

EXECUTIVE DIRECTOR REPORT

February 7, 2014

I. FY 2014-2015 BUDGET UPDATE

- **Attachment #1:** FY 2014-2015 Governor's Budget Highlights for Department of Developmental Services
- **Attachment #2:** ARCA Analysis of FY 2014-2015 Governor's Budget Proposal
- **Attachment #3:** Annual Budget Process Flow Chart

Governor Brown issued his official annual State Budget Proposal on January 9, 2014. After almost a decade of ongoing reductions, the Governor's FY 2014-2015 State Budget Proposal for a second consecutive year, does not call for any new reductions to the Developmental Services budget. While the Governor's proposed budget is a status quo budget compared to current FY 2013-2014, it provides a \$110.1 million increase in funding for the minimum wage increase per AB 10 that affects community care facilities, day program services, habilitation services, respite services, supported living services and transportation. The Governor's Budget also provides an additional \$7.5 million increase to fund the changes in the Fair Labor Standards Act regulations regarding the payment of overtime by service providers who were previously not required to pay overtime. Given the number of persons served by the regional center system is expected to grow to 273,643 persons, an increase of 7,934 persons over current FY 2013-2014, the Governor's budget provides \$121.1 million increase for caseload and utilization growth. In total, the regional center Purchase of Service (POS) budget is provided with a \$235.6 million increase (6.2% increase) over current FY 2013-2014 budget and the regional center Operations budget (OPS) is provided with a \$15.4 million increase over current FY 2013-2014 budget (2.7% increase). (**Attachments #1-#2**).

Budget hearings in Sacramento held by the Legislature will begin in the near future and will most likely continue for the next few months until a final State Budget agreement is reached by the Governor and the Legislature (**Attachment #3**). ARCA will be representing the regional centers at these hearings and will be advocating for restoration of some regional center services for which funding has been significantly reduced or eliminated during the past several years. There will be a particular focus on advocacy to restore Early Start services in FY 2014-2015. ARCA will also be advocating for restoring some of the numerous reductions that have occurred over the past several years to the regional center OPS budget.

TRI-COUNTIES REGIONAL CENTER

Tri-Counties Regional Center (TCRC) has also developed a "Budget Watch" page on the TCRC website (www.tri-counties.org). Current information and resources related to the budget is posted on this page.

II. GOVERNOR APPOINTS NEW DIRECTOR AND CHIEF DEPUTY DIRECTOR OF DEPARTMENT OF DEVELOPMENTAL SERVICES (DDS)

- **Attachment #4:** Governor Brown's Announcement of appointment of Santi Rogers as the new Director of DDS and John Doyle as the new Chief Deputy Director of DDS
- **Attachment #5:** ARCA Letter of Support for the Appointment of Santi Rogers and John Doyle

Governor Brown has appointed a new Director and a new Chief Deputy Director of DDS. Santi Rogers has been selected as the new Director of DDS and John Doyle has been selected as the new Chief Deputy Director of DDS. Both positions require Senate confirmation (**Attachment #4-#5**).

Santi Rogers, 68, has been the Executive Director at the San Andreas Regional Center since 1995. He was Director of the Agnews Developmental Center from 1992-1993 and of the Porterville Developmental Center from 1987-1994. Rogers was the Deputy Director at DDS from 1983-1987 and Director of Stockton State Hospital from 1976-1983.

John Doyle, 56, has served in multiple positions at the California Department of Finance since 2004 including assistant program budget manager and principal program budget analyst. He was a manager at the California Department of Rehabilitation from 1997-2004 and served in multiple positions at the California Department of Toxic Substances Control from 1990-1997.

III. LEGISLATION

- **Attachment #6:** AB 86 Education Trailer Bill Overview
- **Attachment #7:** SB 579 (Berryhill): Commission on Oversight Efficiency and Quality Enhancement Models for Developmental Services
- **Attachment #8:** SB 367 (Block): Regional Center Cultural and Linguistic Competency

AB 86, the Trailer Bill relating to Education that passed this year, appropriated \$25 million to the California Community College Chancellor's Office (CCCO) to fund two-year grants to develop regional plans related to adult education. One grant will be issued per community college district (72 statewide). The focus of the grants is the expansion of adult education services in the areas of (1) Elementary and secondary basic skills (2) Classes for immigrants in citizenship and English (3) Programs for adults with disabilities (4) Short term career technical education, and (4) programs for apprentices. Community college districts must form a partnership with at least one local school district and can also include other community based organizations. In the Tri-Counties area there is \$405K allocated to Ventura County, \$200K allocated to Santa Barbara County and \$240K allocated to San Luis Obispo County. TCRC has taken a lead role to advocate for allocation of funds for development of programs for persons with developmental disabilities and has established partnerships with community colleges and school districts in each county in the Tri-Counties area to apply for funding to support a development grant. The next step for TCRC, now that we are linked with the application for the funding in all three counties, is to ensure the development of appropriate programs based on the educational and vocational needs of persons with developmental disabilities. The funding provided by AB86 fits perfectly with one of the focus areas in TCRC's current Strategic Performance Plan aimed at encouraging the development of academic and vocational services for transition age youth as they transition from high school to the next phase in their lives (**Attachment #6**).

SB 579 (Berryhill) seeks to create an appointed commission on Oversight Efficiency and Quality Enhancement Models to investigate ways to streamline and improve the regulation and oversight of programs that provide services to persons with developmental disabilities. The bill requires the Governor, Senate Committee on Rules, and the Speaker of the Assembly to appoint members to serve on the commission. The work of this committee has the potential to lessen some of the bureaucracy and duplicative monitoring responsibilities that currently exist between

TRI-COUNTIES REGIONAL CENTER

regional centers, community care licensing and the Department of Public Health (**Attachment #7**).

SB 367 (Block) has amended Section 4622 of the Lanterman Act pertaining to regional center governing boards to require training for board members on issues relating to linguistic and cultural competency, post these trainings on the regional center website and require regional center board of directors to annually review the performance of the regional center in providing services that are linguistically and culturally appropriate. ARCA will be working with the regional centers to determine how these new requirements may be implemented in a uniform manner across the twenty-one regional centers (**Attachment #8**).

IV. THE WAY FORWARD UPDATE

The Southern California Conference of Regional Center Directors (SCCRCD) have initiated a dialogue among member Regional Center Executive Directors, Board Presidents and Association of Regional Center Agencies (ARCA) Board delegates on the future direction of the community based developmental disabilities service system. Several Northern California regional centers have also joined the SCCRCD with this effort.

Numerous external forces including chronic and recurring budget reductions have imposed dozens of new changes through Trailer Bills since 2009 impacting every provision of service offered by regional centers. As the gap between expectations and financial support widens accompanied with continued “tinkering” with the system, it appears that the community based services system may be on the wrong path not only unable to effectively address budgetary challenges, but may also result in a system that is unable to carry out its mission of meeting the needs of persons with developmental disabilities and their families as outlined in the Lanterman Act. Regional centers must be willing to take risks, hear the critics, and be open to change and innovation while all stakeholders must recognize the limitations on public funds and the implications of these limitations on provision of services.

In an attempt to respond proactively and more strategically to these pressures, the SCCRCD has used surveys, numerous focus groups with persons with developmental disabilities, interviews with experts nationwide and will be using an upcoming invite only conference to gather input and develop a set of recommendations in the form of a “white paper” to guide the system into the future. The conference is scheduled to take place on April 3-4, 2014 in Southern California and will have six representatives from each of the twenty-one regional centers comprised of the regional center Executive Director, one senior staff, a Board of Directors member, a parent of a

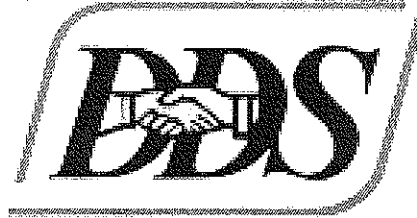
person with developmental disabilities , a person served by the regional center and a regional center service provider. Numerous state and nationally recognized speakers have been invited to participate and help the Way Forward Group develop a set of recommendations for the future of the developmental services system in California. TCRC is in the process of identifying the delegation from TCRC that will be participating in this event.

