



**Council Meeting Minutes  
March 21, 2013**

**Members Present**

April Lopez  
Brian Gutierrez  
Bill Moore  
Carmela Garnica  
Catherine Blakemore  
Dan Boomer  
Eric Gelber  
Janelle Lewis  
Jennifer Allen  
Jonathan Clarkson  
Jorge Aguilar  
Kerstin Williams  
Kris Kent  
Molly Kennedy  
Nicole Smith  
Olivia Raynor  
Ray Ceragioli  
Rebecca Donabed  
Robert Jacobs  
Robin Hansen

**Members Absent**

David Forderer  
Feda Almaliti  
Heidi Smyers  
Kecia Weller  
Max Duley  
Patty O'Brien-Peterson

**Other Attending**

Anastasia Bacigalupo  
Anonymous  
Bob Phillips  
Carlene Holden  
Chris Arroyo  
David Grady  
Dawn Morley  
Dena Hernandez  
Denis Craig  
Eileen Richie  
Fiaz  
Holly Bins  
Jennifer Brown  
Joe Bowling  
Jonathan Reich

**Others Attending (continued)**

Kathy Tucker  
Kristie Allensworth  
Kristin Jacobsen  
Lisa Cooley  
Lisa Davidson  
L M Slultg  
Louis Vismara  
Mark Polit  
Mary Agnes Nolan  
Mary Ellen Stives  
Melissa Corral  
Nancy Wong  
Patricia Sturdevant  
Randy Brown  
Rene Macleay  
Roberta Newton  
Robin Maitino  
Sam Seaton  
Sarah Greenseid  
Sarah May  
Susan Eastman  
Szandra Keszthelyi  
Vicki Smith

**1. CALL TO ORDER/ESTABLISHMENT OF QUORUM**

Jorge Aguilar, Chairperson called the meeting to order at 10:10 a.m. and a quorum was established.

**2. WELCOME AND INTRODUCTIONS**

Members and others attending introduced themselves.

**3. PUBLIC COMMENT**

Anonymous spoke stating that the Golden Gate Regional Center (GGRC) met and announced that they were not going to respond to his claim filed with them on November 20, 2012.

He went on to say that GGRC felt they are not held by their performance contract with the state. According to anonymous, he does not know who writes this trailer bill language. Anonymous thinks that somebody at the Department of Developmental Services (DDS) sits there the night before the budget passes and says I know how to fix this problem, drafts something up, and then no one ever really reads the language before it passes.

**4. APPROVAL OF JANUARY 2013 MEETING MINUTES**

It was moved/seconded (Clarkson/Boomer) and carried to approve the January 16, 2013, Council meeting minutes as presented.

**5. ADMINISTRATIVE COMMITTEE**

Molly Kennedy provided the report on the Administrative Committee. She explained that the Committee is tasked with overseeing administration, policies that relate to administrative matters, and fiscal issues. The Committee is currently doing a basic review of administrative/fiscal matters to see what changes need to added, changed, and implemented.

At the last meeting the Committee looked at SCDD's staffing level, which can be found on pages 80-83 of the packet. The reports included filled and vacant position. The Committee also went over the current budget on pages 58 and 59 of the packet. As part of their responsibilities, the Committee will continue to monitor the budget. Council members expressed interest in seeing a more detailed budget.

## **6. PANEL PRESENTATION ON AUTISM INSURANCE COVERAGE**

In 2010, Senate Bill (SB) 946 was signed into law mandating that private insurance companies cover autism related behavioral health treatments as a medical expense. The autism community and other disability advocates worked hard in support of this legislation so that families would have access to autism interventions through their private insurance.

In response to questions from families across California, Area Board's 9 and 13 queried their communities on the difficulties families were having and sought input from other area boards. This led to the development of the SB 946 Challenges Overview that was included in the Council packet. This Overview served as a discussion piece to help address implementation issues arising from the mandate. Furthermore, area boards have distributed an on-line survey to families across California to obtain additional information on their experiences while trying to obtain insurance coverage for their children.

