

**DEVELOPMENTAL DISABILITIES COUNCIL OF CONTRA COSTA COUNTY
BOARD OF DIRECTORS MEETING
February 26, 2014**

Board and Liaison Members Present: Suzanne Anthony, Chair (presiding), Stephanie Chapralis, Vice-Chair, Ange Burnett, Jim Burton, Heather Hackett, Vi Ibarra, Karen Lingenfelter, Caroline Ortiz, Erin Rogers, Craig Rose, Heidi Spaulding, Josh Sullivan, Ken Talken, Carl Tolentino, Dan Denis, Peggy Black, Elvia Osorio-Rodriguez, Barbara Maizie, Penny Musante, Gabriel Rogin, Pam Perls, Barb Johnson, Will Sanford, John Rodriguez, Staff.

Board and Liaison Members Excused: Nickole Bouslog, Krista Loomis, Stephanie Meakin, Kim Williams.

Guests: Carol Anne McCrary, Contra Costa ARC; Ramsay Mashy, California Autism Foundation; Shakendra Burks, ALIVE-East; Paul Boyce, CAC, ALIVE-East; Heather Ogle, CAC; Leslie Werosh, California Autism Foundation; Angie Lee, ALIVE Concord; Barbra Townsend, Futures Explored; Pam Thomas, RCEB; Claudia Lam, Contra Costa ARC; Daniel Hogue, Las Trampas, Inc.

Welcome

The meeting was called to order at 10:03 a.m. and Suzanne welcomed everyone. Introductions were made.

- The January 26, 2014 meeting minutes were unanimously approved as written (M/Dan Denis; S/Karen Lingenfelter).
- There were no additions to today's agenda.

**Presentation: Impact of Legislative and Regulatory Changes on Service Providers
By Barbara Maizie Executive Director of Contra Costa ARC**

Barbara stated that current legislative and regulatory changes will have a major impact on service providers. We need to remember that in spite of challenges, there are wonderful things going on everyday and program participants are making progress in all aspects of their lives.

The on-going de-evolution of the service system is hard on everyone and include:

- Reductions in funding
- Inability to attract and retain good staff
- Downturn in the economy

At the core of our system is the right to services via the IPP....but sometimes those services are just not there:

- It has taken years of work and volunteer hours to get services started
- If they don't survive, it will be hard to get services started again
- With mergers and key people retiring, services may be lost
- Expenses continue to go up, fundraising dollars are tough to get:
 - Cutbacks result in a reduction in the quality of services
 - It is harder to retain and attract good employees
 - Staff turnover rate is higher, again, impacting the quality of services.

Each agency survives differently. When regulations change, the impact is unique to each agency. Service providers can be their own worst enemies because they always find a way to survive:

- No matter how bad it gets, we don't give up
- But some promises made in the IPP are not funded
- With annual caseload growth, the legislature thinks it is doing its job by putting more money in the service system, however, previous cuts are not being restored.

Three new elements in legislation and regulations are intended to end poverty and income inequality-----all good goals, but they may result in unintended problems for families and agencies.

1. President Obama made an Executive Order to change overtime rules for In-home workers. In response, Governor Brown further ordered that no one in IHSS can work more than 8 hours per day.
 - a. This results in families having to hire 3 people to do an overnight (24 hours) shift, where they previously only needed 1 person.
 - b. Agencies, such as Supported Living service providers, have to hire 3 times as many staff. Recruitment is difficult and the persons served get upset with inconsistent staffing.
 - i. With 3 times the number of staff, more managers are needed and hiring costs are increased, as well.
2. An increase in the state's minimum wage is also a positive goal. On July 1, 2014 it will go up to \$9 per hour; then July 1, 2016 it will go up to \$10 per hour.

While an increase in minimum wage is great for employees working at minimum wage, agencies will have a harder time, without the necessary rate increases. Possible impacts:

- a. Fewer entry-level jobs (increase in unemployment)
 - b. Employers of consumers receiving Supported Employment services may institute lay offs/cutbacks
 - c. Will Sanford is on a work group to implement rate increases to help comply with the new minimum wage laws and will report back to us on this.
3. Barbara discussed the impact that the Affordable Care Act (ACA), will have on service providers along with all employers. She described a "risk corridor" in which was part of the ACA negotiations. The "risk corridor means if an insurance company loses money, the deficit will be subsidized by the Federal government. (Barbara suggested that service providers negotiate something similar with the State!)

- i. There are still a lot of implementation issues that are unclear
- ii. The employer mandate applies to agencies with more than 100 employees effective January 2015; and applies to agencies with 50-100 employees effective January 2016
- iii. An individual can be fined by the IRS for not having health coverage by March 1, 2014
- iv. An individual can receive subsidies for health care premiums, if they meet certain income requirements
- v. An employer can be fined if they don't offer affordable health care. Fines are \$2,000 per employee per year if no health coverage is provided and \$3,000 per employee per year if coverage is provided to only some of the full time employees:
 1. Some employers have dropped the coverage and will just pay the fine, as it is cheaper
 2. It only applies to employees working a minimum of 30 hours per week, so some employers are changing people's hours to 29 hours per week.
 3. One possible solution for our service system is to bring back the "unanticipated rate adjustment" for covering the costs for offering affordable health care to all employees.

