



STATEWIDE SELF-DETERMINATION ADVISORY COMMITTEE MEETING NOTICE/AGENDA

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PARTICIPANT CODE:	2982825

DATE: Thursday, March 3, 2016

TIME: 10:00 a.m. – 5:00 p.m.

LOCATION: Westside Regional Center, Boardroom
5901 Green Valley Cir
Culver City, CA 90230
Phone: (310) 258-4000

Pursuant to Government code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Robin Maitino at (916) 322-8481 or email robin.maitino@scdd.ca.gov. Requests must be received by 5:00 pm, February 29, 2016.

1. **CALL TO ORDER** A. Lopez
2. **ESTABLISH QUORUM** A. Lopez
3. **WELCOME** A. Lopez
 - Role of Statewide Self-Determination Advisory Committee
 - Meeting Objectives and Agenda
 - Bagley-Keene and Robert's Rules of Order
4. **INTRODUCTIONS/UPDATES FROM LOCAL SELF-DETERMINATION ADVISORY COMMITTEES** All
 - What is one thing that is working well in your region?
 - What is one thing that you could use support with in your region?

For additional information regarding this agenda, please contact Robin Maitino, 1507 21st Street, Ste. 210, Sacramento, CA 95811, (916) 322-8481. Documents for an agenda item should be turned into SCDD no later than 12:00 p.m. the day before the meeting to give members time to review the material. The fax number is (916) 443-4957.

5. **SELF-DETERMINATION PROGRAM EXPECTATIONS** C. Blakemore
 - Overview of the Program
 - Legal Requirements
 - Roles and Responsibilities
6. **PANEL PRESENTATION**
 - Why is Self-Determination Important?
 - Perspectives from the Existing Pilot Program
7. **PERSON-CENTERED PLANNING EXERCISE**
8. **LUNCH**
9. **UPDATE ON SELF-DETERMINATION WAIVER** J. Knight
10. **OVERVIEW OF FINANCIAL MANAGEMENT SERVICES**
11. **ROUNDTABLE DISCUSSION** All
 - Address Questions from Local Committees
 - Information Sharing and Best Practices
12. **NEXT STEPS** A. Lopez
 - What Can Local Self-Determination Advisory Committees Do While Waiting for Waiver Approval?
 - Next Meeting Dates
 - What Went Well/What Could Be Improved for Next Meeting?
13. **PUBLIC COMMENTS**

*This item is for members of the public only to provide comments and/or present information to the Council on matters **not** on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first.*
14. **ADJOURNMENT** A. Lopez

**Statewide
Self-Determination
Advisory Committee**
 March 3rd, 2016

Self-Determination Principles

- **Freedom** to exercise the same rights as all citizens; to establish, with freely chosen supports, family and friends, where they want to live, with whom they want to live, how their time will be occupied, and who supports them;
- **Authority** to control a budget in order to purchase services and supports of their choosing;
- **Support**, including the ability to arrange resources and personnel, which will allow flexibility to live in the community of their choice;
- **Responsibility**, which includes the opportunity to take responsibility for making decisions in their own lives and accept a valued role in their community, and
- **Confirmation**, in making decisions in their own lives by designing and operating the service that they rely on.

Role of Statewide Self-Determination Advisory Committee

- Identify self-determination best practices, effective consumer and family training materials, implementation concerns, systemic issues, ways to enhance the program
- Make recommendations regarding the most effective method for participants to learn of individuals who are available to provide services and supports

Meeting Objectives

- Clarify and share our strengths and needs
- Understand the roles of the local Self-Determination Advisory Committees vs. the Statewide Self-Determination Advisory Committee
- What is the status of the Self-Determination Waiver and how can we move forward effectively in our local communities until the Waiver is approved?



**OPEN MEETING
BASICS**

March 2016

Open meetings – State of CA

To make sure meetings are legal and run smoothly, you should follow the rules of:

1. The Bagley-Keene Act
2. Roberts Rules of Order

BAGLEY-KEENE

Open meetings: Bagley-Keene Act
Purpose

It's law that:

The "people's business" is to be conducted
openly.

(GC §§11120.)