V. Director of Community Development Recruitment Update

TCRC advertised the opening of the newly restructured Director of Community Development position in numerous newspaper, professional and electronic employment venues. As a result there were 72 applicants for the position, 8 were pre-screened for interview selection and 4 were interviewed by two teams comprising of TCRC staff, management and the Co-Chair of the Vendor Advisory Committee. Area Board 9 was invited to take part in the interview panel but were unable to participate. The two interview panels used an intensive Behavior Event Interview (BEI) process to select two top candidates who will be interviewed by the TCRC Executive Director the week of February 10. TCRC is hopeful that we will be able to fill this important senior management position in the near future.

Department of Developmental Services

Governor's Budget Highlights



**Edmund G. Brown Jr.
Governor
State of California**

**Diana S. Dooley
Secretary
California Health and Human Services Agency**

**Mark Hutchinson
Chief Deputy Director
Department of Developmental Services**

January 2014

DEPARTMENT OF DEVELOPMENTAL SERVICES GOVERNOR'S BUDGET HIGHLIGHTS

PROGRAM HIGHLIGHTS

The Department of Developmental Services (the Department) is currently responsible under the Lanterman Developmental Disabilities Services Act (Lanterman Act) for ensuring that approximately 267,042 persons with developmental disabilities receive the services and support they require to lead more independent and productive lives and to make choices and decisions about their lives.

California provides services and supports to individuals with developmental disabilities in two ways: the vast majority of people live in their families' homes or other community settings and receive state-funded services that are coordinated by one of 21 non-profit corporations known as regional centers. A small number of individuals live in four state-operated developmental centers and one state-operated community facility. The number of consumers with developmental disabilities in the community served by regional centers is expected to increase from 265,709 in the current year to 273,643 in Fiscal Year (FY) 2014-15. The number of individuals living in state-operated residential facilities will be expected to be 1,049.

The January 2014 Governor's Budget includes \$5.2 billion total funds (\$2.9 billion GF) for the Department in 2014-15; a net increase of \$221.8 million above the updated 2013-14 budget, a 4.5 percent increase.

COMMUNITY SERVICES PROGRAM

2013-14

To provide services and support to 265,709 persons with developmental disabilities in the community, the Governor's Budget updates FY 2013-14 funding to \$4.4 billion total funds (\$2.5 billion GF). The Governor's Budget includes an increase of \$4.5 million total funds (-\$6.3 million GF decrease) for regional center operations (OPS) and purchase of services (POS). This is composed of:

Caseload and Utilization

\$2.4 million increase (-\$8.4 million GF decrease) in regional center OPS and POS costs to reflect caseload and utilization due to updated population and expenditure data including Home and Community Based Services (HCBS) waiver enrollment above budgeted levels.

Regional Center Operations Adjustment

\$2.1 million increase GF in OPS to reflect an adjustment to correct the double counting of savings related to the 2009-10 Early Start Eligibility savings proposal.

2014-15

The Governor's Budget projects the total community caseload at 273,643, as of January 31, 2015, and assumes an increase of 7,934 consumers over the updated 2013-14 caseload. The estimate proposes 2014-15 funding for services and support to persons with developmental disabilities in the community at \$4.6 billion total funds (\$2.6 billion GF), an increase of \$255.3 million (\$155.3 million GF) over the enacted 2013-14 budget. The regional center budget changes include:

Caseload and Utilization

\$138.6 million increase (\$82.9 million GF) in regional center OPS and POS to reflect caseload and utilization due to updated population and expenditure data including HCBS Waiver enrollment above budgeted levels.

Regional Center Operations Adjustment

\$2.1 million increase GF in OPS to reflect an adjustment to correct the double counting of savings related to the 2009-10 Early Start Eligibility savings proposal.

Impacts from Other Departments

-\$3.1 million GF decrease in POS to reflect the Department of Health Care Services restoration of Enteral Nutrition and partial restoration of Adult Dental Services as a Medi-Cal Optional Benefit.

Minimum Wage Increase

Assembly Bill (AB) 10, Chapter 351, Statutes of 2013 which increases the minimum wage from \$8.00 to \$9.00 effective July 1, 2014:

- \$0.1 million (\$0.1 million GF) increase in OPS due to the minimum wage increase will impact positions in regional center Core Staffing that are budgeted at salary levels that are below \$9.00; and
- \$110.1 million (\$69.3 million GF) increase in POS applies to services which rely on employees that are paid minimum wage.

Federal Overtime Change

\$7.5 million (\$4.0 million GF) increase in POS to reflect the impact of regulatory changes in the United States Department of Labor Fair Labor Standards to include overtime compensation for service providers that previously were not required to pay overtime effective, January 1, 2015.

DEVELOPMENTAL CENTERS PROGRAM

2013-14

To provide services and support for 1,333 residents in developmental centers (average in-center population) the Governor's Budget updates FY 2013-14 funding to \$556.0 million (\$305.2 million GF), an increase of \$13.0 million (\$7.5 million GF) over the FY 2013-14 enacted budget. Authorized positions net increase is 106.5. The developmental center budget changes include:

Employee Compensation Changes and Statewide Fleet Reduction

Net increase of \$6.4 million (\$4.0 million GF) due to employee compensation increases approved through the collective bargaining process, changes in retirement contribution rates, and savings from Executive Order B-2-11 Fleet Reduction.

Sonoma DC Program Improvement Plan

\$7.2 million (\$3.9 million GF) and 118.5 position increase for partial year cost for additional staff, training, overtime for training, vehicles and opening an additional Intermediate Care Facility Unit at Sonoma DC to support implementation of the facility's Program Improvement Plan (PIP) with the California Department of Public Health and Federal Centers for Medicare and Medicaid Services.

Lanterman DC Reduction for Decline in Land Use

-\$0.5 million (-\$0.3 million GF) and -12 position reduction primarily from the decline in land use and square footage at Lanterman DC in preparation for closure December 31, 2014.

Reduction in the Lottery Education Funds

-\$62,000 decrease due to a reduction in the Lottery Education Funds.

2014-15

For FY 2014-15, the Governor's Budget provides services and support for 1,110 residents (average in-center population) in developmental centers, a decrease of 223 residents (including all residents from Lanterman DC with a closure date of December 31, 2014) from the 2013-14 enacted budget. Funding decreased to \$526.0 million (\$275.0 million GF); a decrease of -\$16.9 million (-\$23.1 million GF). Authorized positions decreased to 4,464.5; a decrease of 339.5 positions below the enacted budget. By the end of the budget year, there is expected to be 1,049 individuals residing in the state operated facilities. DC costs are also adjusted for Lanterman DC closure activities that will continue after closure. Adjustments to the enacted budget for the developmental centers include:

Employee Compensation Changes and Statewide Fleet Reduction

Net increase of \$6.9 million (\$4.3 million GF) due to employee compensation increases approved through the collective bargaining process, changes in retirement contribution rates, and savings from Executive Order B-2-11 Fleet Reduction.

Sonoma DC Program Improvement Plan

\$9.2 million (\$5.1 GF) and 118.5 position increase for continuing costs into 2014-15 at Sonoma DC for the PIP to ensure the facility is in compliance with federal and state licensing and certification requirements.

DC Population Decrease Staffing Adjustments (Excluding Lanterman)

-\$12.8 million (-\$7.2 GF) decrease for population staffing adjustments at the DCs for Level of Care (LOC) 114.0 and Non-Level of Care (NLOC) 55.0 (excluding Lanterman DC).

Lease Revenue Debt Service Adjustment

\$2.8 million (\$2.8 GF) increase due to Control Section 4.30 for an adjustment to the Lease Revenue Debt Service.

