

**Disability Rights of California
OCRA Advisory Committee Meeting Minutes
Friday, September 14, 2018
Westdrift Manhattan Beach, Manhattan Beach, CA**

PRESENT: Elizabeth Gomez, David Oster, Judy Mark, Yolanda Vargas, Tammi Bradley, Rene Rodriguez,

STAFF: Katie Hornberger, Catherine Blakemore, Marisol Cruz, Vicki Bass, Michelle Mudgett, Hannah Liddell, Irene Padilla

Audience/Guest/Parent Support Group Leaders: Josefina Nieves, Maria Cruz, Rubi Saldana, Maribel Ahumada, Teresa Ayala, Cendy Topete, Catalina Navarro, Maria Lopez

1. Welcome and Introductions

Elizabeth Gomez called the meeting to order at 10:30 a.m., members and staff introduced themselves.

2. Parent Audience Thanked Disability Rights California

Parent representatives thanked Disability Rights California and the committee for the 40 years of service to people with disabilities. Catherine Blakemore and Katie Hornberger thanked the parents for their participation and leadership to the community.

3. Agenda Review

The Committee reviewed the agenda.

3. Approval of May 2, 2018 Minutes

The Advisory Committee reviewed the minutes. It was M/S/C (David Oster/Yolanda Vargas) to approve the May 2, 2018 meeting minutes.

4. Introduction of New Public Members

Elizabeth Gomez introduced Tammi Bradley and Rene Rodriguez. Tammi shared that she has served on the Alta California Regional Center's Board of Directors, Association of Regional Center Agencies (ARCA), and worked for the Department of Social Services: In Home Support Services as an Operations Analyst. She is very excited to join the committee. Rene shared that he is from San Diego, has served as a Board member of the San Diego Regional Center, ARCA and the Department of Developmental

Services (DDS) Consumer Advisory Committee (CAC). He has studied Criminal Justice. He is also very excited to be part of the committee.

5. OCRA Annual Report – Katie Hornberger

Katie Hornberger summarized the Office of Client's Rights Advocacy (OCRA) Annual Report, during the past year, OCRA handled 10,322 cases from July 1, 2017 through June 30, 2018. The numbers have increased and we believe it is a reflection of the outreach staff are doing. The largest number of consumers OCRA served by age during this time period is 2,900 out of 7,010, were individuals in the 4-to-17 years-old age group that is (41.3 percent). The next largest was the 23-40 age group with 1612 people served, both are similar numbers to last year. OCRA served 937 people in the 51-years and over age group, which is a significant increase from last year. This increase is likely due to OCRA's review of comprehensive assessments from people moving out of developmental centers. OCRA staff have also been representing these consumers as they face barriers to moving out of the developmental centers. OCRA continuously serves more males than females, with 66.1 percent of the consumers served being male and 34.8 percent being female. These numbers are similar to the percentage served by regional centers. In regards to ethnicity, all groups are above parity with Regional Center consumers. Approximately 39.3 percent of consumers served by OCRA identified as Hispanic/Latino, 37.8 percent reported to the regional center. Approximately 9.8 percent of consumers served by OCRA identify as African-American. This is a percentage higher than last year, and higher than the 8.9 percent of regional center consumers according to the current DDS Fact Book. Asian consumers make up 6.6 percent of regional center consumers, but a higher 7.8 percent of consumers served by OCRA.

David Oster mentioned that the age group of 4 to 20 years old is most likely having to do with the transition of school aged children. Katie Hornberger stated that yes, many are transitions and those can be challenging for families.

Katie Hornberger stated that OCRA again served more consumers whose living arrangement was developmental center than in previous years. OCRA assisted in 514 cases where the consumer's living arrangement was developmental center, or 5 percent of OCRA's service requests, compared to last year's 446 cases. OCRA staff continue to receive and review comprehensive assessments and attend IPP meetings for consumers

residing in developmental centers. The assessments will reduce as clients are moved to the community.

