that people in the community may not have access to computers so Service Coordinators need to be creative with getting information to people.

Ms. Mark shared that she is hosting a Person Centered Planning workshop on January 23, 2018.

Mr. Jin noted that he is having issues with receiving emails from the RCOC distribution list and stated that other people may be having similar issues.

A member of the public said that her Service Coordinator did not know what the Self-Determination Program and asked why an informational meeting cannot be held during a Local Advisory Committee meeting. Ms. Mark encouraged that informational meetings be given by parents and individuals served so that people within the community can hear from each other. Mr. Landauer stated that Service Coordinators are being trained on Person Centered Thinking which is part of this process. Service Coordinators will also be trained on the Self-Determination Program so they are equipped with information for the families they serve.

A member of the public asked if people living in facilities are eligible for the Self-Determination Program. It was clarified that people living in facilities are only eligible if there is a plan to transition out of the facility.

A member of the public shared her concern that the expectations of parents, were their child selected, may be greater than the information being made available

Mr. Corey shared that the Department of Developmental Services (DDS) has an online portal people can use to confirm if DDS has received the name to be considered for the Self-Determination Program Lottery once it becomes available. Mr. Jim Knight of DDS stated that people will also get a letter acknowledging their name has been received.

VIII. Agenda Items for the January 8, 2018

A member of the public asked for information regarding Independent Facilitators be included on the agenda. Ms. Tolbert stated she will invite an Independent Facilitator to present at the next meeting.

IX. Adjournment

The meeting was adjourned at 8:15 p.m.

These were changes to the minutes of the December 4, 2017 Self-Determination Program Local Advisory Committee Meeting requested by Ms. Jacqueline Miller at the January 6, 2018 Self-Determination Program Local Advisory Committee Meeting

“A member of the public said that her Service Coordinator did not know what the Self-Determination Program and asked why an informational meeting cannot be held during a Local Advisory Committee meeting. Ms. Mark encouraged that informational meetings be given by parents and individuals served so that people within the community can hear from each other. *Mr. Jin offered to be a presenter at a future informational meeting.* Mr. Landauer stated that Service Coordinators are being trained on Person Centered Thinking which is part of this process. Service Coordinators will also be trained on the Self-Determination Program so they are equipped with information for the families they serve.”