

**Disability Rights of California
OCRA Advisory Committee Meeting Minutes
Friday, September 18, 2015, 3:30pm
Doubletree by Hilton, Santa Ana Orange County Airport**

PRESENT: Elizabeth Gomez, Esther Kelsey, Judy Mark, Howard McBroom, David Oster, Cheryl Hewitt (by phone)

ABSENT: Charles Ehrlich and Angela Van Ostran

STAFF: Stephanie Barrera, Eva Casas-Sarmiento, Katie Hornberger, Katie Meyer, Evelyn Abouhassan, Scott Barron, Michele Mudgett

FACILITATORS: Barbara McCans

1. Welcome and Introductions

David Oster called the meeting to order. Members and staff introduced themselves.

2. Agenda Review

The Committee reviewed the agenda.

It was M/S/C (Mark/McBroom) to approve the agenda with the addition of agenda item about what committee or staff can do to ensure that regional center boards are respectful of the rights of consumers.

3. Approval of Minutes

The Committee reviewed the minutes.

It was M/S/C (Mark/McBroom) to approve the September 18, 2015 OCRA Advisory Committee minutes.

4. OCRA Director Report

Ms. Hornberger shared information from the recent OCRA Report. The number of service requests has increased. There were 10,509 service request for 6,573 consumers, up 9% more than last year. OCRA has 57 staff statewide (not all full-time). OCRA participated in 419 outreaches. Scott Barron, Peer Advocate, does a lot of training. OCRA is working on

capturing actual number of people that attend the trainings. Current number shows 14,000 people reached at trainings.

Ms. Hornberger shared that OCRA celebrated the anniversary of ADA with a birthday party. Alan Goldstein, Managing Attorney and EEOC representatives spoke at the event. Ms. Hornberger shared that OCRA had traditionally not done very many ADA cases. OCRA typically focuses on cases involving regional center, special education, and benefits such as IHSS. However, OCRA is beginning to handle more of these types of matters.

Ms. Hornberger shared details regarding a case where client was told that she could not participate in Special Olympics because organizers were afraid she may have a seizure. Lynne Page, CRA for Redwood Coast Regional Center clients worked with the client and her doctor to develop a protocol so that she could participate.

Ms. Hornberger shared information regarding two individuals that were placed in locked psychiatric facilities, IMDs, Institutes for Mental Disease. Both of these individuals have successfully moved out to the community.

Mr. Oster inquired about the closing of developmental centers. Ms. Hornberger discussed the closing of Sonoma Developmental Center in 2018. She stated that the non-secure treatment area of Porterville Developmental Center and Fairview Developmental Center would also be closed by 2021. She explained that Porterville has two areas: one is behind a fence and is monitored by the Kern County Sheriff's Department for individuals who have been involved in the criminal justice system, and the other is a non-secure area for individuals that require a developmental center level of care.

Ms. Hornberger explained that a comprehensive assessment must be completed by the regional center to help determine what an individual with a developmental disability needs to move out of a developmental center into the community. A copy of this assessment and a notice of a meeting must be sent to the local CRA. Currently, there are two acute crisis units, one at Sonoma DC and one at Fairview DC that can house up to five residents each. CRAs are also notified when a consumer is placed in acute crisis.

Ms. Hornberger shared an example of a case Eva Casas-Sarmiento co-counseled on with Margaret Opell. They represented a young man that had been in between 12-15 placements within the last 8 years. OCRA worked together with regional center to have supports in place for the consumer to be successful in the community. The idea is to resolve the crisis and help the consumer return to the community within 6 months, with a potential extension of 12 months, and a final 30-day extension, for a total of 13 months.

Ms. Marks expressed concern over length of time to develop new crisis homes to meet family needs and OCRA's role in this development. Mr. McBroom stated that although acute crisis is necessary, it is not a resolution. There should be a focus on developing community resources. Ms. Marks stated that this is a systemic issue that needs to be addressed. She gave an example of families in tremendous crisis wanting their child to be placed in an IMD due to other options currently being unavailable.

Ms. Hornberger stated that legislature has created funding for crisis homes, but it was difficult to figure out how the homes could qualify for federal funding. As of July 2015, the homes no longer have to qualify for federal funding, this should speed up development. Staff worked with the legislature to ensure that other safety requirements and protocols are included to protect clients' rights. These safeguards include CRA notification and regular review periods.

Ms. Meyer stated that regional center will be in charge of quality assurance. She stated there is an importance of reaching out to other states to figure out how they are doing it. She stated that Westside Regional Center is developing new models in their catchment area and sharing those with other centers. She further explained that there needs to be an expansion in the conversation with stakeholders so that development occurs and the CCP money is well spent.

