

**Disability Rights of California  
OCRA Advisory Committee Meeting Minutes  
Tuesday, April 16, 2019  
Via Skype and Teleconference**

**PRESENT:** Elizabeth Gomez, David Oster, Yolanda Vargas (via phone), Tammi Bradley (via phone), Rene Rodriguez, Sandra Smith (via phone), Deaka McClain

**STAFF:** Katie Hornberger, Catherine Blakemore, Alice Ximenez

**Guest/Support:** LaDawn Sherrie Warren, LaToya Misouria

### **1. Welcome and Introductions**

Elizabeth Gomez called the meeting to order at 10:40 a.m., members and staff introduced themselves.

### **2. Agenda Review**

The Committee reviewed the agenda and there were no changes or additions.

### **3. Approval of September 14, 2018 Minutes**

The Advisory Committee reviewed the minutes. It was M/S/C (David Oster/Rene Rodriguez) to approve the minutes. Sandra Smith abstained.

### **4. Legislative Update – Catherine Blakemore**

Catherine Blakemore shared information re DRC success in limiting the use of seclusion and restraint. So effective January 1, 2019, there are now significant limitations now in schools. The legislation allows for emergency seclusion and restraint with limitations on techniques. The State is now required to collect data on frequency of restraint use and to report information through the Department of Education data portal, beginning July 1, 2019.

This year, DRC is working on additional revisions. The author of this legislation made it a 2-year bill so it will not be heard until 2020 and if it passes, it will not be effective until January of 2021. So this allows additional time to work on it.

David Oster commented that most 2-year bills die in legislation. But Ms. Blakemore added that DRC is requesting a ban on the use of face- down

restraints so now that the bill is a 2-year bill, DRC has more time to work on it, and then, the bill has a better chance of success.

Ms. Blakemore continued sharing information about the statewide data system that is in place now. The State has to report annually. The school has to report all discipline data. With the new legislation, a school would be required to report the use of restraints beginning July 1, 2019. In addition, the limitations apply to all students not just special education students in public schools. The data would track information including ethnicity, disability, and other data.

Deaka McClain commented that if schools don't report the information, then we don't get that data.

Ms. Blakemore talked about a DRC sponsored bill AB 365 that is authored by legislative member, Garcia. The focus is on the LEAP program, which was designed to help people with disabilities get jobs. The State uses LEAP now but it doesn't appear to work well. This is a DRC priority now and it is looking good.

Elizabeth Gomez shared information about community concerns regarding letters and documents being given to them that are not translated.

Ms. Blakemore talked about the budget and how it affects people with developmental disabilities. Some of the main areas are:

1. Developing a safety net in the community as the developmental centers are being closed. DRC wants to make sure there are enough living places for everyone.
2. People in IMD locked community facilities with more than 15 people will be able to move somewhere else.
3. Require more money in funds to local regional centers to provide crisis services.
4. DRC is working on a proposal to limit how long people can remain in locked facilities and show what the standard is and what the court oversight is.
5. At the end of an IEP meeting, some regional centers give a list to a person that they can sign and take with them. DRC wants this to become a statewide practice, instead of having parents leave meeting with no record of what was discussed.

DRC was successful in making the regional center post its tools and protocols re respite on the regional center website and DRC is now trying to expand this to behavioral services as well. For now it's a budget proposal.

Ms. McClain asked if the state institutions are closed now.

Ms. Blakemore explained that Fairview Developmental Center is closing at end of this calendar year. The State still operates short-term crisis units and some locked facilities still operate. DRC wants the standards to be the same wherever you are going.

Sandra Smith asked if about parents' alternative dwelling and if money will be used for this at all.

Ms. Blakemore explained that these bills do not address supported living and that more info could be obtained from Will Leiner who manages the IDD practice group.

