

Board of Directors Meeting Agenda May 24, 2022

General Business		
1. Call to Order and Introductions	Action	Dr. Jasmeet Bains
2. Approval/Additions to Agenda	Action	Dr. Jasmeet Bains
3. Review and approve minutes of meeting held April 26, 2022 (Attachment 1)	Action	Dr. Jasmeet Bains
4. Presentation – Deaf and Hard-of-Hearing Program	Info	Ashley Fontes
5. Public Input	Info.	
New Business		
6. ARCA Updates	Info	Tracey Mensch
7. Facilitator Training Bylaw Change (Attachment 2)	Action	Dr. Michi Gates
Reports		
8. Board President Report	Info.	Dr. Jasmeet Bains
9. Executive Director Report	Info.	Dr. Michi Gates
10. Financial Reporta. POS Report for March 2022 (Attachment 3)b. Operations Report for March 2022 (Attachment 4)	Info	Tom Wolfgram
11. VAC Report	Info.	Shawn White

Please click the link below to join the webinar:

https://us02web.zoom.us/j/88949514978?pwd=UjFqTUpwL0pnajRBd1BtS05xY0xQQT09

Webinar ID: 889 4951 4978 Passcode: 060729 Dial-In Number: 1-669-219-2599

Next Board Meeting: June 28, 2022, 6:00 – 7:30 PM Board Education Session – No Public Meeting

3200 N. Sillect Avenue Bakersfield, California 93308 (661) 327-8531 Fax (661) 324-5060 TDD (661) 327-1251 www.Kernrc.org

Kern Regional Center Board of Directors Meeting April 26, 2022 6:00 – 7:30 p.m. Zoom Webinar

3200 N. Sillect Avenue ∞ Bakersfield, CA 93308 ∞ 661-327-8531

MINUTES

KRC BOARD MEMBERS PRESENT:

Oscar Axume, Treasurer
Milan Dinsmore, Board Member
Kevin Gosselin, Vice President
Carlos Isidoro, Board Member
Ryan Jones, Board Member
Tracey Mensch, Board Member
Donald Tobias, Board Member
Mark Tolentino, Board Member
Simon Verdugo, Board Member
Ruth Watterson, Board Member
Shawn White, VAC Representative

KRC BOARD MEMBERS ABSENT:

Jasmeet Bains, President Martin Vasquez, Secretary

STAFF PRESENT:

Michi Gates, PhD, Executive Director Kristine Khuu, Assistant Director of Client Services Leslie Reynaga, HCBS Program Evaluator Enrique Roman, Director of Community Services Celia Pinal, Director of Client Services Tom Wolfgram, CFO

GUESTS PRESENT:

Sofia Benitez Cindy Cox, Advocate for Donald Tobias Susan Graham John Noriega, Advocate for Simon Verdugo Edwin Pineda, DDS

INTERPRETER: Nidya Madrigal Navia

CALL TO ORDER

Vice President, Kevin Gosselin, called the meeting to order at 6:03 PM. A quorum was present. Mr. Gosselin began with introductions of the Board Members and Kern Regional Center staff.

APPROVAL OF AGENDA

All board members had received the agenda ahead of the meeting for review.

M/S/C (Watterson, Mensch) Ayes = 11; Nays = 0; Abstained = 0 Motion Carried

REVIEW OF MINUTES

The Board of Directors all received the minutes of the board meeting held on March 22, 2022 for review. Vice President Gosselin asked for a motion to approve the March 22, 2022 minutes.

M/S/C (White, Mensch)
Ayes = 11; Nays = 0; Abstained = 0
Motion Carried



PRESENTATION OF HCBS

Leslie Reynaga, HCBS Program Evaluator

Dr. Gates introduced Leslie Reynaga as the Home and Community Based Services Program Evaluator at Kern Regional Center, reporting to Enrique Roman. Leslie began by thanking everyone for the opportunity to present to the Board of Directors. The goal of her presentation is to help define what HCBS means, what is involved in providing service to our clients, and clarify that the Board of Directors is the driving force behind what HCBS accomplishes. A complete copy of the PowerPoint is filed with these minutes.