Open meetings: Bagley-Keene Act
Purpose

Bagley-Keene Act rules let the public know:

- **When** the committee is having a meeting and **what** will be discussed
- That there is a chance for the **public** to **comment** on committee business
- **How** committee decisions are made

Open meetings: Bagley-Keene Act
What is a meeting?

The Bagley-Keene rules apply to "meetings."

A meeting is:

- A congregation ("get-together") of
- A **majority** of the members of the committee
- To **hear, discuss, or deliberate**
- On a **subject** that the committee is authorized to deal with

(GC §11122.5.)

Open meetings: Bagley-Keene Act Notice Rules

The Bagley-Keene Act has notice requirements including:

- Notice of regular meeting must be sent out at least **10 days** in advance. We do this with an agenda.
- Notice must include:
 - The **name, address and phone number** of a person who can give more info
 - **Website address** where the notice is posted
 - **Short description** of all items to be discussed
- Notice must be posted online and sent to all committee members and people who request it (GC §11125.)

Open meetings: Bagley-Keene Act

MAIN POINTS:

There must be 10 day notice for all meetings.

Discussion outside of a scheduled meeting could be a "meeting":

- Depends on the issue discussed
- Depends on the number of members involved in the discussion

- Phone calls, emails and text messages count!

Open meetings: Bagley-Keene Act Other Important Rules

- Must report the vote of every member
- No secret ballots
- No proxy votes
- No emailing or texting during a meeting
- Materials given to members must be available to the public at the same time
- Must be opportunity for public comment
- You can ask but can't make someone give their name or sign-in in to attend the meeting or give public comment
- There are special teleconference rules

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ROBERT'S RULES OF ORDER

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Open meetings: Robert's Rules of Order
Purpose

Your committee can choose to use Robert's Rules of Order.

Some reasons for using Robert's Rules of Order:

- To set the rules for running the meeting
- To provide for order, fairness and decorum
- To help with the decision making process
- To help meetings be efficient

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Open meetings: Robert's Rules of Order
Role of the Chair

If you use Robert's Rules of Order, a few important responsibilities of the Chair are to:

- Call meeting to order
- Introduce agenda items
- Recognize speakers
- Maintain order
- Put motions to a vote
- Announce the vote result
- Adjourn the meeting

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Open meetings: Robert's Rules of Order
Some Actions You Can Take in a Meeting

During a meeting, you may want to:

Bring up a new idea or action
 By saying "I move that ____."

Change wording of a motion
 By saying "I move that the motion be amended by ____."

Stop discussion because you think there's been enough debate and vote on the motion
 By saying "I move the previous question." (requires a 2/3 vote)

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Open meetings: Robert's Rules of Order
Some Actions You Can Take in a Meeting (Cont'd.)

During a meeting, you may want to:

Postpone a motion or matter until a later time
 By saying "I move to postpone the motion until ____."

Ask for clarification if you are confused about a procedure
 By saying "Point of Information" and asking your question

Make sure the agenda is being followed
 • By saying "I call for the orders of the day."

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Open meetings: Robert's Rules of Order
Remember

Remember:

- The Rules are meant to *help* you conduct the meeting, not to make things harder.
- And a committee can always decide to suspend the rules with a 2/3 vote.

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Updates from Local Advisory Committees

- What is one thing that is working well in your region?
- What is one thing that you could use support with in your region?

PERSON-CENTERED PLANNING

Statewide Advisory Committee

March 3, 2016

By Judy Mark

Government & Community Relations, Autism Society of Los Angeles



THE SELF- DETERMINATION LAW

The Self-Determination Law states: 4685.8. (a) The Department shall ensure:

- (C) Comprehensive person-centered planning, including an individual budget and services that are outcome based.
- (D) Consumer and family training to ensure understanding of the principles of self-determination, the planning process, and the management of budgets, services, and staff.
- (E) Choice of independent facilitators who can assist with the person-centered planning process and choice of financial management services providers vendored by regional centers who can assist with payments and provide employee-related services.