Restoration of Federal Reimbursements at Sonoma DC

\$15.7 million funding shift from general fund to reimbursement to eliminate the GF backfill in 2013-14 for the four Sonoma ICF units withdrawn from the Medicaid Provider Agreement to ensure continued federal funding for the remaining six ICF units.

Reduction in the Lottery Education Funds

-\$62,000 decrease due to a reduction in the Lottery Education Funds.

Foster Grandparents Program Funding Transfer

-\$0.3 million (-\$0.2 GF) decrease to transfer funding from Foster Grandparents Program to Community Services.

Lanterman Closure Activities

Net decrease of -\$22.7 million (-\$12.0 GF) for Lanterman closure activities as detailed below.

LANTERMAN DEVELOPMENTAL CENTER CLOSURE UPDATE

The Governor's Budget continues to support Developmental Center and Community efforts towards closure of the Lanterman facility on December 31, 2014. The Department, working with regional centers, anticipates the transition of approximately 120 Lanterman DC residents in FY 2013-14. The Governor's Budget anticipates the transition of another 22 residents to community living arrangements in FY 2014-15 with the anticipated resident population being zero on December 31, 2014, with the closure of the facility.

The Governor's Budget reflects a net decrease in 2014-15 of -\$22.7 million (-\$12.0 million GF) for position reductions due to the Lanterman DC closure, staff separation costs, enhanced staffing adjustments, and post-closure activities. The reduced funding is the net of the following adjustments:

- -\$33.7 million (-\$18.5 GF) decrease and -317.0 position reduction with the anticipated residential population being zero on December 31, 2014;
- \$11.8 million (\$6.4 GF) increase to support numerous activities with the closure of the facility and separation of staff;
- -\$2.3 million (-\$1.2 GF) and -40.0 positions reduction of Enhanced Staff that are no longer needed for closure related activities beginning July 1, 2014;
- -\$2.0 million (-\$1.1 GF) reduction of half year funding for the remaining 48.0 Enhanced Staff Positions to support costs during the closure period of July 1, 2014 through December 31, 2014; and
- \$3.5 (\$2.4 GF) and 68.0 position increase for post-closure related activities. This funding is for the period from January 1, 2014 through June 30, 2014.

The Lanterman Closure Update Report and closure milestones will be released separately.

SPECIAL REPAIRS

The Budget provides \$100 million in a statewide item to various state agencies to address critical infrastructure deferred maintenance needs. Of this amount \$10 million will be allocated to the Department for critical deferred maintenance projects at the DCs.

CAPITAL OUTLAY

The 2014-15 Governor's Budget does not include any new Capital Outlay requests.

**ASSOCIATION OF REGIONAL CENTER AGENCIES
ANALYSIS OF THE FY 2014-15 NOVEMBER ESTIMATE
(GOVERNOR'S BUDGET)
JANUARY 10, 2014**

FY 2013-14 (Current Year)

1. CASELOAD

The FY 2013-14 May Revision estimated the regional center Community Caseload to be 265,097 consumers for January 31, 2014. The November Estimate increases the January 31, 2014 caseload to 265,709, an increase of 612 consumers (a 0.2% increase).

2. PURCHASE OF SERVICE - \$ 2.6 million Increase (0.07% Increase)

\$ 2.6 million increase to Purchase of Services due to updated caseload and expenditure data.

3. OPERATIONS - \$1.7 Million Increase (0.6% Increase)

- \$1.0 million decrease to reflect updated caseload data and correct calculation of Account Clerks:
 - \$1.2 million increase in the Core Staffing schedule due increase caseload.
 - \$2.2 million decrease in the Core Staffing schedule to correct the number of Account Clerks originally budgeted. Due to electronic billing the ratio of Account Clerks to total consumers in the Core Staffing Formula dropped from 1:600 to 1:800. However, in the May Revision for FY 2013-14 the Accounts Clerks were erroneously calculated at the old 1:600 ratio.
- \$2.1 million increase to correct the double counting of savings related to the 2009-10 Early Start Eligibility savings proposal.
- \$508,000 increase in case managers to meet HCBS waiver requirements to reflect updated caseload data.
- \$140,000 increase to reflect updated costs for various projects.

FY 2014-15 (Budget Year)

1. CASELOAD

The budget anticipates an increase of 7,934 consumers (a 3.0% increase) over the 265,709 consumers projected for January 31, 2014.

2. PURCHASE OF SERVICE - \$235.6 Million Increase (6.2% Increase)

- \$121.1 million increase over current fiscal year for caseload and utilization growth.
- \$3.1 million decrease due to the restoration of Medi-Cal benefits for Enteral Nutrition and some Adult Dental services.
- \$110.1 million increase for the minimum wage increase per AB 10. The affected services are community care facilities, day program services, habilitation services, respite services, supported living services, and transportation.
- \$7.5 million increase to fund the changes in the Fair Labor Standards Act regulations regarding the payment of overtime by service providers that previously were not required to pay overtime.

3. OPERATIONS – \$15.4 Million Increase Over Current Year (2.7% Increase)

- \$14.7 million increase in Staffing due to the projected increase in caseload.
- \$17,000 increase in case managers to meet HCBS waiver requirements to reflect updated caseload data.
- \$343,000 increase in the Foster Grandparent Program.
- \$160,000 increase in Special Projects for the Client's Rights Advocacy contract due to increased caseload numbers.
- \$136,000 increase for the minimum wage increase per AB 10.

Future Fiscal Issues

DDS listed two future fiscal issues which could have an impact on regional center costs. These are:

1. Change of Rates for Some ICFs

On February 27, 2013, the Centers for Medicare and Medicaid Services (CMS) approved a state plan amendment submitted by the Department of Health Care Services (DHCS), changing the rate setting methodology for Intermediate Care Facilities (ICFs). Applying this new methodology, DHCS estimates that 36% of ICFs may be subject to a rate reduction of up to 10%, retroactive to August 1, 2012. Stakeholders have expressed concern, both prior to and after CMS' approval that enacting this change would result in some ICFs closing because the providers could not absorb a reduction in rates that have been frozen since 2008. Other residential options (e.g. a different ICF or a regional center funded setting) would be necessary for the individuals residing in any ICFs that decide to no longer offer ICF services. Since ICFs are funded by Medi-Cal, any movement of individuals from an ICF to a regional center funded residential setting will result in increased costs to the Department of Developmental Services (DDS). The number of ICFs that may cease operation and the resulting fiscal impact has not been determined. DDS, in conjunction with DHCS, will continue to monitor the outcome of the application of the new rate setting methodology.

2. Patient Protection and Affordable Care Act (PPACA) – Employer Mandate

A key reform of the healthcare system included in the PPACA is the requirement that many businesses that do not currently offer insurance to employees make healthcare coverage available or pay a fine to cover the cost of the coverage through the new health exchange. In addition, the health insurance must meet the requirements for a qualified health plan.

Effective January 1, 2015, service providers with 50 or more full time employees will need to provide health insurance that meets the requirements of a qualified healthcare plan or pay a fine. While some service providers already provide health insurance for their employees that meet these requirements, provision of this type of coverage is not a DDS mandated cost. Therefore, for those service providers affected by this requirement that do not provide health insurance for their employees, it is likely DDS will receive requests for rate increases if the new requirements result in an increase in costs. These requests could include a rate adjustment for unanticipated costs (permissible for some cost statement based rates such as day programs) or health and safety requests.