PUBLIC INPUT

Vice President Gosselin asked if there were any members of the public who had input or questions for the Board of Directors. No hands were raised in the Zoom conference and no questions appeared on the Chat screen. No public input was presented at this meeting.

FACILITATOR TRAINING BYLAW AMENDMENT

Matthew Bahr

Mr. Bahr presented a proposed change to the KRC Board Bylaws to the Board of Directors that addresses facilitator training. DDS is requiring all regional centers to provide facilitators and training for board members who request this. DDS contracts with regional centers now have a requirement for this to be added to the bylaws of regional centers. For Kern Regional Center, the proposed addition of 5.10 Facilitators, was presented for review and approval to the Board of Directors. Mr. Bahr explained the requirements for making an amendment to Board Bylaws, including a 14-day notice for review.

Two Board Members are not present at this meeting, so Dr. Gates will contact the two absent board members, provide the Bylaw Amendment information to obtain unanimous approval. Mr. Bahr explained that by unanimous vote of the Board of Directors present at this meeting, we can proceed, with the understanding that those voting tonight will have 7 days in which to change their vote, ask for further clarification, or present any other questions.

Mr. Gosselin opened the floor for any Board Member who might have a comment.

Question by Mr. Tolentino: Mr. Tolentino inquired if the language was verbatim from DDS or would

they need to review it later to confirm that the language is sufficient?

Answer by Mr. Bahr: It is almost completely verbatim. Language included covers DDS

requirements; e.g., ".. ensure maximum participation and

understanding for providing meaningful support. . ." This ensures that

we are compliant with the DDS contract requirements.

No other questions were submitted. Vice President Gosselin requested a motion to amend the bylaws, adding Section 5.10 for facilitators with the language that's been presented in Attachment 2 stating:

5.10. Facilitators

The Corporation will provide a facilitator to those Directors who require additional support to ensure maximum understanding and participation in carrying out their duties per W&I Code, Section 4622(g)(1) and (2). Further the Corporation will provide training and monitoring of these facilitators to ensure they provide meaningful support within the boundaries of their role.

M/S/C (Mensch, Axume)

Ayes = 11; Nays = 0; Abstained = 0

Motion Carried; Unanimously voted by all Board Members present; none opposed.



Mr. Bahr reiterated that Board Members have 7 days to change their vote for any reason. If you feel there is a need to change how you voted tonight, please contact Michi or Mr. Gosselin.

SOCIALIZATION, LEISURE and RECREATION SKILLS POLICY REVISION (Attachment 3)

Celia Pinal, Director of Client Services

Ms. Pinal came before the Board of Directors explaining that she had received communication and feedback from DDS about the Socialization, Leisure and Recreation Skills Policy that the Board had previously approved and sent to DDS. Following DDS guidelines, revisions were made and she now brings the policy back to the Board of Directors for review and approval. The revisions made are noted and highlighted on Attachment 3 that are filed with these minutes as a matter of record.

There was some discussion around the term interdisciplinary team and the Board felt that the team should include, at a minimum, the client, the service coordinator, and the program manager or other appropriate staff member at KRC. With this clarification, Mr. Gosselin asked for a motion to accept the revisions made to the Socialization, Leisure and Recreation Skills Policy.

M/S/C (Tolentino, Mensch) Ayes = 11; Nays = 0; Abstained = 0 Motion Carried

BOARD PRESIDENT REPORT

Dr. Jasmeet Bains

Vice President Gosselin chaired the meeting in Dr. Bains's absence. Mr. Gosselin had nothing to report, but expressed his thanks to everyone for their continued efforts and full participation as evidenced in the discussion tonight.

