

**Disability Rights of California
OCRA Advisory Committee Meeting Minutes
Friday, September 19, 2014, 3:30pm
Embassy Suites, Los Angeles, CA**

PRESENT: Charles Erlich (via phone), Cheryl Hewitt, Judy Mark, David Oster

STAFF: Evelyn Abouhassan, Katie Meyer, Luisa Delgadillo, Katie Hornberger

GUESTS: None

FACILITATORS: Adrien Degroat (Maxim Healthcare)

1. Welcome and Introductions

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

2. Agenda Review

The Committee reviewed the agenda.

It was M/S/C (Hewitt/Mark) that the agenda be approved.

3. Approval of March 7, 2014 Minutes

The Committee reviewed the minutes.

It was M/S/C (Hewitt/Mark) to approve the March 7, 2014 OCRA Advisory Committee minutes.

**4. OCRA Report
Annual Report**

Ms. Hornberger shared information from the OCRA Annual Report from July 1, 2013 – June 30, 2014. There were 9,834 service requests which is an increase from the last reporting period. OCRA currently has 55 staff members. Ms. Hornberger said the benefits that people receive from our work are outstanding.

Ms. Hornberger further explained that OCRA presented at 454 outreach events, touching nearly 20,000 people. This increase is partly the result of the new Peer Advocate positions. OCRA will have two Peer Advocates doing outreach and trainings. They will also work directly with clients and coach them to be better self-advocates. In the OCRA Advocacy Report,

(99%) of the cases were resolved without going to hearing. Ms. Hornberger explained that this occurs because we provide tools to help people resolve problems themselves and by building relationships with community partners. Ms. Meyer reintroduced herself as the Clients' Rights Advocate for clients of Westside Regional Center and described a case she settled earlier this week obtaining in home nursing services for a client from the managed care provider. She has built relationships with the managed care company, one of two in Los Angeles County, and knew who to call to resolve the case.

Ms. Hornberger stated that OCRA mailed out 2,012 surveys and 480 surveys were returned, an excellent return rate. Ms. Mark commented that she was very impressed with that return rate. All results are very positive. Ms. Hornberger reported that 97% of respondents felt they were treated well by staff. This was an increase from last year in which 85% of respondents felt they were treated well by staff. This increase in satisfaction may be attributable to the hiring of a bilingual Assistant Clients' Rights Advocate to help with overflow and ensuring that we have coverage when people are out of the office. Ms. Hornberger also explained that OCRA has strived to fill positions quickly during the past year and hold Open Houses to introduce new staff to the community. OCRA has also hired a Clients' Rights Advocate to help work with people transitioning out of Developmental Centers (DCs) and Institutes for Mental Disease (IMDs), a locked setting typically providing psychiatric care. Ms. Hornberger reminded everyone that with the changes in the law for the past three years OCRA has a larger role in representing people living in DCs and IMDs. OCRA has been successful in advocating for more people to be moved out of those settings by using creative solutions. Some of the cases included people that had difficulty maintaining a placement because of challenging behaviors or medical needs. Clients' Rights Advocates have been working in those cases with many positive outcomes.

Changes to the Lanterman Act.

Ms. Hornberger reviewed recent changes to the law including Clients' Rights Advocates receiving notices involving people living in restrictive settings like DCs and IMDs within specific time frames. Ms. Hornberger stated that this solves a problem OCRA had of not receiving timely notice of IPP meetings. Ms. Hornberger also explained that DDS is going to develop two new types of community homes for people with more intensive needs. DDS is currently developing regulations around those placements. She explained that DRC will be submitting comments on those regulations to ensure that clients' rights are protected. Ms. Hornberger explained that

there will be Community Crisis Homes and Enhanced Behavioral Support Homes. DDS has authorized regional centers to develop 6 Enhanced Behavioral Support Homes in 5 different regional center catchment areas with a maximum of 4 clients in each. Ms. Hornberger stated that one of the things that will be required is an Individual Behavioral Supports Plan, developed by an Individual Behavioral Supports Team for each resident. The Clients' Rights Advocate from the catchment area will participate on the team. The CRA will ensure that the client's voice is heard especially for clients for whom verbal communication is limited. Ms. Hornberger explained that the goal is for clients to live in the least restrictive environment. Some people will transition to other living arrangements, like supported living services while others will live in these homes permanently. Some of these homes may utilize delayed egress or secure perimeter. Mr. Oster asked for an explanation of those terms. Ms. Hornberger explained that secure perimeter is a fence around a facility and delayed egress is a mechanism by which a door does not open right away. Rather an alarm sound the door opens after a short delay, typically between 30 to 60 seconds.