**ASSOCIATION OF REGIONAL CENTER AGENCIES
ANALYSIS OF NOVEMBER ESTIMATE FOR FISCAL YEAR 2014-15
JANUARY 12, 2014**

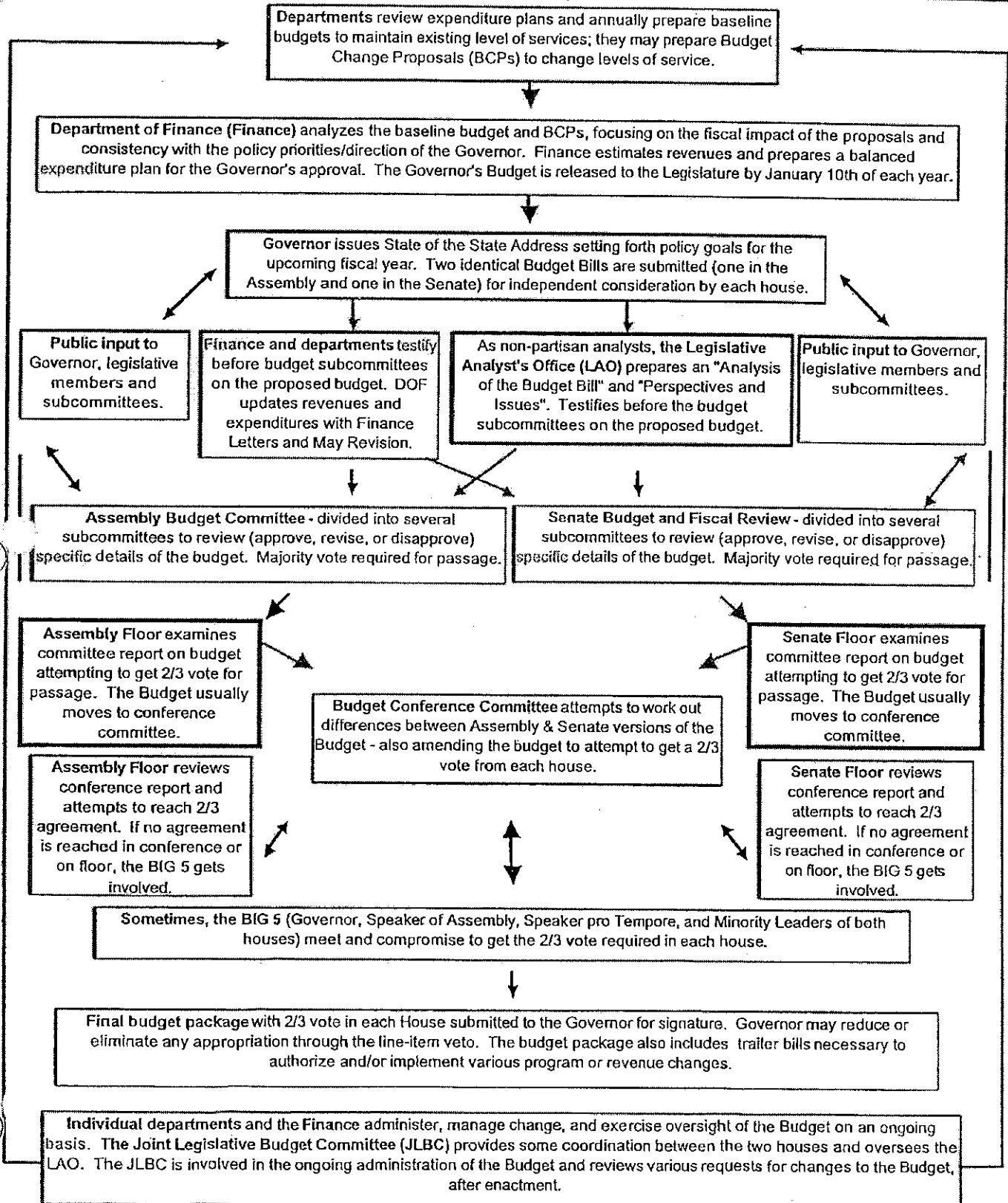
PURCHASE OF SERVICE BUDGET

	Purchase of Service	Quality Assurance Fees	Total POS
FY 2013-14 Enacted Budget	\$3,790,330,000	\$9,424,000	\$3,799,754,000
Update of Caseload, Utilization, and Expenditure Data	\$2,553,000		\$2,553,000
Updated FY 2013-14 Budget	\$3,792,883,000	\$9,424,000	\$3,802,307,000
Update of Caseload, Utilization, and Expenditure Data	\$121,146,000	\$0	\$121,146,000
Restoration of Medi-Cal Benefits for Enteral Nutrition and Some Adult Dental Services	(\$3,133,000)		(\$3,133,000)
AB 10 Minimum Wage Increase	\$110,054,000		\$110,054,000
Federal Labor regulations Change	\$7,500,000		\$7,500,000
Proposed FY 2014-15 Budget	\$4,028,450,000	\$9,424,000	\$4,037,874,000

REGIONAL CENTER OPERATIONS BUDGET

	Operations	ICF-DD Administrative Fees	Total Operations
FY 2013-14 Enacted Budget	\$560,314,000	\$1,745,000	\$562,059,000
Caseload and Expenditure Update	(\$403,000)		(\$403,000)
Adjustment to FY 2009-10 Savings from Early Start Eligibility Savings Proposal to Eliminate Double Counting of Certain Savings	\$2,145,000		\$2,145,000
Updated FY 2013-14 Budget	\$562,056,000	\$1,745,000	\$563,801,000
Caseload and Expenditure Update	\$15,246,000		\$15,246,000
AB 10 Minimum Wage Increase	\$136,000		\$136,000
Proposed FY 2014-15 Budget	\$577,438,000	\$1,745,000	\$579,183,000

THE ANNUAL BUDGET PROCESS





Office of Governor
Edmund G. Brown Jr.

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GOVERNOR BROWN ANNOUNCES APPOINTMENTS

1-14-2014

SACRAMENTO – Governor Edmund G. Brown Jr. today announced the following appointments.

John Doyle, 56, of Sacramento, has been appointed chief deputy director at the California Department of Developmental Services. Doyle has served in multiple positions at the California Department of Finance since 2004, including assistant program budget manager and principal program budget analyst. He was a manager at the California Department of Rehabilitation from 1997 to 2004 and served in multiple positions at the California Department of Toxic Substances Control from 1990 to 1997, including associate budget analyst and manager. Doyle was a senior budget analyst at Lockheed Missiles and Space Company from 1980 to 1989. This position requires Senate confirmation and the compensation is \$142,680. Doyle is registered decline-to-state.

Santi J. Rogers, 68, of Aptos, has been appointed director of the California Department of Developmental Services. Rogers has been director at the San Andreas Regional Center since 1995. He was director of the Agnews Developmental Center from 1992 to 1993 and of the Porterville Developmental Center from 1987 to 1994. Rogers was deputy director at the California Department of Developmental Services from 1983 to 1987 and director of Stockton State Hospital from 1976 to 1983. This position requires Senate confirmation and the compensation is \$169,950. Rogers is registered decline-to-state.

Marty Morgenstern, 79, of Oakland, has been appointed to the California Secure Choice Retirement Savings Investment Board. Morgenstern has been a Senior Advisor in the Office of the Governor since 2013. He served as Secretary of the California Labor and Workforce Development Agency from 2011 to 2013 and was a consultant for the University of California on labor relations matters from 2003 to 2011. Morgenstern was director of the California Department of Personnel Administration from 1999 to 2003 and from 1981 to 1982. He was a consultant in private practice from 1994 to 1999, chair of the Center for Labor Research and Education at the University of California, Berkeley from 1987 to 1994 and a member of the California Public Employment Relations Board from 1982 to 1987. Morgenstern was appointed director of the Governor's Office of Employee Relations in 1975. This position does not require Senate confirmation and there is no compensation. Morgenstern is a Democrat.