EXECUTIVE DIRECTOR'S REPORT

Dr. Michi Gates

Dr. Gates updated the Board on current initiatives:

Provider Rate: Enrique Roman and the Community Services staff have been working hard to implement the provider increases per the Burns and Associates rate study. ARCA and the Lanterman Coalition are continuing to advocate for the need to approve an acceleration in the rate increases. They are currently scheduled to be implemented incrementally over the next 3 years, but we are advocating that those rate increases be given faster. We see our providers struggling to provide rates that attract and retain good quality staff. Our clients deserve to have quality staff who can make a living wage and stay with these jobs.

Participant Choice Positions: We are continuing to receive applications for a third Participant Choice Specialist. There were 3 of these positions allocated to the regional centers to help individuals who want to transition to the Self Determination Program as well as to provide and support individuals who might benefit from the Participant Choice program. We are trying to find the right person to fill this position.

Provisional Eligibility: We are working on assessing our intake individuals that are between 3-4 years of age to determine if they might qualify for provisional eligibility. They need to be assessed to rule out Lanterman Services and then, if they don't meet Lanterman qualifications, we consider them for provisional eligibility. The goal is to capture those 3- and 4-year-olds who could be overlooked because they might be too young to assess accurately. At 5 years old, or just before they turn 5, we can do a more accurate assessment to see if they qualify for Lanterman Services. It has been challenging to increase our numbers due to struggles with having adequate clinical resources to do the assessments, but we are



seeing progress. Thank you to Kristine Khuu for her hard work in recruiting clinicians to do assessments so that we can keep these 3–4-year-olds in the system.

California Tribal Families Coalition: Along with Far Northern Regional Center and San Diego Regional Center, Kern Regional Center has completed a contract with our California Tribal Families Coalition to improve outreach and engagement with our Native American communities. Kern has 8 tribes in our three county catchment area. The first effort focuses on Early Start, but this is just the beginning. This will continue to be funded each year and, as time goes on, we will expand to other age groups. The California Tribal Families Coalition will be adding a third day to their annual ICWA (Indian Child Welfare Act) Conference that will focus on their individuals with disabilities. We will be represented at this conference by Enrique Roman and some of his staff.

Person-Centered Thinking Training: Person-Centered Thinking is very important to Kern Regional Center. We have 2 certified trainers. John Noriega, is also a certified trainer and a participant in tonight's meeting and partners with a KRC certified trainer to provide training to our staff and provider staff. These trainings are scheduled continuously throughout the year with the goal of training all existing staff and new staff as they enter the workforce.

New Position: Regional Centers will soon get their C-3 Allocation in which we will receive funding for a position that will specialize in the Individuals with Disabilities Education Act (IDEA). This position will assist our staff and work with the schools to provide a smoother transition for our children who are first entering the school system and promote inclusion in schools for our children. This position is federallyfunded through the American Rescue Act for 12 months; however, DDS's current budget proposal for 2022-23 asks for continued funding for this position, so we are going to go ahead and permanently plan for this position.

Hispanic Community Collaboration: KRC has scheduled a meeting with a local community group, *Padres Unidos*, which is made up of Latino families in our catchment area. A representative from this group attended our Board Meeting last month and one of our public meetings addressing caseload ratio and the Performance Contract. This representative provided valuable input. We are hoping to get to know this group better and work together with them on how we can have a productive healthy relationship to understand the needs of our Hispanic Latino community and serve them better.

Staff Recruitment: We continue to hire additional Service Coordinators to fill vacancies as well as hire for anticipated growth. Additional funding will be received July 1 as an effort to meet caseload ratios. Part of those funds (10%) will be contingent upon the new Regional Center's Performance Measures effort. This means that we will be receiving funds to help meet caseload ratios; however, 10% of those funds will be granted only if the regional center meets certain performance objectives above and beyond compliance.

Dr. Gates participates on the DDS Performance Measures Workgroup. They are meeting frequently and getting very close to having some measures to propose for regional centers. One of the things to keep in mind is that this will be an ongoing effort; e.g., the first year, a lot of the measures being considered will establish a baseline and possibly certain upgrades to infrastructure. It will be a graduated process and can be adjusted as we see what works and what does not. The goal is for our system to become more focused on not solely meeting compliance measures, but more toward achieving a person-centered approach and quality services to our clients.