Ms. Hornberger further explained that there will be two Community Crisis Homes, one in Northern California and one in Southern California. These are for up to 8 people each. Clients' Rights Advocates will be notified of each admission. Ms. Hornberger also stated that the law provides for creating an Acute Crisis Center at Sonoma Developmental Center. Ms. Hornberger reminded everyone that currently Fairview Developmental Center is the only developmental center accepting people in acute crisis. The law also limits the number of people at each facility to 5 residents at any given time.

Ms. Hornberger happily reported that the changes in Early Start eligibility from the 2009 budget cuts have been restored. Ms. Hornberger also stated that regional center can pay insurance deductibles under the same criteria as co-pays. She explained that sometimes a family would have a deductible of \$2500 and no means to pay it. Therefore, they would go back to the regional and ask for regional center to fund a service like ABA that would have been covered by the insurance company if the deductible had been met. So, instead of paying the \$2500 deductible the regional center would buy a service that could cost \$10,000 or more. Now, the regional center will be able to just pay the deductible and the client will obtain the service from the insurance company.

Ms. Abouhassan shared that 1093 passed. This bill clarifies that regional center clients have access to independent living services regardless of whether they live in their own home or with family effective January 1, 2015. She also stated that Disability Rights California will be developing fact sheets to get the word out. This bill also adds transparency measures to regional center reporting.

Ms. Mark shared information regarding the disparity of service issue. She is concerned that this will be exacerbated by a new change in Medi-Cal covering Behavioral Health Treatment (BHT). She is concerned that people who are getting BHT funded by regional center could be significantly disrupted if they are forced to switch to Medi-Cal funded services. Ms. Mark shared that already based on the regional center, low income families are not getting the same amount of services. Ms. Hewitt expressed concern with how regional centers spend their money generally. She explained that her regional center is paying for a housing management company that she doesn't like and doesn't need but when she asked regional center to quit funding them they decline.

Report about Westside Regional Center Work

Ms. Meyer talked about the work of her office which was mostly healthcare, Medi-Cal, Social Security, and SSI cases. Ms. Meyer talked about hearings with managed care providers including, reductions, denials and terminations of nursing hours. Ms. Meyer explained a housing case with HUD. She is trying to obtain a reasonable modification for a client. The client needs a ramp to get into and out of her home. Ms. Meyer has sent a demand letter and she anticipates is settling quickly. Another case was shared regarding a young adult who was living in an IMD but wanted to live on his own. Ms. Meyer reported that he had been in the foster care system and had run away from numerous placements. His conservator, the public guardian, was hesitant to let him live on his own. Ms. Meyer advocated for him to be evaluated for supported living. A supported living services agency accepted him and he has been successfully living in his own apartment with a roommate since December of 2013. Ms. Hornberger reported that Westside Regional Center OCRA office had 892 service requests and 35% of those service requests were to the Latino community. Ms. Delgadillo reintroduced herself as the Assistant Clients' Rights Advocate for OCRA serving Westside Regional Center clients and shared that a good relationship has been established with the Latino community. She explained that this regional center catchment area has a lot of language barriers and some people do not know how to read or write in English or Spanish. She has worked very hard to connect with those

groups and providing training and outreach to them. Ms. Mark asked about outreach to the African American community. Ms. Meyer responded that they have also been in touch with a new support group for the African-American community. She also explained that the Ethiopian Parent Support group has been inactive lately, but that previously they were very involved in that group.

5. Recruitment of New Public Member

Mr. Oster opened the discussion about recruiting a new public member. Ms. Mark recommended a new member for the committee. Mr. Oster had several people in mind for the positions. Ms. Hornberger proposed forming a committee. A flyer will be posted by October 15, 2014. Then the committee will meet to review applications and choose who to interview. Mr. Oster and Ms. Hewitt volunteered to be on the committee. Ms. Mark declined and Mr. Erlich agreed to join. Ms. Hornberger thanked them and stated she looks forward to working with the group in this project.

David Oster adjourned the meeting at 5:35 p.m.

Attest,

David Oster, Chair