David Oster stated that OCRA is doing a great job overall.

Katie Hornberger went on to review OCRAs outreach. The two main purposes of outreach are 1) notifying people about the availability of OCRA assistance and 2) educating people about the law and their rights. OCRA provides training on many issues to a wide variety of people. Outreach is provided to consumers, family members, regional center staff and vendors, and community members. All staff have to do Self Advocacy Trainings. These self-advocacy trainings have to be approved by DDS. We currently have 7 approved, one of them is Clients' Rights Bingo. Which is a favorite for many clients. Regarding the Consumer Satisfaction Survey, every 4th case we close is sent a survey. We have about a 17 percent response. Overall, people are generally satisfied with the services provided. 90 percent of the respondents who answered the questions felt they were treated well by the staff. 93 percent of the respondents reported that they understood the information they received. 93 percent of respondents felt their Clients' Rights Advocate listened to them. 89 percent said they would ask their Clients' Rights Advocate for help again. 86 percent of the respondents believed their call was returned within two days. We believe this number is low. We think the survey could be a bit confusing to families and clients. We think that people are referring to how soon they get the information for their case, not when the initial call was returned. 86 percent of respondents felt they were helped with their question or problem. We believe this is also a bit low. We are trying to work on how we can explain to families the services we provide. Most of the time families are requesting direct representation. We provide advice and strategize with families and clients. We are providing them with tools to be successful now and in the future. Katie Hornberger opened up the discussion as to how we might be able to relate the message to families and clients better.

Katie Hornberger continued with the annual report and referred to the thank you notes. Encouraged everyone to read them and the success stories. They are wonderful examples of the work done. For example, IHSS is a struggle statewide. Katie Hornberger explained that OCRA does a lot of trainings and utilizes many publications. One that we have that is very useful is the IHSS self-assessment chart. It helps families understand the amount of time that each task takes.

Katie Hornberger explained that CRA's do trainings in their catchments areas in many different topics. Members discussed the pros and cons of webinar trainings.

Katie Hornberger reviewed the story of Lupita, who received a notice of action reducing her Supplemental Security Income (SSI) benefits because she was receiving "in-kind support and maintenance." OCRA met with Lupita and her mother to explain the information in the notice. OCRA explained that the Social Security Administration (SSA) considers the food and shelter a beneficiary receives from someone else to be "in-kind" income that will reduce the monthly SSI payment. OCRA explained her right to appeal, the appeal process, and timeline. Lupita and her mother filed an appeal, after which SSA reinstated her original SSI benefit amount. Members discussed their experience with similar situations.

A member commented on a story that she read, titled "Rae Moves into His Forever Home." Ms. Vargas stated that she is concerned with this title. It sounds like pet adoption. Katie Hornberger explained the legal standing of the word. That it is meant to identifying a higher level of care home with no restrictions on how long a person can reside there. Katie Hornberger reviewed Rae's story. Rae is a young man conserved by his regional center. He had lived in a restrictive setting since 2006. Almost every year since 2010, he filed Writs of Habeas Corpus to leave the restrictive setting, without success. In late 2015, OCRA stepped in to help Rae because he had filed two Writs of Habeas Corpus within three months without success. Rae's IPP team unanimously supported his request for community placement, but the regional center, his conservator and holder of all rights, disagreed. Rae's frustration would often lead him to storm out of IPP meetings. Rae eventually used his voice to effectively advocate for himself at IPP meetings and court hearings. His regional center finally agreed to community placement and secured a supported living agency (SLS) agency to work with him. Unfortunately, after months of cross-training, his regional center switched his SLS agency without IPP team consent. Rae agreed to start over because he wanted to move into the community as soon as possible. More delays occurred when his regional center conservator and new SLS provider could not agree on needed services and supports. This year, Rae told his IPP team he wanted to be in his apartment before his birthday. After 8 years of Rae yearning and advocating for community placement, his wish came true. Rae celebrated his birthday in his new home.