Seeing a further need, Area Board's 9 and 13 arranged to have presenters representing Senator Darrell Steinberg's office, the Department of Insurance, the Department of Managed Health Care Services, the Association of Regional Center Agencies, and Autism Deserves Equal Coverage speak to the Council and take questions regarding SB 946 implementation.

The full interactive presentation was recorded and will be made available at [www.scdd.ca.gov](http://www.scdd.ca.gov).

## **7. EMPLOYMENT FIRST COMMITTEE (EFC)**

Mark Polit provided the EFC report in Kecia's absence. The Committee met on February 5, 2013 and discussed the SCDD EFC Self-Advocate Team 2013 Data Collection Project; reviewed the final 2012 Annual Report of the Employment First Committee; and adopted a third priority to work on, participation of under-represented groups. The Committee decided to focus their work in the coming year on passage of the employment first policy, the interaction of work and public benefits, employment data, and education of employers.

## 8. FEBRUARY EXECUTIVE COMMITTEE ACTIONS

Jorge Aguilar provided the Executive Committee report on behalf of Jennifer Allen. Jorge reported the following action(s) taken during the Committee's closed session on February 12<sup>th</sup>: action one (1) was to appoint Roberta Newton as Interim Executive Director; and action two (2) was to pursue retroactive pay for Roberta from her appointment date as Acting Executive Director. Please note: since that time SCCD has been told by CalHR that Roberta will be unable to receive retroactive pay.

Jorge went on to report the approval and submittal of the Program Performance report and status of the Regional Center's Conflict of Interests stating that due to inadequate information, the Executive Committee took no action on the Shorter and Padilla waiver requests. The Committee also provided DDS input on the proposed COI regulations, recommending that DDS be permitted to approve or deny regional center board or staff waiver requests with or without SCDD input.

## 9. BYLAW REVISION

It was moved/seconded (Kennedy/Hansen) and carried to approve the following changes to the Bylaws:

- (1) On the cover – add notation “REVISED ON: \_\_\_\_\_ and CERTIFIED BY THE SCDD ON:\_\_\_\_\_.”
- (2) As a header throughout the bylaws add the “revision date: \_\_\_\_\_ on the top left and page # of # on the right.”
- (3) On page 7, capitalize “Chairperson and Vice-Chairperson.”
- (4) On page 8, remove formatting error.
- (5) On page 11, make capitalization changes and bring the language into compliance with Welfare and Institutions Code Section 4535.

- (6) On page 14-15, add SAAC proposed language clarifying mission and adding a standing representative to the Statewide Self-Advocacy Network.

Additional amendments were proposed and deferred to the Executive Committee for action.

#### 10. **CLOSED SESSION – PERSONNEL**

The Council went into closed session.

#### 11. **RECONVENE OPEN SESSION**

The following items were reported out by Jorge Aguilar in open session:

It was moved/seconded and passed that the Council accept all ten (10) recommendations in the audit dated November 29, 2012. The Council directed the Interim Executive Director to provide an action plan within 14 calendar days to address each recommendation with timelines and provide the full Council with the copy of this plan.

Jorge also reported that the full Council would like a copy of the Orientation Binder and an email with all future meeting dates and locations.

#### 12. **LEGISLATIVE AND PUBLIC POLICY**

Ray Ceragioli reported on the Committee's January 24<sup>th</sup> and March 12<sup>th</sup> meetings and went over what was included in the Council packet as well as the handout that was provided to the whole Council. No action taken, items were referred to the Executive Committee for action.

Additionally, Ray invited Catherine Blakemore to speak on a recent settlement consisting of 3 pieces of litigation that prevented certain program reductions from being implemented. Catherine stated that several years ago the state proposed to enact cuts to IHSS services based on consumers' functional index scores. This would have reduced or eliminated services for 40,000 or more people. The state also

proposed to enact a 20% cut to consumers' IHSS hours and reduced wages for IHSS workers.