Question by Vice-President Gosselin: Do you feel that KRC is on a good path to earn that 10%?

Answer by Dr. Gates:

I believe we are on a good path. This is an opportunity for regional centers to really make a difference and see quality of lives improve in the community. These performance measures will support regional centers in doing the things we've always wanted to do. We



just need to have adequate base funding. Without that, we are having a hard time being able to meet the compliance measures not to mention being able to perform above and beyond. If given adequate base funding, we can take it from there.

Core Staffing Formula: ARCA and SEIU are continuing to advocate together for an update to the Core Staffing Formula. This formula is used to determine what the RC operations allocation will be each year. It is a very outdated formula, created in the late 1970s and early 1980s. Its original goal was to keep adjusting the salaries compared to like positions in the State. This did not happen for some reason, so it has been quite some time since our salaries were updated. This has resulted in severe underfunding of regional center operations causing high caseloads and inadequate staffing. Until the Core Staffing Formula is updated, and a plan for regular updates implemented, we will continue to see short-staffing and high caseloads at regional centers. Our hope is that the Legislature and the Administration will support this Core Staffing Formula update and implement it for 2022-23.

Vice President Gosselin thanked Dr. Gates and the Executive Team for the hard work going into these efforts.

FINANCIAL REPORT

Tom Wolfgram, CFO

Purchase of Services Report as of February 28, 2022

Total spent for February: \$14,430,733

YTD: \$130,973,376

There are approximately \$2.5 Million unbilled services bringing the cost of our services for our clients around \$5 Million greater than this time last year

Operations Report as of February 28, 2022

Total expenses for February: \$1,881,218

YTD: \$15,684,415

A copy of this Financial Report is filed with these minutes as a matter of record.

VENDOR ACTION COMMITTEE (VAC) REPORT

The VAC Committee did not meet during the month of April. Our next meeting will be on May 24, 2022 at 10:00 AM.

ADJOURNMENT

With nothing further to discuss, Vice President Gosselin adjourned the meeting at 7:30 p.m.

The next meeting will take place on Tuesday, May 24, 2022, at 6:00 p.m.

Respectfully Submitted,

Darlene Pankey Executive Assistant



- 5.9.3 Be an employee or member of the Board of any entity from which the Corporation purchases client services, except as otherwise permitted under Section 4622(a)(7) of the California Welfare and Institutions Code, and as provided pursuant to section 5.6 of these Bylaws pertaining to one (1) member of the Board selected by the Providers' Advisory Committee;
- 5.9.4 Have a financial interest, as defined in Section 87103 of the Government Code, in the Corporation's operations except as a consumer of services provided by the Corporation;
- 5.9.5 Be, or have a spouse who is, an owner, partner, member of the Board, officer, or employee of any contractor of the Corporation; or
- 5.9.6 Otherwise be a person barred from serving on the Board of the Corporation by law or government regulation.

5.10 <u>Facilitators</u> [Proposed]

The Corporation will provide a facilitator to those Directors who require additional support to ensure maximum understanding and participation in carrying out their duties per W&I Code, Section 4622(g)(1) and (2). Further the Corporation will provide training and monitoring of these facilitators to ensure they provide meaningful support within the boundaries of their role.