Judy Mark asked if we would be able to tell what RC was Rae's conservator. Catherine Blakemore explained that providing information that might allow the identity of the consumer to be discovered would violate the rules of professional conduct related to confidentiality.

Katie Hornberger recapped other stories including Alexander, whose mother called OCRA for help because frequently there was no credentialed teacher in Alexander's special day classroom. She had spoken with the school principal and with other school district administrators about the problem, but they did nothing. When OCRA called the district and spoke with a program specialist to discuss what was going on in Alexander's classroom, she said she knew the problem, but there wasn't anything the district could do because there just weren't enough credentialed teachers available. OCRA filed a Compliance Complaint with the California Department of Education (CDE) on Alexander's behalf. CDE found the district out of compliance and ordered 33 hours of compensatory 1:1 academic tutoring not only for Alexander, but also for each of the other ten students in that classroom.

Katie Hornberger once again suggested for all the stories to be read. They are all wonderful outcomes of the amazing work OCRA is doing. The full annual report is posted on the webpage.

David Oster stated that if it wasn't for OCRA regional center would get away with everything bad they do.

6) Office of Payee Reviews and Beneficiary Assistance (OPRABA) – Hannah Liddell and Irene Padilla

Hannah Liddell and Irene Padilla – Supervising Attorneys for OPRABA introduced themselves. Hannah was a CRA for Frank D. Lanterman Regional Center for about 5.5 years. Irene was a CRA for many offices, but with Inland Regional Center most recently. Irene Padilla and Hannah Liddell gave an overview of the OPRABA program. OPRABA performs reviews of Social Security representative payees, provides education and training, and referrals for beneficiaries. Representative payees handle Social Security benefits on behalf of beneficiaries when SSA determines they are unable to manage their own funds. OPRABA performs various types of reviews for representative payees. Periodic onsite reviews which address organizations serving 50 or more beneficiaries, individuals serving 15 or more beneficiaries, state onsite (mental institution) reviews, and predictive model reviews, which involve organizations serving 49 or less

beneficiaries or individuals serving 14 or less beneficiaries. These types of reviews were based on a study of risk factors that increased the risk of misuse. Quick response checks are conducted in response to allegations or concerns about the performance or suitability of the payee. Self-initiated reviews are those that OPRABA deems necessary. We may receive referrals from DRC or other organizations or news sources. SSA has to approve these types of reviews. Fee for Service (FFS) onsite assessments are conducted when an organization who collects a fee for their services becomes a new representative payee. OPRABA conducts an assessment at 6 months to ensure compliance with SSA requirements for FFS organizations. OPRABA will also develop Corrective Action Plans (CAPs) when there are issues that need correction, such as incorrect titling of bank accounts, accounting mistakes, or failure to report on time. OPRABA staff can be contacted by calling Disability Rights California's 800 number. Katie Hornberger explained that she will also have this program and is very excited to have Hannah and Irene join the program. They have been a lot of help with the developing of the program.

A member asked if videos will be made to explain to people about their rights of being their own payee's. Hannah responded that there should be and would look into making some trainings/videos.

Tammi Bradley asked how private will these reviews be. Some clients might not feel comfortable expressing their concerns in front of others or the payee. Hannah explained that they will have an opportunity to talk to the beneficiary alone or with a third party for those who want one present or need assistance.

Members discussed the new program and asked questions. Elizabeth Gomez would like OPRABA to come train her parent support group in the near future.

Elizabeth asked if there were any other questions or comments before closing the meeting, Judy Mark stated that she wanted to regroup on self-determination. It will be in effect on 10/01/18. Judy wants to express the importance of the CRAs to advocate for the committees and make sure the meetings take place. She also suggested for CRAs to be as involved as they can at these meetings. Katie Hornberger explained that CRAs have been participating and have been involved to the best of their abilities.

Ms. Gomez adjourned the meeting at 12:27 p.m.

ATTEST:

Elizabeth Gomez, Chair