Mr. Oster asked about the closure of Fairview and Ms. Blakemore explained that the institution is ahead of closure date and that the last person may move by the end of the fiscal year. Porterville will be closing in a year or two, but the Criminal Justice section will stay open. The State will not move people until a place is ready for them.

Ms. Blakemore shared that DDS just did a study about provider rates and that DRC is interested in finding out how to adjust current provider rates. Information about this topic will be brought up at the May budget meeting and that the OCRA Advisory Committee will be discussing more about how the OCRA Advisory Committee can provide comments in support.

Ms. Blakemore shared good news in regards to budget language by Senator Dodd that put money in the budget for a memorial wall at the Sonoma Developmental Center. There is an agreement with DDS that they will use money to create a memorial wall that recognizes people there who have died there.

Tammi Bradley asked for information about the poverty level and Ms. Blakemore said that Deborah, DRC Legislative Advocate, would be asked for additional information for the committee.

Ms. Gomez asked if the respite tools that regional centers use can be changed and Ms. Blakemore explained that this issue is not part of current legislation but what is in place currently is that if regional centers have tools

they use, they have to post tools on the regional center website. This will allow everyone to see differences and note any trends.

Mrs. Hornberger talked about AB1643 and wants the committee to write letters of support.

Ms. McClain asked if SSI is going to be raised and Ms. Blakemore shared that the state portion of SSI is not going to be raised at this time. Currently, there are no proposals to increase the cash reward but SSI recipients will now be eligible for CALFRESH. Ms. Hornberger explained that legislation to raise the SSI cash award could be part of the DRC Advocacy Services Plan ideas

## **5. OCRA Annual Report – Katie Hornberger**

Mrs. Hornberger summarized the Office of Client’s Rights Advocacy (OCRA) Annual Report, during the past year.

Ms. Oster shared that he is grateful to OCRA for reaching out to communities that cannot reach DRC.

Ms. Hornberger talked about ethnicity statistics and shared that OCRA is at or above parity with the regional centers.

Ms. McClain shared that the African American statistics are low at the regional center and at OCRA and that there is much work that should be done to improve statistics for this community.

Ms. Smith explained more about how the metrics work and that there may be situations where families are not aware that they can call DRC and that DRC may need to increase its efforts to serving a larger percentage of this community.

Ms. Hornberger explained how OCRA does outreach and how it reviews census data, regional center data, and OCRA data to determine each office team target group. The plan is a 2-yr plan and each office has a different plan. The long-term plan is helpful to establish long-term relationships. Ms. Vargas worked with Brittnee Gillespie, CRA, re voting and accessibility, financial responsibility. She talked about growing up with a disability and this helped the youth audience open up and share their own stories.

Ms. McClain volunteered to help with future OCRA outreach efforts.

Ms. Bradley shared a rejection she received by a service coordinator and that when she called OCRA staff, she learned that she should have a

Notice of Action (NOA), which explains why one is denied and allows one to appear.

Ms. Hornberger explained that you want the NOA so it is written as to why you are denied. It also shows any laws, regulations, or policies that support the decision. This helps shape your arguments. Everyone needs to ask for this. Many people do not know their rights or they don't understand process. Sometimes the regional center will fall back on the law of only sending when they believe there is "not" mutual consent. It is not clear to people so you always have to ask.

Ms. Gomez shared that the language barrier makes it difficult for some people as well and that it is good that OCRA provides trainings that are open to the community.

Ms. Smith wants to put on a future agenda, the topic of concerns about regional centers having mandate under the Lanterman Act.

Ms. Hornberger encouraged everyone to spend time reading the OCRA Advocacy Report as it includes many IHSS stories, which impacts parents and the ability to live at home with their family, if they are the IHSS provider.

Ms. Smith talked about herself, in that she too is a parent who didn't know about IHSS Protective Supervision and that sometimes parents don't want to admit they need help. They want to show their strengths not their struggles, so they miss out on more hours when they really need them. It is hard for parents to talk about personal stuff. Ms. Smith encouraged DRC to think more about this and how to provide trainings to parents.