5.11 Vacancies.

- 5.10.1 Events Causing Vacancy. A vacancy on the Board shall exist on the occurrence of one or more of the following:
- (a) The death, resignation, or removal of any Director.
- (b) The declaration by the Board of a vacancy of the office of a director who has been declared of unsound mind by an order of the Court or convicted of a felony or has been found by final order or judgment of any court to have breached a duty under Sections 5320 et seq. of the California Nonprofit Corporation Law.
- (c) The vote of a majority of Directors then in office to remove a director, other than a director pursuant to section 5222 of the California Nonprofit Corporation Law.
- (d) An increase in the authorized number of Directors.
- (e) The removal by the Providers' Advisory Committee of the Director designated pursuant to section 5.6 of these Bylaws.
- 5.10.2 <u>Resignations</u>. Except as provided in this section, any Director may resign by giving written notice to the President or the Secretary of the Board. No Director may resign when the Corporation would be left without a duly elected Director or Directors in charge of its affairs.
- 5.10.3 <u>Vacancies Filled by Board</u>. The Board may elect a Director at any time to fill a vacancy, other than a vacancy created due to the death, resignation or vacancy

KERN REGIONAL CENTER PURCHASE OF SERVICE FY 2021-2022 AS OF MARCH 31, 2022

PURCHASE OF SERVICES	July 2021	August 2021	September 2021	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	CCOC agril	2021-2022 Total
OUT-OF-HOME Community Care Facility	4,321,499	4,369,844	4,350,676	4,371,436	4,356,440	4,375,157		4,350,576	4,357,154				39,287,438
ICF/SNF Facility	66,607	69,580	78,331	75,440	85,889	989'88	80,346	70,955	86,326				702,160
TOTAL OUT OF HOME	4,388,106	4,439,424	4,429,007	4,446,876	4,442,329	4,463,843	4,515,002	4,421,531	4,443,480				39,989,598
DAY PROGRAMS													
Day Care	52,330	54,430	51,559	53,025	51,769	51,936	52,020	47,739	44,753				459,561
Day Training	2,510,584	2,536,322	2,529,931	2,490,139	2,448,456	2,465,565	2,460,981	2,384,259	2,616,713				22,442,950
Supported Employment Work Activity Program	395,336	434,188	355,224	383,766	345,993	352,255	335,791	312,486	317,894				3,232,933
									2				40,400
SUBTOTAL DAY PROGRAMS	2,964,240	3,031,092	2,943,078	2,932,305	2,851,405	2,874,622	2,853,658	2,748,709	2,984,815			i s	26,183,924
OTHER SERVICES													
Non Medical Services Prof	372,535	398,671	389,025	419,430	425,900	412,435	339,170	353,284	387,966				3,498,416
Non Medical Services Prog	1,412,928	1,394,546	1,348,991	1,342,075	1,241,076	1,249,047	1,225,843	1,255,103	1,350,816				11,820,425
Home Care Services Prog	23,797	18,447	15,263	14,242	14,577	13,956	11,165	10,568	10,415				132,430
Transportation	446,147	448,710	452,542	465,141	463,909	462,386	463,326	462,771	445,670				4,110,602
I ransportation Contracts	604,704	599,279	562,304	571,164	553,097	557,621	568,238	548,286	575,443				5,140,136
Other Authorized Septices	3 791 060	2 761,932	3 701 140	584,905	572,057	565,946	559,893	562,192	251,020				4,825,606
O P I Exposed Oct vices	3,791,960	906,107,0	0,791,140	3,004,366	060'/ca's	3,525,783	3,499,536	3,403,225	3,522,740				32,758,026
Hospital Care	0,40	9,304	050'0	000'6	9,833	6/5/6	10,996	11,099	10,791				89,397
Medical Equipment	0 523	9	76 463	1 507	0	200	0		2,500				2,500
Medical Services Prof	173 913	192 758	175,214	196,1	0,640	10,333	3,734	1,009	5,062				123,250
Medical Servees Prog	44.686	50,690	45 163	45 239	48,020	47.655	44 409	47 604	38.650				1,620,937
Respite Care - In Home	1,818,452	1,805,985	1,801,854	1,829,003	1.804,018	1.836.581	1.796.549	1 828 244	1 109 274				15 629 960
Respite Care - Out of Home	31,379	19,901	16,653	7,238	5,555	15,186	4,409	14,125	13,967				128 413
													,
TOTAL OTHER SERVICES	9,307,962	9,289,106	9,262,458	9,290,666	8,995,844	8,903,065	8,703,174	8,670,190	7,869,769	T		,	80,292,234
TOTAL PURCHASE OF SERVICES	16,660,308	16,759,622	16,634,543	16,669,847	16,289,578	16,241,530	16,071,834	15,840,430	15,298,064	·			146,465,756
THE PROPERTY OF THE PROPERTY O													
Community Care Facility	218.621	218.621	218.783	215 971	215 359	216 460	201 164	193 441	194 807				700 000 1
ICF/SNF Facility				<u>.</u>									177'666'1
Day Training													
Non-Medical Services			425	1,434					425				2,284
Non-Medical Services-Programs Transportation		9) (i
Other Authorized Septices	1 425	1813	1 901	1 489	2 151	1 162	1 251	242	200 0				,
Other Services	27.	2	6.	2	2 7	701,1	100'1	2	7,301				14,496
Medical Care - Prof													к т
Community Care Facility	9,330	9,330	9,330	9,330	9,330	9,330	9,197	9,197					74,374
TOTAL COMMUNITY PLACEMENT PL	229,376	229,850	230,439	228,224	226,840	226,942	211,712	202,951	198,133	áŠ	4		1,984,381
TOTAL PURCHASE OF SERVICE	16,889,684	16,989,472	16,864,982	16,898,071	16,516,418	16,468,472	16.283.546	16.043.381	15.496.197				148 450 137
2075 appropriate the control of the													50.00