Ryan Chamberlain, 39, of Trabuco Canyon, has been reappointed to the Orange County Transportation Authority Board of Directors, where he has served since 2012. Chamberlain has been director of the California Department of Transportation, District 12 since 2012, where he served in multiple positions from 2001 to 2012, including division chief of transportation planning, deputy director of planning and local assistance, division chief of local development and intergovernmental review and associate environmental planner. Chamberlain was associate environmental planner at the California Department of Transportation, District 7 from 1999 to 2001 and a planner at Parsons Brinckerhoff Quade and Douglas from 1998 to 1999. This position does not require Senate confirmation and there is no compensation. Chamberlain is registered decline-to-state.

Basem Muallem, 54, of Chino Hills, has been reappointed to the Riverside County Transportation Commission, where he has served since 2012 and to the San Bernardino Associated Governments Board of Directors, where he has served since 2012. Muallem has been director of the California Department of Transportation, District 8 since 2012, where he has served in multiple positions from 1989 to 2012, including deputy district director of program project management, deputy district director for maintenance, senior transportation engineer and associate transportation engineer. He was acting division chief for maintenance and right of way at the California Department of Transportation in 2010 and served in multiple positions at the California Department of Transportation, District 7 from 1983 to 1989, including civil engineer, assistant transportation engineer and junior civil engineer. These positions do not require Senate confirmation and there is no compensation. Muallem is a Republican.

Virginia Sanchez, 62, of Stockton, has been appointed to the California State Council on Developmental Disabilities, Area Board XI. Sanchez was a noon supervisor at Morada Middle School from 2009 to 2010 and an in-home supportive service provider at the San Joaquin County Human Services Agency's In-Home Supportive Services Program from 1989 to 2011. She was an ESL teacher at California Human Development from 1990 to 1996, and an ESL placement director for the Hayward Unified School District from 1984 to 1987. Sanchez is a member of the American Cancer Society. This position does not require Senate confirmation and there is no compensation. Sanchez is a Democrat.

###

Latest News



Governor Brown Announces Appointments
02-04-2014



Governor Brown Issues Proclamation Declaring Black History Month 02-01-2014



Governor Brown Issues Statement on State Water Project Allocations 01-31-2014



Governor Brown Issues Proclamation Declaring Fred Korematsu Day 01-30-2014



Governor Brown to Discuss State's Severe Drought With Southland Water Leaders in LA Tomorrow 01-29-2014



Governor Brown to Discuss State's Severe Drought With Southland Water Leaders in LA Tomorrow 01-29-2014



Governor Brown Announces Appointments 01-29-2014



Governor Brown to Attend CSU Trustees Meeting and American Jewish Committee Dinner in Southern California Tomorrow 01-28-2014



Governor Brown Appoints Keri G. Katz to San Diego County Superior Court 01-28-2014



Governor Brown Appoints Ferdinand P. Inumberable to Ventura County Superior Court 01-28-2014



ASSOCIATION OF REGIONAL CENTER AGENCIES

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January 27, 2014

Secretary Diana S. Dooley
California Health and Human Services
1600 Ninth Street, Room 460
Sacramento, CA 95814

RE: Recent Appointments of Director and Chief Deputy Director of the Department of Developmental Services

Honorable Secretary Dooley:

The Association of Regional Center Agencies (ARCA) would like to thank you for your thoughtful deliberation resulting in the selection of Santi Rogers as the Director of the Department of Developmental Services (DDS) as well as John Doyle as the Chief Deputy Director of DDS. ARCA believes that both Mr. Rogers and Mr. Doyle have the necessary skills and breadth of experience in California's developmental services system to provide the immediate leadership and direction needed to advance the mission of DDS.

Santi Rogers has demonstrated a long-standing commitment to Californians with developmental disabilities, having worked to support them and their interests for in excess of forty-five years. His varied experience as the director of three developmental centers and a regional center in addition to Deputy Director at DDS is unparalleled. He brings passion as well as a vision for advancing California's developmental services system into the future. ARCA is confident that under his leadership issues will be addressed in a manner that promotes collaboration and partnerships between DDS, regional centers, providers, and individuals with developmental disabilities and their families.

John Doyle brings to the job a familiarity to the issues facing DDS and sensitivity to the population served, having worked for the Department of Finance on these issues as well as for the Department of Rehabilitation. ARCA anticipates this knowledge combined with strong budgetary skills will be an asset to DDS and the individuals served in its programs.

ARCA appreciates your dedication to enlisting the service of the right individuals for the top leadership positions at DDS. Mr. Rogers and Mr. Doyle bring essential experience, values, and talent to their respective positions. ARCA anticipates they will provide strong guidance to California's developmental services system to meet its current and future challenges.

Sincerely,

A handwritten signature in black ink, appearing to read "Fernando Gomez", written in a cursive style.

Fernando Gomez

ARCA Board President



COLLABORATING TO BETTER SERVE
THE EDUCATIONAL NEEDS OF ADULTS

MORE ON AB 86
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AB86 E-NEWSLETTER

AB 86 Overview

The 2013-2014 State Budget appropriated \$25 million to the California Community College Chancellor's Office (CCCCO) to allocate funding for two-year planning and implementation grants. The funds will be provided to eligible consortia for the purpose of developing regional plans for adult education. Assembly Bill 86 (AB 86) outlines expectations for consortium development as well as planning and implementation requirements to establish the Adult Education Consortium Program. The intent of AB 86 is to expand and improve the provision of adult education -via these consortia- with incremental investments starting with the 2015-16 fiscal year.

The CCCCCO and the California Department of Education (CDE) are working in partnership to implement the requirements outlined in AB 86. The agencies jointly established an AB 86 Cabinet to guide and oversee the activities of a Work Group that will develop a comprehensive Request for Application (RFA). As they develop the RFA, the Work Group will consult with expert panels relevant to each issue and various organizations will be asked to participate in a Stakeholder Sounding Board. Please see the links below for information on the Cabinet, Work Group, Stakeholder Sounding Board, and Expert Panel.

The Cabinet and Work Group will ensure a transparent process is used to listen to and inform the field throughout the development of the RFA. The RFA is scheduled to be released near the beginning of the new calendar year. Town hall meetings, informational webinars, field surveys, and a listserv will be among the venues whereby all stakeholders will have an opportunity to provide feedback and input to the process. Additionally, individuals who wish to provide feedback are encouraged to do so by using the orange Feedback button to the left of this screen. For more information regarding the legislation, please review the Legislative Overview on this site and the full text of the AB 86 Bill. Please continue to reference this site for new developments and details relating to this process.

LEARN MORE:

[AB 86 Legislative Overview](#)

[AB 86 Planning Process](#)

- Cabinet
- Work Group
- Stakeholder Sounding Board
- Expert Panels
- AB 86 Timeline

[VIEW AB 86 BILL TEXT, ARTICLE 3](#)

[WHAT'S NEW](#)

[OVERVIEW](#)



CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE



California DEPARTMENT OF
EDUCATION



COLLABORATING TO BETTER SERVE
THE EDUCATIONAL NEEDS OF ADULTS

MORE ON AB 86
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AB 86 Calendar

Events

- Technical Assistance Webinars
- Town Hall Meetings

Timeline

Ongoing	Stakeholder Sounding Board Sign-up
10/03/13	Survey of Interest Released
10/11/13	Informational Webinar - 11:00 AM - 12:00 PM CLICK HERE to access the presentation and recording.
10/18/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
10/22/13	Survey of Interest Due
10/25/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the recording.
10/28/13	Southern California Town Hall Meeting CLICK HERE to access the presentation and recording.
10/29/13	Central Valley Town Hall Meeting CLICK HERE to access the presentation and recording.
10/30/13	Bay Area Town Hall Meeting CLICK HERE to access the presentation and recording.
10/31/13	Northern California Town Hall Meeting CLICK HERE to access the presentation and recording.
11/01/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
11/08/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
11/15/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
11/22/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
12/06/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
12/13/13	Informational Webinar - 12:00 PM to 1:00 PM CLICK HERE to access the presentation and recording.
December 2013	Certification of Eligibility Release
12/20/13	Technical Assistance Webinar - 12:00 PM to 1:00 PM CLICK HERE for information about how to access this webinar.
January 2014	Bidder's Conference
01/10/14	Technical Assistance Webinar - 12:00 PM to 1:00 PM CLICK HERE for information about how to access this webinar.
End of February	Certification of Eligibility Due

Feedback

VIEW AB 86 REPORT, ARTICLE 1

WILSON NEWS

OPPORTUNITY

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (b) shall be deemed to be "General Fund revenues appropriated for community college districts," as defined in subdivision (d) of Section 41202, for the 2014–15 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2014–15 fiscal year.