Advocacy is needed to appeal to the legislature to cover these unfunded mandates. Jim and Will will keep us informed about hearings, etc.

Barb Johnson, of Congressman George Miller's office, announced that Amy, in their office, is an expert on ACA and can answer any questions about it. She can be reached at 925-602-1880.

RCEB Update by Jim Burton

Jim announced upcoming budget hearings on DDS issues:

- March 19th: Assembly hearing (check website for location and time)
- March 27th: Senate hearing (check website for location and time)

It is particularly beneficial for people with developmental disabilities to appear at these hearings.

Jim also reported that the Legislative Analyst came out with a report yesterday that supports the Governor's budget proposals. A hearing is scheduled for March 4th at 1 pm to discuss Senator Steinberg's SB 946, having to do with health insurance providing behavioral services.

Regarding RCEB:

- They have recently received \$6 Million in allocations, making their insufficiency \$9 Million, which is smaller than usual;
- They are keeping an eye on the budget issues regarding the increase in minimum wage and the overtime rules for in-home workers.
- There will be an upcoming hearing regarding the State Developmental Centers and Jim will keep us informed.
- Santi Rogers will begin his new position as Executive Director of DDS on March 3rd (San Andreas Regional Center gave him a great send off!).

AREA Board V Update by Gabriel Rogin

Gabriel announced that the next ABV meeting will tonight at 7 pm at the Golden Gate Regional Center's San Mateo office. ABV will be hearing from presenters on the issues of Sub-Minimum Wage Certificates and Sheltered Workshops. Their goal is to make a position recommendation to the State Council. They will also be discussing their grant priorities.

Gabriel also stated that he is expecting a restructuring of the State Council and Area Boards, although he is not sure of how they will be restructured.

In addition, Gabriel stated that it is still not clear if our community has sufficient capacity at day programs. He will be calling day programs in the next 2 weeks to collect more information.

Committee Reports:

- Legislative Committee: The Town Hall meeting on Feb. 21st was outstanding, with a great turnout of legislators and legislative staff (they ran out of places for them to sit!). The theme was employment services and the audience was packed. Barb Johnson stated it was incredible. They will have a video to show by next meeting.

The committee would like the DD Council's support (letter of support) for AB 1626 to restore the 10% rate cut to Supported Employment. It was unanimously passed (M/Josh Sullivan; S/Heidi Spaulding).

The DD Council would like more information on SB 577, which establishes pre-vocational services for job exploration, prior to voting in support.

- Nominating Committee: Craig announced that all positions on the DD Council are full. He also stated that we will be receiving forms soon to make nominations for awards at the June Awards Banquet. The banquet committee is trying to book Santi Rogers as the guest speaker.

- Transition Committee: Ken Talken announced that the West Contra Costa Special Education Resource and Transition Fair will be held on Saturday, April 26th. He will have flyers available next month.

Upcoming Meetings for 2014:

John listed the 2014 meetings as:

- March 26, 2014 @ RCEB
- April 23, 2014 in El Cerrito (location TBD)
- May 28, 2014 @ RCEB
- June 2014—annual dinner (date and location TBD)
- July and August 2014—no meetings
- September 24, 2014 @ RCEB
- October 22, 2014 @ RCEB
- November 19, 2014 @ RCEB (out of normal cycle)

John also wanted to thank the CAC for the excellent Town Hall meeting, with good representation of the employment issues----very well done!

Announcements:

Stephanie Chapralis announced that after 44 years in the field, she will be retiring at the end of June 2014. Barbara Maizie and Suzanne Anthony objected. Stephanie observed that she started her career with SF ARC and is ending it with Contra Costa ARC, with stops in between at Sonoma Developmental Center, Office of Education, Las Trampas, Inc. and Spectrum Centers, name a few!

Ange Burnett let everyone know that Autism Speaks is offering neighborhood grants----get all the information on their website.

Claudia Lam thanked everyone for the coat donations collected by the After School Programs at the George Miller Centers. Over the past 5 years they have been able to collect over 1200 coats and donate them to the Richmond Rescue Mission. In addition, the After School Program at George Miller Center-Concord will be hosting a Neon Dance on April 4th at 6:30 p.m. for people ages 11 years to 25 years (flyer attached).

Peggy Black was happy to report on the success of the FASD conference held last week which trained 65 attendees. The good news is that UCSF will be starting a Northern California diagnostic center for FASD!

The meeting was adjourned at 11:45 a.m.

**Our next meeting will be March 26, 2014
RCEB-Concord Conference Room
2151 Salvio Street (3rd Floor)
Concord, CA 94520**

Respectfully submitted electronically by,

Carol Anne McCrery
Contra Costa ARC