NEW HCBS RULES BY CENTERS FOR MEDICAID SERVICES

- Service planning for participants in Medicaid HCBS programs must be developed through a person-centered planning process that addresses health and long-term services and support needs in a manner that reflects *individual preferences and goals*.
- The rules require that the person-centered planning process is *directed by the individual* with long-term support needs, and may include a representative whom the individual has freely chosen and others chosen by the individual to contribute to the process.
- This planning process, and the resulting person-centered service plan, will assist the individual in *achieving personally defined outcomes in the most integrated community setting*, ensure delivery of services in a manner that reflects personal preferences and choices, and contribute to the assurance of health and welfare.

CMS - ESSENTIAL FEATURES OF PERSON-CENTERED PLANS

- Provides necessary information and support to the individual to ensure that the individual drives and directs the process to the maximum extent possible
- Is conducted to reflect what is important to the individual to ensure delivery of services in a manner reflecting personal preferences and ensuring health and welfare
- Identifies the strengths, preferences, needs (clinical and support), and desired outcomes of the individual
- Is timely and occurs at times/locations of convenience to the individual
- Reflects cultural considerations/uses plain language
- Includes strategies for solving disagreement
- Offers choices to the individual regarding services and supports the individual receives and from whom
- Provides method to request updates

VALUES OF PERSON-CENTERED PLANNING

- **Presume competence** – Each individual can direct the planning process, achieve goals, and build a meaningful life.
- **Behavior is communication** – Every individual can express preferences and make choices that should be honored.
- **Respect cultural diversity** – An individual's cultural background should be recognized and valued.
- **Maintain health and safety** throughout life, changing with circumstances.
- **Support individuals to live where and with whom they want** – The individual defines who is their community.

WHAT MAKES A MEANINGFUL PLAN?

A person-centered plan is not only about services and funding; it's first about dreams and goals (some will require funding and services and some will not).

**It's not about what's available...
it's about what's possible!**

WHO LEADS A PERSON-CENTERED PLAN?

- The participant can hire an Independent Facilitator to assist them and their family with the person-centered planning and IPP processes.
- The I.F. can advocate and negotiate at IPPs and with service providers.
- The I.F. is paid from the Individual Budget.
- If the participant elects not to use an independent facilitator, he or she may use their regional center service coordinator to lead their person-centered plan.

PRE-PLANNING

A Pre-Planning Meeting with your Independent Facilitator will help you get familiar with one another, make some important decisions, and gather important information. Questions to address in pre-planning might include:

- Who are the important people in your life who you want to invite to participate in your person-centered planning meeting?
- When and where will your person-centered planning meeting take place?
- What role do you want to have in your meeting? Who will take a lead in gathering information during the meeting?
- Which person-centered method will be used to develop your person-centered plan?
- It can also be helpful to work with your Independent Facilitator to develop a personal history that includes your description of your hopes, fears, dreams and personal preferences. You can have others who know you well contribute to this information if you'd like.

WHAT HAPPENS AT THE PLANNING MEETING?

- It should be in a comfortable setting chosen by the focus person and his or her family. The facilitator is there to coordinate the discussion, not to make decisions for the person or any other participant.
- The primary goal of the planning meeting is to identify what can be accomplished and put a plan into action. At the planning meeting, the participants may:
 - Review the personal profile or other information already gathered and make additional comments and observations.
 - Identify ongoing events that are likely to affect your life, such as conditions that promote or negatively affect your health.
 - Share visions for the future. Through brainstorming, imagine ways to increase opportunities.
 - Identify obstacles and opportunities that give your vision a real-life context. Identify strategies and action steps for implementing the vision.
 - Create an action plan. Action plans identify what is to be done, who will do it, when the action will take place. It is best to identify action steps that can be completed within a short time.
 - Decide when to meet again.

A WELL-WRITTEN PERSON-CENTERED PLAN

- Provides opportunities to seek employment and work in competitive, integrated settings
- Gives the opportunity to engage in community life, control personal resources, and receive services in the community to the same degree of access as individuals without disabilities
- Includes individually identified goals and preferences related to relationships, community participation, employment, income and savings, healthcare and wellness, education and others
- Includes risk factors and plans to minimize them
- Is signed by all individuals and providers responsible for its implementation and a copy of the plan must be provided to the individual and his/her representative
- Is distributed to the individual and others involved in the plan
- Excludes unnecessary or inappropriate services and supports

FOLLOW UP TO THE PLANNING MEETING

- Make sure that at each follow-up meeting the team:
- Establishes the time and place of the next follow-up meeting.
 - Establishes the list of participants.
 - Reviews the Action Plan/To Do List from the previous meeting
 - Lists all activities that occurred in the past.
 - Lists all of the barriers/challenges that occurred.
 - Brainstorms new ideas and strategies for the future.
 - Sets priorities for the next agreed upon time period (6 months/12 months).
 - Establishes renewed commitment by those participating.
 - Lists five to ten concrete steps for the team to follow.
 - Always celebrates the successes!