Ms. Hornberger added that OCRA is client-driven, working in educating people as to what is available to them so they can determine where they would like to live in addition to advocating for that placement. This type of case can take 13-20 months to resolve and every office is working on them. She explained the regional office legal unit was changing their structure

and the Lanterman team is hiring additional staff to work on systemic issues.

5. Scott Barron- Peer Advocate

Ms. Hornberger introduced Mr. Barron. He is the peer advocate for Southern California and has been with DRC 6 ½ years doing outreaches and training. He trainings reaching a variety of audiences, including parents and consumers, and does some individual advocacy. Mr. Barron discussed his client C.T. She had outgrown her tricycle and the regional center denied a new one for her. He was able to successfully secure a new tricycle for C.T. and she is using her tricycle every day. Mr. Barron discussed his client A.M. For a month, A.M. was using super glue to secure his dental bridge. Mr. Barron was able to secure him dental care without anesthesia. Mr. Barron states he enjoys individual advocacy because he can focus on the client. He enjoys direct time with the consumer rather than focusing on parent or support staff.

He also does voting work and noted that Tuesday, September 22nd, is national voter registration day. He visits clients in locked facilities like College Hospital or Community Care Facility. He frequently works together with CRAs throughout the state. He has an ability to reach clients in unique ways that may help them be more comfortable working with the CRA.

Ms. Casas-Sarmiento described working on cases with Mr. Barron. He helps people prepare for the meeting with her by drawing out information about the clients' wants and needs. She stated that his connection with clients helps communication and developmental of an appropriate legal strategy become easier.

Mr. Barron stated that in preparation for IPP meetings, he likes to plan out the meeting with simple questions such as: do you want to sit close to the door, next to me, or your parent, to help make client as comfortable as possible. This allows the client to take charge of the meeting. He also encourages the development of a paper agenda that includes time for breaks. He recommended that individuals take the time to listen to their client, rather than focusing on talking, look for body language since the spoken word is only part of our communication.

6. 13th Annual Remembrance Day

Ms. Hornberger stated that Monday, September 21, 2015, is California Remembrance Day for those who have lived and died in state hospitals. There will be a moment of silence at 1 p.m. Mr. Barron stated events would be held across the state and that he would be master of ceremonies at Metropolitan State Hospital in Norwalk.

7. Regional Center Boards of Directors

Members discussed concerns about ensuring that regional center boards value the participation of consumers, in response to comments made at a recent regional center board meeting regarding a consumer holding a board position.

Ms. Marks stated that the Lanterman Act clearly states board meeting agendas need to be provided 7 days in advance, and that is not happening. These meetings involve voting on millions dollars of contracts and information is provided minutes before the vote. Ms. Marks is requesting more DRC involvement so that consumers and families have control of these meetings.

Ms. Casas-Sarmiento described a case she worked on involving a public hearing where a parent was disrespected. As a CRA, she did individual advocacy by explaining the legal options and assisting in drafting a complaint. There were two complaint options and she helped the family decide which option was best for them.

Ms. Meyer agreed to collect information from OCRA staff about regional center board meetings and report back at the next OCRA Advisory Committee meeting.

9. Fair Hearings with Michele Mudgett

Mr. Oster introduced Ms. Mudgett and stated that she would be discussing fair hearings.

Ms. Mudgett stated that her office assists mental health clients in hearings so they can refuse medication. She stated concerns are that clients only receive a 24 hour notice for hearing. Her office has participated in 300 hearings since November 2014 and has increased their success rate at hearing to 20%. Ms. Hornberger added that their success rate is much higher than before they were involved in those matters.

Ms. Casas-Sarmiento stated that these records are helpful years later for trying to get individuals into the least restrictive environment possible.

Ms. Mudgett stated that this provide hope to individuals that are providing and receiving services.

10. Self-Determination

Ms. Marks stated she is currently an active chair for self-determination at Westside Regional Center Advisory Committee. She addressed concerns about CRAs not knowing many of the details and not stepping up at meetings.

Ms. Hornberger stated that on August 25th OCRA had an updated training and were provided with updated information. OCRA shares information regularly and looks forward to receiving even more information as the program is developed.

Ms. Casas-Sarmiento stated that every regional center is holding meetings a little bit differently depending on what the local advisory committee wants.

Mr. Oster thanked everyone for attending.

David Oster adjourned the meeting at 5:56 p.m.

Attest,

David Oster, Chair