(d) This section shall become operative on December 15, 2013.

(e) This section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 75. Article 7 (commencing with Section 84381) of Chapter 3 of Part 50 of Division 7 of Title 3 of the Education Code is repealed.

SEC. 76. Article 3 (commencing with Section 84830) is added to Chapter 5 of Part 50 of Division 7 of Title 3 of the Education Code, to read:

Article 3. Adult Education Consortium Program

84830. (a) The Chancellor of the California Community Colleges and the State Department of Education shall, pursuant to funding made available in the annual Budget Act, ~~jointly provide two-year planning and implementation grants to regional consortia of community college districts and school districts for the purpose of developing regional plans to better serve the educational needs of adults.~~

(1) Eligibility shall be limited to consortiums consisting of at least one community college district and at least one school district within the boundaries of the community college district, either of which may serve as the consortium's fiscal agent, as determined by the applicant consortium.

(2) If a community college district chooses not to participate in a consortium, a neighboring community college district may form a consortium with school districts within the boundaries of the nonparticipating community college district.

(3) Consortiums may include other entities providing adult education courses, including, but not necessarily limited to, correctional facilities, other local public entities, and community-based organizations.

(b) Grant funds provided pursuant to this section shall be used by each regional consortium to create and implement a plan to better provide adults in its region with all of the following:

(1) Elementary and secondary basic skills, including classes required for a high school diploma or high school equivalency certificate.

(2) Classes and courses for immigrants eligible for educational services in citizenship and English as a second language, and workforce preparation ~~classes in basic skills.~~

(3) Education programs for adults with disabilities.

~~(4) Short-term career technical education programs with high employment potential.~~

(5) Programs for apprentices.

(c) Each regional consortium's plan shall include, at a minimum:

(1) An evaluation of current levels and types of adult education programs within its region, including education for adults in correctional facilities; credit, noncredit, and enhanced noncredit adult education coursework; and programs funded through Title II of the federal Workforce Investment Act, known as the Adult Education and Family Literacy Act (Public Law 105-220).

(2) An evaluation of current needs for adult education programs within its region.

(3) Plans for parties that make up the consortium to integrate their existing programs and create seamless transitions into postsecondary education or the workforce.

(4) Plans to address the gaps identified pursuant to paragraphs (1) and (2).

(5) Plans to employ approaches proven to accelerate a student's progress toward his or her academic or career goals, such as contextualized basic skills and career technical education, and other joint programming strategies between adult education and career technical education.

(6) Plans to collaborate in the provision of ongoing professional development opportunities for faculty and other staff to help them achieve greater program integration and improve student outcomes.

(7) Plans to leverage existing regional structures, including, but not necessarily limited to, local workforce investment areas.

(d) The Chancellor of the California Community Colleges and the State Department of Education may identify additional elements that consortia must include in a plan.

(e) (1) On or before March 1, 2014, the Chancellor of the California Community Colleges and the State Department of Education shall submit a joint report to the Legislature and the Governor. This report shall include, but not necessarily be limited to, all of the following:

(A) The status of developing regional consortia across the state, including identification of unserved geographic areas or emerging gaps in regional program delivery.

(B) The status and allocation of grant awards made to the regional consortia.

(2) The report shall be submitted to the Legislature as provided in Section 9795 of the Government Code.

(f) (1) On or before March 1, 2015, the Chancellor of the California Community Colleges and the State Department of Education shall submit a joint report to the Legislature and the Governor. This report shall include, but is not limited to, all of the following:

(A) The plans developed by the regional consortia across the state.

(B) Recommendations for additional improvements in the delivery system serving adult learners.

(2) The report shall be submitted to the Legislature as provided in Section 9795 of the Government Code.

(g) It is the intent of the Legislature to work toward developing common policies related to adult education affecting adult schools at local educational agencies and community colleges, including policies on fees and funding levels.

~~(h) It is the intent of the Legislature to provide additional funding in the 2015-16 fiscal year to the regional consortia to expand and improve the provision of adult education.~~

SEC. 77. Section 17581.5 of the Government Code is amended to read:

17581.5. (a) A school district or community college district shall not be required to implement or give effect to the statutes, or a portion of the statutes, identified in subdivision (c) during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if all of the following apply:

(1) The statute or a portion of the statute, has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of school districts or community college districts pursuant to Section 6 of Article XIII B of the California Constitution.

(2) The statute, or a portion of the statute, or the test claim number utilized by the commission, specifically has been identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. For purposes of this paragraph, a mandate shall be considered specifically to have been identified by the Legislature only if it has been included within the schedule of reimbursable mandates shown in the Budget Act and it specifically is identified in the language of a provision of the item providing the appropriation for mandate reimbursements.

(b) Within 30 days after enactment of the Budget Act, the Department of Finance shall notify school districts of any statute or executive order, or portion thereof, for which reimbursement is not provided for the fiscal year pursuant to this section.

(c) This section applies only to the following mandates:

(1) School Bus Safety I (CSM-4433) and II (97-TC-22) (Chapter 642 of the Statutes of 1992; Chapter 83I of the Statutes of 1994; and Chapter 739 of the Statutes of 1997).

(2) County Treasury Withdrawals (96-365-03; and Chapter 784 of the Statutes of 1995 and Chapter 156 of the Statutes of 1996).

(3) Grand Jury Proceedings (98-TC-27; and Chapter 1170 of the Statutes of 1996, Chapter 443 of the Statutes of 1997, and Chapter 230 of the Statutes of 1998).

(4) Law Enforcement Sexual Harassment Training (97-TC-07; and Chapter 126 of the Statutes of 1993).

(5) Health Benefits for Survivors of Peace Officers and Firefighters (Chapter 1120 of the Statutes of 1996 and 97-TC-25).

Senate Appropriations Committee Fiscal Summary
Senator Kevin de León, Chair

SB 579 (Berryhill) - Developmental services: Commission on Oversight Efficiency and Quality Enhancement Models.

Amended: January 14, 2014 Policy Vote: Human Services 4-0
Urgency: No Mandate: No
Hearing Date: January 23, 2014
Consultant: Brendan McCarthy

SUSPENSE FILE. AS AMENDED IN COMMITTEE.

Bill Summary: SB 579 would create an appointed commission to investigate ways to streamline and improve the regulation and oversight of programs that provide services to the developmentally disabled.

Fiscal Impact: Likely costs of about \$500,000 over two years to support the Commission (General Fund). This estimate includes state staff to provide administrative support to the Commission as well as travel and other costs associated with the Commission.

Background: California provides community-based services to approximately 250,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers. Regional centers are private, nonprofit agencies under contract with the Department of Developmental Services for the provision of various services and supports to people with developmental disabilities. As a single point of entry, regional centers provide diagnostic and assessment services to determine eligibility; convene planning teams to develop an Individual Program Plan for each eligible consumer; and either provide or obtain from generic agencies appropriate services for each consumer in accordance with the Individual Program Plan.

Under current law, providers of services to the developmentally disabled may be licensed by the Department of Social Services or the Department of Public Health. For example, the Department of Social Services licenses providers of day programs and operators of group residential homes. The Department of Public Health licenses facilities such as intermediate care facilities for the developmentally disabled and specialized nursing homes.