The settlement resolved the three pieces of litigation by:

- Replacing the permanent 20% cut in IHSS hours with a temporary 8% cut in July 2013. (This is an additional 4.4% on top of the 3.6% current cut.)
- Reducing the cut to 7% (3.4% on top of the 3.6% current cut) in July 2014.
- Restoring the hours lost from the 7% cut as early as the spring of 2015 if the State obtains federal approval of a provider fee which could bring significant new federal revenue to California.
- Committing any savings from retroactive federal approval of the new provider fee to fund a program to benefit IHSS recipients, such as the SSI Special Circumstances program, which was used to pay for refrigerators and stoves, rent to avoid eviction and other emergency needs but has not been funded in the budget for many years.

Finally, Catherine directed people to DRC's website for a copy of the full press release. The web address is [http://www.disabilityrightsca.org/news/2013\\_newsaboutus/pressrelease\\_20130319.htm](http://www.disabilityrightsca.org/news/2013_newsaboutus/pressrelease_20130319.htm).

### 13. **SPONSORSHIP REQUESTS**

#### ***The California Youth Leadership Forum (YLF)***

YLF is an innovative, intensive five-day career and leadership training program for high school juniors and seniors with disabilities. YLF is presented in an entertaining and educational format in Sacramento. YLF is requesting the renewal of annual funding in the amount of \$10,000 for the fiscal year 2013-14.

SCDD funding will ensure participation of at least 10 student delegates with developmental disabilities in the California Youth Leadership Forum for Students with Disabilities.

It was moved/seconded (Clarkson/Boomer) and carried to award \$10,000 to YLF for people with developmental disabilities to participate in this program.

***United Cerebral Palsy (UCP) of San Diego County***

UCP is requesting a sponsorship in the amount of \$999 for Project College. Project College is a week-long on-campus living and learning experience for youth (ages 17-22) with developmental disabilities who have a goal to attend college. The program addresses areas critical to college success in four primary areas: academic achievement; campus connections; healthy lifestyles; and new perspectives.

SCDD funds would be used to assist in paying stipends for the staff who provide supervision and support throughout the week.

It was moved/seconded (Raynor/Garnica) and carried to award \$999 to UCP for people with developmental disabilities to participate in this program.

***Disability Capitol Action Day (DCAD)***

Disability Action Coalition (DAC) has invited SCDD to join them by sponsoring DCAD 2013. DCAD is the nation's largest and most diverse cross-disability annual day of unity. Persons with disabilities come to DCAD to share a unifying experience with their community at the solidarity march, learn from the vendors at the resource fair, and become better informed by our speakers at the educational rally.

SCDD funds would be used to help support event material and logistics.

It was moved/seconded (Blakemore/Kennedy) and carried to sponsor DCAD at the Gold Level of \$4,999.99 so people with developmental disabilities participate in this program.

14. **AD-HOC SEARCH COMMITTEE**

Jorge Aguilar provided the March 19<sup>th</sup> Ad-Hoc meeting report and an additional handout which included the proposed Executive Director Draft Job Announcement as well as a proposal from CPS HR Consulting to provide their recruitment services for a new executive director.

It was moved/seconded (Blakemore/Lewis) and carried to use the outside recruitment agency, CPS HR Consulting, for the recruitment of the new executive director.

It was moved/seconded (Boomer/Hansen) and carried to approve the Draft Job Announcement for the Executive Director as a starting point for CPS HR Consulting to use as a starting point for the duty statement.

15. **PROGRAM DEVELOPMENT COMMITTEE (PDC)**

Janelle Lewis provided the PDC report for the March 5<sup>th</sup> meeting. The March 5<sup>th</sup> agenda items included the Jay Nolan Community Services grant implementation and two Self-Advocacy Requests for Proposals (RFP).

The Jay Nolan update led to questions from the Council concerning recent allegations of abuse. Council members were very concerned about the allegations and requested more information.

The Council had directed PDC to develop a Self-Advocacy RFP that would support self-advocates in the Council's Self-Advocate Advisory Committee, the Employment First Committee, and the Statewide Self-Advocacy Network. As a result, PDC developed two Self-Advocacy RFPs for the Council approval. One RFP would focus on facilitation support and the other would encompass all other self-advocacy support services, such as planning, agenda development, leadership development, etc.

It was moved/seconded (Kennedy/Clarkson) and carried to approve both Self-Advocacy RFPs as presented.

