

## **EXECUTIVE COMMITTEE**

**April 11, 2012**

### **MINUTES**

#### **PRESENT**

Mark Higgins, Chair  
Marjorie Heller  
Al Marsella

#### **NOT PRESENT**

Larry DeBoer  
Mary Bakchachyan

#### **STAFF**

Diane Anand  
Patrick Aulicino  
Dr. Sharon Shueman

#### **CALL TO ORDER**

The meeting was called to order at 12:08 pm.

#### **APPROVAL OF MINUTES**

**The minutes of February 8, 2012 were approved by consensus.**

#### **DISPARITIES IN SERVICE UTILIZATION**

Ms. Anand reported that based on the recent LA Times series by Alan Zarembo on the funding disparities in purchase of services for autism services throughout the system, the Senate Select Committee on Autism, Senator Darrel Steinberg, Chair, will hold a hearing on April 30, 2012. Ms. Anand reported that this issue is not new, and it has been researched at various points over the years. She reported that ARCA will be providing written testimony and that several regional centers have been asked to testify at the hearing. Ms. Anand advised the Committee that Lanterman is preparing written testimony for submission and that Dr. Shueman was in attendance to review and discuss the draft in their packet.

**The Committee discussed the draft and is in support of the written testimony as presented. The Committee agreed that Dr. Shueman should continue making edits and that the document should be reviewed by the Committee prior to being presented to the board.**

**Ms. Heller recommended that as part of Board Education, a presentation of autism services provided by regional centers should be given at a future meeting.**

### **BUDGET UPDATE**

Mr. Aulicino reported that to date the system is in a holding pattern as there is no new information regarding the May revision to the governor's budget. He advised the Committee that all regional centers are projecting a deficit in POS with the exception of Lanterman. The system wide projection is \$300 million at this time. The Committee discussed the various dynamics that may be causing the projected statewide deficit.

### **THE WAY FORWARD**

Mr. Higgins advised the Committee that The Way Forward planning subgroup is searching for their next date to meet. Ms. Anand advised the Committee that the Center is in the process of gathering names and email addresses of board and committee members (past and present), peer support group leaders, providers, and regional center leadership staff for submission to participate in the online survey.

### **ARCA POSITION STATEMENT**

Ms. Anand reminded the Committee that as part of the budget stakeholder meetings held in February, the Center submitted recommendations for addressing the \$200 million reduction to the developmental services budget. Ms. Anand presented the ARCA Budget Position Statement and recommended that the Center support the document. Discussion followed.

**The Committee was in agreement by consensus with the document as presented and recommended that the Board support it.**

### **LEGISLATION – SPRING 2012**

Ms. Anand presented the ARCA *Legislation for Spring 2012* as follows:

**Senate Bill 1384 (Pavley) and Assembly Bill 2370 (Mansoor) – Change of term “mental retardation” to “intellectual disability”**

*ARCA position: SUPPORT*

These bills would change references in state law from “mental retardation” to “intellectual disability”. It would not alter eligibility for services, however, that are currently based on a clinical diagnosis of mental retardation.

**Senate Bill 1293 (Emmerson) – Definition of “gluten free” and “wheat free”**

*ARCA position: SUPPORT*

This bill would prohibit foods from being labeled as “gluten free” or “wheat free” unless they contain less than 20 parts per million of gluten.

**Senate Joint Resolution 18 (Pavley) – Resolution urging passage of the federal ABLÉ Act**

*ARCA position: SUPPORT*

This bill would issue a resolution by the Senate and the Assembly urging the passage of the federal proposed Achieving a Better Life Experience Act of 2011 (ABLE Act). The ABLÉ Act would enable individuals with developmental disabilities and their families to save money for the individual’s future needs in accounts that would accrue tax-free interest. ARCA sponsored this bill.

**Senate Bill 951 (Hernandez) and Assembly Bill 1453 (Monning) – Definition of essential health benefits**

*ARCA position: SUPPORT*

These bills would outline the “essential health benefits” insurers would have to include in individual or small group health plans as of January 1, 2014. Examples of such benefits include prescription drugs, behavioral health, ABA for the treatment of autism, prosthetics and speech and occupational therapies.

**Senate Bill 1220 (DeSaulnier) – Housing Opportunity Trust Fund**

*ARCA position: SUPPORT*

This bill would create the Housing Opportunity Trust Fund which would support affordable housing for low and moderate-income households. The fund would be supported by a \$75 additional fee charged at the time of recording of real estate documents (i.e., deeds, notice of default, etc.).

**Senate Bill 1259 (Emmerson) – Regional center vendor audits**

*ARCA position: SUPPORT*

This bill would increase the threshold for regional center vendor payments from \$250,000 to \$2,000,000 per fiscal year in order to require a fiscal audit of the vendor. The vendor would then be required to provide a copy of the audit and any associated management letters to the vendoring regional center within nine months of the end of the vendor’s fiscal year.

**Senate Bill 1051 (Liu) – Crime data, Office of Protective Services, mandated reporting**

*ARCA position: SUPPORT*

This bill would require the Department of Justice to track and report statistics related to crime victims’ self identification of disability status. Standards for the Director of Protective Services would be identified to include law enforcement management experience. The Office of Protective Services would be required to immediately report cases of serious unexplained injury,

death and possible criminal conduct in developmental centers to local law enforcement. Mandated reporters of dependent adult or elder abuse would be required to make the initial telephone or Internet report of abuse immediately rather than “as soon as practicably possible”.

**After review and discussion, the Committee agreed by consensus to recommend that the Board take a support position on all the bills as presented.**

### **BOARD SELF-ASSESSMENT**

**The Committee reviewed the Board Self-Assessment tool through Board Source and was in agreement to move forward with the assessment. Mr. Higgins will inform the Board about the process at the April Board meeting.**

### **WELLSPRING**

Ms. Anand reported that Wellspring Care Giving Services, a vendored service provider of ABA and behavioral respite services, has abandoned its business. The Center has spoken with the Attorney General’s office and has received a court order for DDS/regional centers to retrieve client files (paper and electronic) from the Wellspring offices. Wellspring has 8 offices throughout Southern California, and Lanterman is only responsible for 1 of the 8 offices as it falls within its catchment area. Ms. Anand advised the Committee that the Center is in process of arranging the pick-up of files within the next two days.

### **ADJOURNMENT**

The meeting was adjourned for executive session at 12:48 pm to discuss pending litigation in executive session.

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