AMENDED IN SENATE JANUARY 15, 2014
AMENDED IN SENATE JANUARY 6, 2014
AMENDED IN SENATE SEPTEMBER 11, 2013
AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 579

Introduced by Senator Berryhill

February 22, 2013

An act to add and repeal Section 4751 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 579, as amended, Berryhill. Developmental services: Commission on Oversight Efficiency and Quality Enhancement Models.

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan, developed in accordance with prescribed requirements.

The California Community Care Facilities Act provides for the licensure and regulation of community care facilities, including residential facilities, adult day programs, small family homes, and group homes, by the State Department of Social Services.

Existing law requires the State Department of Public Health to license and regulate various types of health facilities, and requires the State Department of Public Health and the State Department of Developmental Services to jointly develop and implement licensing regulations appropriate for intermediate care facilities/developmentally

disabled-nursing and intermediate care facility/developmentally disabled-continuous nursing.

This bill would establish the Commission on Oversight Efficiency and Quality Enhancement Models to investigate methods of implementing a unified and consistent oversight and quality enhancement process that ensures the welfare, community participation, health, and safety of individuals with developmental disabilities who are served in programs licensed by the Community Care Licensing Division of the State Department of Social Services. The bill would require the process to also enhance accountability and quality review processes for the services directly provided by regional centers. ~~The bill would state the intent of the Legislature that the State Department of Developmental Services identify regional center catchment areas for voluntary participation in a pilot project consistent with the recommendations of the commission.~~ The bill would require the Governor, Senate Committee on Rules, and the Speaker of the Assembly to appoint members to serve on the commission, as prescribed.

The bill would require the commission to recommend a strategy for uniform data collection that provides reliable, valid, and actionable data from multiple stakeholder perspectives and that may be consistently deployed at regional centers. This bill would require the commission to review current regulations and relevant statutes to better focus on reliable data to measure outcomes for individuals served and the impact of services on the lives of individuals and their families, in accordance with prescribed characteristics. The bill would require the commission, by June 30, 2015, to determine the best methods for collecting input on relevant regulatory standards and statutes, and to request public input on those standards, as specified. The bill would require the commission to review and compile, by September 30, 2016, the input received and to submit, by December 31, 2016, a report on its recommended regulatory and statutory changes to the Legislature and the State Department of Developmental Services.

This bill would require the commission to propose, in its report, a process by which relevant regulations and statutes governing the Licensing and Certification Division of the State Department of Public Health may be reviewed by a future commission.

~~This bill would require regional centers that seek consideration for participation in any program to pilot new quality enhancement systems to collect baseline data, as determined by the commission, in programs and services for people with developmental disabilities that are licensed~~

~~by the Community Care Licensing Division of the State Department of Social Services. These~~

~~These provisions would be repealed on January 1, 2018.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.~~

~~State-mandated local program: no.~~

The people of the State of California do enact as follows:

1 SECTION 1. Section 4751 is added to the Welfare and
2 Institutions Code, to read:

3 4751. (a) The Legislature finds and declares all of the
4 following:

5 (1) Evaluation of the services that people with developmental
6 disabilities receive from both service providers and regional centers
7 is a critical component of the service system.

8 (2) There is evidence that the current system, in which three
9 state-funded entities, the State Department of Developmental
10 Services, the regional centers, and the Community Care Licensing
11 Division of the State Department of Social Services, are charged
12 with monitoring and maintaining quality services and supports for
13 people with developmental disabilities, is duplicative and confusing
14 and fails to produce data essential for service improvement.

15 (3) The efficiency and efficacy of the oversight and quality
16 review processes can be significantly enhanced by unifying the
17 current duplicative quality review system, thus conserving limited
18 state and service providers' resources while simultaneously
19 improving the lives of people with developmental disabilities in
20 California.

21 (b) The Commission on Oversight Efficiency and Quality
22 Enhancement Models is established to investigate methods of
23 implementing a unified and consistent oversight and quality
24 enhancement process. This process shall ensure the welfare,
25 community participation, health, and safety of all those with
26 developmental disabilities who are served in programs currently
27 licensed by the Community Care Licensing Division of the State
28 Department of Social Services. The commission shall give the
29 utmost attention to ensure that the results of its work do not reduce
30 the quality of oversight and monitoring of the health and safety of
31 persons with developmental disabilities. This process shall also
32 enhance accountability and quality review processes for the

1 services directly provided by regional centers. ~~At the conclusion~~
2 ~~of the investigation, it is the intent of the Legislature that, based~~
3 ~~upon the information, analysis, and recommendations of the~~
4 ~~commission, the State Department of Developmental Services~~
5 ~~shall identify regional center catchment areas for voluntary~~
6 ~~participation in a pilot project consistent with the recommendations~~
7 ~~of the commission.~~

8 (c) The commission shall be composed of not more than 12
9 ~~members. members as follows:~~

10 ~~(1) The Governor, the Senate Committee on Rules, and the~~
11 ~~Speaker of the Assembly shall each appoint three members to serve~~
12 ~~on the commission consistent with subparagraphs (A) and (B).~~

13 ~~(A) The appointed members shall meet both of the following~~
14 ~~requirements:~~

15 ~~(i) Have professional experience in quality assurance within the~~
16 ~~developmental disabilities field.~~

17 ~~(ii) Represent statewide organizations.~~

18 ~~(B) Each appointing authority shall appoint a member~~
19 ~~representing, as broadly as possible, each of the following areas:~~

20 ~~(i) The service provider community.~~

21 ~~(ii) The advocacy and consumer services community.~~

22 ~~(iii) Regional centers.~~

23 ~~(1) Three public members appointed by the Senate Committee~~
24 ~~on Rules, with one appointee who is from the advocacy community,~~
25 ~~one appointee who is a provider of day program services, and one~~
26 ~~appointee who represents regional centers.~~

27 ~~(2) Three public members appointed by the Speaker of the~~
28 ~~Assembly, with one appointee who is a consumer or family member,~~
29 ~~one appointee who is a provider of residential services, and one~~
30 ~~appointee who represents regional centers.~~

31 ~~(3) Three public members appointed by the Governor with the~~
32 ~~consent of the Senate. The Governor shall request and consider~~
33 ~~nominations of persons from the advocacy community, the provider~~
34 ~~community, the regional center system, consumers and family~~
35 ~~members, and subject experts in data collection and licensing~~
36 ~~oversight for these appointments.~~

37 ~~(2)~~

38 (4) The State Department of Developmental Services, the State
39 Department of Social Services, and the California Health and

1 Human Services Agency may each select a representative to
2 participate on the commission.

3 (d) The commission may appoint advisory groups to provide
4 specialized input to assist the commission in its work.

5 (e) The commission shall examine existing regulations and
6 statutes, and recommend changes to the State Department of
7 Developmental Services, as specified in subdivision (g).

8 (f) (1) The commission shall recommend, and include in its
9 final report, a strategy for uniform data collection that provides
10 reliable, valid, and actionable data from multiple stakeholder
11 perspectives and that may be consistently deployed at regional
12 centers. The strategy shall address, to the fullest extent possible,
13 all of the following:

14 (A) Service provider and regional performance.

15 (B) Outcomes consistent with individual program plan goals.

16 (C) Flexibility of implementation.

17 (D) Field-based data entry and analysis.

18 (E) Documentation, measurement, and analysis of the strategy's
19 implementation.

20 (F) Usage of data currently being collected by regional centers
21 and the State Department of Developmental Services.

22 (G) Regional center and service provider resource needs to
23 implement the strategy.

24 (2) The commission shall consider, but is not limited to, the
25 experience, outcomes, and data provided by the National Core
26 Indicators, the Agnews Developmental Center, and the Bay Area
27 Quality Management System, and from current quality reviews of
28 unlicensed Lanterman Developmental Disabilities Services Act
29 support models, including family home agencies and supported
30 living, in developing the strategy's structure, standards, and data
31 collection methodologies.