16. **SELF-ADVOCATES ADVISORY COMMITTEE(SAAC)/  
STATEWIDE SELF-ADVOCATES NETWORK (SSAN)**

Jennifer Allen gave the SAAC and SSAN reports. SAAC met on March 19<sup>th</sup> and was unable to take any action due to a lack of quorum. The Committee did however make the following recommendation to the Council regarding the Bylaws:

- SAAC recommends that the language in the Bylaws under SAAC Committee be revised to state that SAAC membership be made up of self-advocates who choose to be on the SAAC.

Jennifer went on to say that SSAN met on February 28<sup>th</sup> – March 1<sup>st</sup>. Some of the items covered in that 2-day meeting included:

- A talent and interest survey designed to identify individual attributes and special skills of each member.
- Region reports, what is going on in their area.
- Various reports and presentations on topics like the Convention of the Rights of Persons with Disabilities; Bagley Keene Act, Self-Advocacy RFP Status; SCDD Legislation; and Self-Determination were also provided.

Jennifer expressed great satisfaction with the progress of SSAN since its inception in 2012.

#### 17. **NEW REGIONAL CENTER CONFLICT OF INTEREST WAIVER REQUESTS**

Due to a loss of quorum the waiver requests were referred to the Executive Committee to take action on.

#### 18. **STAFF REPORTS**

Roberta Newton provided a report to the Council on activities completed since the January Council meeting. This detailed report included an update on personnel issues, sequestration, SSAN, new member orientation and AIDD news.

##### Personnel

Roberta and Mark interviewed and selected a candidate for the Legislative and Public Policy Manager. They are currently awaiting Governors approval for their selection. Roberta also met with CalHR to receive permission to hire a retired annuitant to assist in fiscal matters.

Area Board's 5 and 7 are currently conducting interviews for their executive director vacancies.

### Sequestration

SCDD completed a drill required by the Department of Finance to submit requested a plan on absorbing the anticipated reductions. This plan will be submitted to the Administrative Committee.

### SSAN

Roberta reported that the February SSAN meeting was the first to take place without BRC support. The meeting was a great success. Various staff agency-wide along with self-advocates worked together to ensure a productive meeting.

### New Member Orientation

Roberta held a new member orientation on March 8<sup>th</sup> for the Council's newest members. This orientation provides an opportunity for SCDD to provide resources and important information to members in a timely fashion. They are provided a new member binder and are encouraged to ask questions.

### AIDD

Roberta provided an update on the follow-up activities with AIDD since their visit in January. She was disappointed to inform the Council that technical assistance opportunities had been derailed due to sequestration. Roberta did however inform the Council that she is currently looking into training alternatives.

Mark Polit provided his report by starting off with the various committees he's responsible for overseeing (LPPC, PDC, and EFC). He will also be responsible for the Strategic Planning Committee which has not met since before his appointment. He talked about the mission of each of his committees and went on to discuss his additional responsibilities which include the State Plan. Mark is planning on conducting interviews in the next week for the Program and Planning Specialist and hopes to have a recommendation for the Governor's office soon. Mark represents the Council at numerous hearings and is involved with various outside stakeholder groups.

Finally, Mark talked about his meeting with Jay Nolan and stated that they have already started meeting with families in San Diego and Los Angeles and recruiting schools. Mark is very pleased with the work they have completed thus far to fulfill the contractual requirements.

Vicki Smith provided the area boards report on behalf of all the area board executive directors (EDs). Vicki started by stating that the executive director's met on March 19<sup>th</sup> and that Jorge Aguilar attended the meeting and took time to address any questions the ED's may have had.

In the past, the area board EDs provided written reports to the Council as a way to bring more communication. However, in recent years this process was abolished. The Interim Executive Director felt that this method of communication and transparency was important to reinstate and reestablished it.

Vicki hit on some important bullets for each area board and directed members to pages 280-300 of their packets for the full snapshot of area board achievements.

19. **COUNCIL MEMBER UPDATES**

There were no reports from Council members.

20. **ADJOURNMENT**

Meeting was adjourned at 5:05 p.m.