THE RELATIONSHIP BETWEEN A PCP AND AN IPP

According to the Self-Determination Law:

“The IPP team shall utilize the person-centered planning process to develop the IPP for a participant. The IPP shall detail the goals and objectives of the participant that are to be met through the purchase of participant-selected services and supports. The IPP team shall determine the individual budget to ensure the budget assists the participant to achieve the outcomes set forth in his or her IPP and ensures his or her health and safety. The completed individual budget shall be attached to the IPP.

The participant shall implement his or her IPP, including choosing and purchasing the services and supports allowable under this section necessary to implement the plan. A regional center shall not prohibit the purchase of any service or support that is otherwise allowable under this section.”

FINAL THOUGHTS

“When done thoughtfully, person-centered planning creates a space of empowerment—a level playing field—that allows for consideration of personal preferences as well as health and safety needs, without unnecessarily restricting freedoms. The best person-centered planning helps people to live better lives, with support to do the things most important to them.”

*U.S. Department of Health and Human Services,
Administration for Community Living Guidance, 2014*

CALIFORNIA'S SELF-DETERMINATION PROGRAM

Statewide Advisory Committee

March 3, 2016

By Judy Mark

Government & Community Relations, Autism Society of Los Angeles



GOVERNOR BROWN SIGNING SELF-DETERMINATION BILL



OVERSIGHT OF THE SELF- DETERMINATION PROGRAM

- Each regional center must have a volunteer Local Advisory Committee. Majority of members must be consumers and family members. Half are appointed by the regional center and the other half by the local State Council on Developmental Disabilities (SCDD). Clients' Rights Advocates are also part of the committee.
- SCDD will convene a statewide advisory committee consisting of the chairs of the 21 committees to identify best practices, design effective training materials, and make recommendations for improvements.

THE LOCAL ADVISORY COMMITTEES

From Self-Determination Law (SB 468)

- Provide oversight of the Self-Determination Program.
- Review the development and ongoing progress of the Self-Determination Program, including whether the program advances the principles of self-determination and is operating consistent with the law.
- Make ongoing recommendations for improvement to the regional center and the department.

ROLES OF LOCAL ADVISORY COMMITTEES

Activities of committees throughout California:

- Developing outreach flyers and materials to distribute.
- Meeting with various support groups, Consumer Advisory Committees, provider organizations, and other groups about the Self-Determination Program.
- Holding informational meetings for community in various languages and throughout their region.
- Contracting with family/consumer-led organizations to provide training and outreach.
- Training staff/service coordinators.
- Will be setting dates for Pre-enrollment Informational Sessions and leading the meetings.
- Working to ensure a diverse population submits names for phase-in period selection.

TIME FOR A TEST...

You think you a lot about the Self-Determination Program?

Are you ready?

Really ready?

MAJOR DIFFERENCES BETWEEN TRADITIONAL AND SELF-DETERMINATION PROGRAMS

Who decides what services and who provides them?
Traditional: Regional Center & IPP Team *Self-Determination:* Consumers and/or their families

Who pays the bills?
Traditional: Regional Center *Self-Determination:* Financial Management Service

Responsibilities of consumers and families:
Traditional: Participate in IPPs *Self-Determination:* Trainings, planning, work with FMS, supervise staff/agencies

MAJOR DIFFERENCES BETWEEN TRADITIONAL AND SELF-DETERMINATION PROGRAM

Do service providers need to be vendored (authorized) by the regional center?
Traditional: Yes *Self-Determination:* No, except for the FMS

Who monitors the quality of service providers?
Traditional: Regional Center *Self-Determination:* Consumers and/or families

What kind of services can be provided?
Traditional: Subject to restrictions by legislature and preferences of regional centers *Self-Determination:* Wide range of services including those that are restricted. Must abide by HCBS Rules and use generic resources first.