32 (g) The commission shall review current sections in Titles 17
33 and 22 of the California Code of Regulations and relevant statutes
34 to better focus on reliable data to measure outcomes for individuals
35 served and the impact of services on the lives of individuals and
36 their families. Recommendations for the strategy and regulatory
37 change shall reflect the following characteristics:

38 (1) Be lean, simple, efficient, and understood by the people
39 served and those who serve them.

1 (2) Avoid unnecessary redundancies of process, permissions,
2 oversight, and enforcement.

3 (3) Base objective reviews on quality standards that, in
4 accordance with Lanterman Developmental Disabilities Services
5 Act principles, address individual outcomes, including, but not
6 limited to, health, safety, independence, choice, empowerment,
7 inclusion, and participation in community life. Outcome measures
8 are to be consistent with performance measures for regional centers.

9 (4) Base subjective reviews of the impact on individuals and
10 families on satisfaction data collected by an independent third
11 party that surveys a statistically significant sample of service
12 providers and individuals and families providing or receiving those
13 services.

14 (5) Shift the focus of quality efforts to a service enhancement
15 model that encourages and recognizes service provider and regional
16 center improvements.

17 (6) Include multiple options for proactive consumer protections,
18 including screening for qualified providers, an emphasis on an
19 evolving improvement system of coaching and mentoring service
20 providers toward quality, and an immediate response capacity to
21 address people in imminent danger.

22 (7) Report aggregate service and individual outcomes to
23 highlight excellence, innovation, and satisfaction in the services
24 provided and in the lives of individuals with developmental
25 disabilities.

26 (8) Enhance transparency, accountability, quality standards, and
27 measurement processes for the services directly provided by
28 regional centers consistent with regional center performance
29 contracts.

30 (9) Provide consumers, families, service providers, and regional
31 center staff the opportunity to participate in system evaluation.

32 (10) Ensure that the results of oversight, quality enhancement,
33 and assurance review activities are available in plain language to
34 people with developmental disabilities and their families so they
35 can be informed consumers of the services that they receive.

36 (h) (1) On or before June 30, 2015, the commission shall
37 determine the best methods of collecting input on relevant statutes
38 and sections of Titles 17 and 22 of the California Code of
39 Regulations.

1 (2) These methods shall include, but not be limited to, the
2 following:

3 (A) At least two public meetings, with one meeting held in
4 southern California and one meeting held in northern California.

5 (B) The electronic submission of comments.

6 (3) The commission shall request public input concerning the
7 revision, retention, or removal of relevant statutes and sections of
8 Titles 17 and 22 of the California Code of Regulations affecting
9 only programs meeting both of the following:

10 (A) Under the partial or exclusive oversight of the Community
11 Care Licensing Division of the State Department of Social Services.

12 (B) Provide services and supports exclusively or primarily to
13 persons with developmental disabilities.

14 (4) The commission shall solicit comment on issue areas
15 including, but not limited to, the following:

16 (A) Certification and vendorization processes.

17 (B) Complaints.

18 (C) Quality oversight and monitoring requirements.

19 (D) Decertification and devendorization processes.

20 (E) Conflict and duplication in statutes and regulations.

21 (i) (1) On or before September 30, 2016, the commission shall
22 review and compile the input received based on its relevance to
23 the criteria described in subdivision (g). On or before December
24 31, 2016, the commission shall submit to the Legislature and the
25 State Department of Developmental Services a report on its
26 recommended changes to Titles 17 and 22 of the California Code
27 of Regulations and any recommended statutory changes. The
28 commission shall also recommend, based on input received, the
29 most effective entity or entities for enforcing the regulations.

30 (2) In its report, the commission shall propose a process by
31 which relevant regulations and statutes governing the Licensing
32 and Certification Division of the State Department of Public Health,
33 guided by the criteria described in subdivision (g), may be reviewed
34 by a future commission if one is established.

35 ~~(j) From January 1, 2016, to December 31, 2016, inclusive,~~
36 ~~regional centers that seek consideration for participation in any~~
37 ~~program to pilot new quality enhancement systems shall collect~~
38 ~~baseline data, as determined by the commission, on existing service~~
39 ~~quality and quality assurance processes in programs and services~~
40 ~~for people with developmental disabilities that are licensed by the~~

1 ~~Community Care Licensing Division of the State Department of~~
2 ~~Social Services.~~

3 ~~(k)~~

4 *(j)* A report to be submitted pursuant to subdivision (i) shall be
5 submitted in compliance with Section 9795 of the Government
6 Code.

7 ~~(j)~~

8 *(k)* This section shall remain in effect only until January 1, 2018,
9 and as of that date is repealed, unless a later enacted statute, that
10 is enacted before January 1, 2018, deletes or extends that date.

O



California
LEGISLATIVE INFORMATION

SB-367 Developmental services: regional centers: cultural and linguistic competency. (2013-2014)

Senate Bill No. 367

CHAPTER 682

An act to amend Section 4622 of the Welfare and Institutions Code, relating to developmental services.

[Approved by Governor October 09, 2013. Filed with Secretary of State
October 09, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

SB 367, Block. Developmental services: regional centers: cultural and linguistic competency.

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is required to contract with regional centers to provide support and services to individuals with developmental disabilities. Existing law requires the governing board of the regional center to satisfy specified requirements, including annually reviewing the performance of the director of the regional center, and providing necessary training and support to board members.

This bill would require that this training and support include issues relating to linguistic and cultural competency, and would require each regional center to post on its Internet Web site information regarding the training and support provided. The bill would require the governing board to annually review the performance of the regional center in providing services that are linguistically and culturally appropriate and would authorize the governing board to provide recommendations to the director of the regional center based on the results of that review.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4622 of the Welfare and Institutions Code is amended to read:

4622. The state shall contract only with agencies, the governing boards of which conform to all of the following criteria:

- (a) The governing board shall be composed of individuals with demonstrated interest in, or knowledge of, developmental disabilities.
- (b) The membership of the governing board shall include persons with legal, management, public relations, and developmental disability program skills.
- (c) The membership of the governing board shall include representatives of the various categories of disability to be served by the regional center.
- (d) The governing board shall reflect the geographic and ethnic characteristics of the area to be served by the regional center.
- (e) A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the members of the governing board shall be persons with developmental disabilities.
- (f) Members of the governing board shall not be permitted to serve more than seven years within each

eight-year period.

(g) (1) The regional center shall provide necessary training and support to these board members to facilitate their understanding and participation, including issues relating to linguistic and cultural competency.

(2) As part of its monitoring responsibility, the department shall review and approve the method by which training and support are provided to board members to ensure maximum understanding and participation by board members.

(3) Each regional center shall post on its Internet Web site information regarding the training and support provided to board members.

(h) The governing board may appoint a consumers' advisory committee composed of persons with developmental disabilities representing the various categories of disability served by the regional center.

(i) The governing board shall appoint an advisory committee composed of a wide variety of persons representing the various categories of providers from which the regional center purchases client services. The advisory committee shall provide advice, guidance, recommendations, and technical assistance to the regional center board in order to assist the regional center in carrying out its mandated functions. The advisory committee shall designate one of its members to serve as a member of the regional center board.

(j) (1) The governing board shall annually review the performance of the director of the regional center.

(2) The governing board shall annually review the performance of the regional center in providing services that are linguistically and culturally appropriate and may provide recommendations to the director of the regional center based on the results of that review.

(k) No member of the board who is an employee or member of the governing board of a provider from which the regional center purchases client services shall do any of the following:

(1) Serve as an officer of the board.

(2) Vote on any fiscal matter affecting the purchase of services from any regional center provider.

(3) Vote on any issue other than as described in paragraph (2), in which the member has a financial interest, as defined in Section 87103 of the Government Code, and determined by the regional center board. The member shall provide a list of his or her financial interests, as defined in Section 87103, to the regional center board.

Nothing in this section shall prevent the appointment to a regional center governing board of a person who meets the criteria for more than one of the categories listed above.