KERN REGIONAL CENTER OPERATIONS FY 2021/2022 AS OF MARCH 31, 2022

OVED VINDED	7		476,205 355,531			35.472 18.227				39,688 25,943		-	,490 2,506,513
TOT	13,266,299	16,910,819	476	776		35	49	85		39	29	99	17,841,490
06/30/22		j.		1								,	,
05/31/22		(10						•					•
04/30/22		•						1					,
03/31/22	1,764,565	2,069,365	52,889	69,883		4,461	4,251	8,711		5,452	3,664	9,115	2,157,075
02/28/22	1,276,801	1,782,732	42,562 40,568	83,129		5,868	3,756	9,624		3,506	2,227	5,732	1,881,218
01/31/22	908,941	1,295,755	380,755 242,461	623,215		3,334	3,558	6,892		4,075	3,077	7,153	1,933,015
12/31/21	1,889,350	2,464,438				3,427	13,565	16,992		4,188	6,238	10,426	2,491,857
11/30/21	1,351,822	1,729,607		٠		3,464	140	3,604		4,234	248	4,482	1,737,692
10/31/21	1,487,745	1,983,367				3,407	2,916	6,323		4,164	1,823	2,987	1,995,677
09/30/21	1,856,452 360,853	2,217,305		ı		4,713	10,371	15,085		5,761	3,738	9,498	2,241,888
08/31/21	1,321,905	1,636,713		100		3,427	7,393	10,820		4,188	4,200	8,388	1,655,921
07/31/21	1,408,718	1,731,537		ð		3,371	4,032	7,404		4,120	4,087	8,207	1,747,148
YEAR TO DATE	14,358,692	19,152,692	831,736 31,650	863,386		53,699	95,898	149,597		65,631	116,697	182,328	20,348,003
PROPOSED EXPENDITURE	18,666,299 4,794,000	23,460,299	1,081,257 42,200	1,123,457	×	608'69	127,864	197,673		85,320	155,596	240,916	25,022,345
Ü	OPERATIONS Salaries & Benefits Operating Expenses	SUBTOTAL OPS	COMMUNITY PLACEMENT PLAN Salaries & Benefits Operating Expenses	SUBTOTAL CPP	FOSTER GRANDPARENT PROGRAM	Salaries & Benefits	Operating Expenses	SUBTOTAL FGP	SENIOR COMMPANION PROGRAM	Salaries & Benefits	Operating Expenses	SUBTOTAL SCP	TOTAL OPERATIONS 25,022,345