QUESTION 1

Which principle of Self-Determination gives the consumer the right to control a certain sum of dollars?

- a. Freedom
- b. Authority
- c. Support
- d. Responsibility
- e. Confirmation

QUESTION 2

Only consumers who are adults over the age of 22 are eligible for the Self-Determination Program:

- a. True
- b. False

QUESTION 3

For the first three years, how many consumers will be part of the phase-in period?

- a. 10,000
- b. 5,000
- c. 2,500
- d. 1,000

QUESTION 4

After the phase-in period, the Self-Determination Program is available to all eligible consumers.

- a. True
- b. False

QUESTION 5

Which is NOT part of the responsibilities of SDP participants?

- a. Go through an orientation and training
- b. Develop a person-centered plan
- c. Meet with their regional center service coordinator every month
- d. Work with a Financial Management Services
- e. Make sure they don't overspend their budget

QUESTION 6

The Individual Budget of a consumer is based on:

- a. The last calendar year's expenditures
- b. The last 12 months of authorized services
- c. The last 12 months of expenditures
- d. The budget that results from the Person-Centered Plan

QUESTION 7

A consumer can request a change in his/her budget for the following reasons (choose all that apply):

- a. A change in circumstances
- b. Current budget doesn't allow for all that consumer wants in their person-centered plan
- c. Unmet need
- d. A change in resources
- e. The provider that consumer wants to use costs more

QUESTION 8

A participant can purchase any service with their SDP budget, even if a generic resource like IHSS or insurance is available to pay:

- a. True
- b. False

QUESTION 9

Who decides who will attend a Person-Centered Plan?

- a. The Independent Facilitator
- b. The SDP participant and/or the family
- c. The service coordinator
- d. The FMS
- e. All of the above

QUESTION 10

Clients who are nonverbal or highly impacted by their disability should not participate in their Person-Centered Plan because they can't express their preferences or make choices.

- a. True
- b. False

Navigating Financial Management Services (FMS)

Participants of the Self-Determination Program (SDP) are required to use a Financial Management Services (FMS) provider. Participants pay the FMS provider a fee from funds allocated through their individual budgets.

The FMS provider is an individual or entity vandered by Regional Center(s) with the responsibility to:

- Uphold the Self-Determination Principles of Freedom, Support, Authority, Responsibility and Confirmation
- Maintain separate accounting of funds for each participant
- Help participants to manage and direct funds in individual budgets
- Ensure participants have the financial resources to implement Individual Program Plans throughout the year and that payments are within amounts authorized in individual budgets

PREMIER
www.premier.com

Navigating Financial Management Services (FMS)

The FMS provider supports participants with paying bills for goods and services or hiring employees. There are three FMS models: Fiscal Agent, Fiscal/Employer Agent (F/EA) and Co-Employer. The types of supports offered by the FMS provider vary in each model; participants select the model that best fits their individual needs and wants as well as their plans for using the funds in their individual budgets. FMS providers may offer one, two or all three of the FMS models.

Depending on the model, the FMS provider:

- Receives, tracks and disburses funds based on participants' approved plans and individual budgets
- Processes payroll, withholds taxes
- Ensures compliance with laws
- Assists in verifying provider qualifications
- Prepares and distributes monthly individual budget statements/expenditure reports
- Maintains source documentation

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FMS Cooperative (FMS COOP) participant needs Priority: Meet individual needs of FMS provider

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What Local Advisory Committees Can Do March 2016

Inform

- Encourage the Regional Center to schedule trainings for families and clients on:
 - What is Self Determination
 - What is the Financial Management Service
 - What is the Independent Facilitator
 - What is Person Centered Planning
- Encourage the Regional Center to provide trainings to service coordinators on person-centered planning

Promote

- Encourage people to attend self-determination trainings
- Identify, train, and support self-advocates to provide trainings
- Ensure information is provided in threshold languages

Lead

- Share what you learned today with your local advisory committee
- Empower your local advisory committee to be active and involved
- Collect questions to be answered at the next Statewide Self Determination Advisory Committee
- Communicate with state and federal officials on self-determination

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."