Ms. Hornberger talked about the process to increase IHSS hours. Parents need to keep notes. A form is needed from your doctor. You need to continue calling your social worker, and request a reassessment. It takes a while for the process but it is retroactive. Many of the OCRA stories include information about very large IHSS back payments.

DRC staff mirror the consumers they serve, in some offices, and it is helpful when staff who have disabilities talk to other people with disabilities. Sometimes this is what it takes to get into the community.

## **6. Advocacy Services Plan**

Mr. Rodriguez shared a work plan template. The template shows what you want to do, a timeline, and the potential barriers. Ms. Hornberger explained

the advocacy plan process which included posting a survey on the DRC webpage that everyone had the opportunity to complete. The next step is that DRC units review the survey information and meet in June/July to determine what is needed. The September DRC Board meeting will include a vote to approve the plan recommendations.

Ms. Hornberger encouraged all members to give input towards the plan as well, by phone or email.

Mr. Oster told everyone not to forget about mental health.

## **8. Public Member Recruitment and Subcommittee**

The committee discussed recruitment planning and agreed to a form a hire team subcommittee led by Ms. Smith and Ms. McClain, and includes Ms. Bradley, Ms. Vargas, Mr. Rodriguez and Mrs. Hornberger.

Ms. Hornberger will create a flyer and share with members.

Ms. Hornberger will set up a call with Ms. Smith and Ms. McClain to gather ideas and then a group call will be scheduled to set timelines and tasks.

## **7. Member Activities**

Ms. Gomez asked all members to share general information about what people are working on.

Ms. Bradley attended a high school event and participated in an outreach mentorship program available to local high schools. The focus is to approach high school students and pair them with members of the People First group to give them peer support and teach them about the community, resources, IHSS, supported housing, and mentorship.

Ms. Smith reminded everyone about the State Council for Developmental Disabilities grant that is available for \$460,000. Cycle42 is the website. There is a short turnaround and the topic is, "Innovation and Outcome," and the deadline is mid-May. Topic must be inclusive of everyone and not segregate a specific group.

Ms. Oster and Ms. Vargas attended a mental health conference and learned a lot about the hospital association, and took away information to share with family.

Ms. McClain shared that this was her first meeting and that she recently worked at a Long Beach clinic for children with disabilities. She recently assisted a friend who received an 8-week grant to share information about

independent living skills, and Ms. McClain was asked to talk about advocacy. Following that training, Ms. McClain was asked to join efforts and do her own 8-week training to talk about advocacy. Ms. McClain is also interested in connecting with the OCRA Unit to apply for a grant that would allow her to share her personal story which includes training on, what advocacy is, what is important, the independent living center, and the Lanterman Act. She also spoke at a church re the topic of, "5 attitudes about people with disabilities; Insecurity, pity, afraid, etc." She is very involved in the City of Long Beach.

Ms. Smith will be sharing information re the Lanterman Act, with Ms. McClain so that she may add this additional information to her training section on the Lanterman Act.

Mr. Rodriguez attended an Open House event recently and has been studying public speaking training online.

Ms. Vargas shared that she just moved into her own apartment and that she is working on the side and looking into SCDD work. She believes there needs to be a stronger pipeline for the disabled in the workforce. She wants to find out how more services can support disabled people. Ms. Smith will share information with Ms. Vargas. Ms. Vargas attended Patients' Rights Training.

Ms. Gomez shared with committee that the committee is a really important time and that the group needs to help each other. Ms. Gomez is doing a lot of outreach and traveling to remote areas that need help.

Ms. Smith shared that the advisory committee helps her know what is going on and what legislation is out there. She wants to do more and expand her knowledge by joining something that helps provide community trainings in the Sacramento area.

Ms. Gomez adjourned the meeting at 12:45 p.m.

ATTEST:

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Elizabeth Gomez, Chair