



Kern Regional Center (KRC)
 Self Determination Advisory Committee (SDAC) Meeting Minutes
January 31st 2022 – 5:00 pm
Teleconference via Zoom Webinar

<https://us02web.zoom.us/j/83362444104?pwd=R2pKWGFONzNXc0ZDRkg0bzVQVytvdz09>

Members Present

Rick Wood (Chair)
 Kelly Kulzer-Reyes
 Nick Schneider
 Virginia Gantong

Others Attending

Andrea Conetto
 Celia Pinal
 Michi Gates
 Melanie Waters
 Yolanda Cruz
 Michele Rodriguez
 Dustlyne Beavers
 Katie Ramirez
 Terrasel Jones
 Ikea Wilson
 Edwin Pineda
 Joe Hernandez
 Holly Mitchell
 661-301-6156
 Call in User 1

Kristine Khuu
 Jennifer Rimer
 Yesenia Mackie
 Karina Proffer
 Ana Leheny
 Ana Guerra
 Janeice Cunningham
 Enrique Roman
 Cindy Cox
 Omelia Trigueros
 Kurtis Parker
 Lori Molhook
 Suzanne Toothman
 Diana
 213-705-9605

Members absent

Mario Espinoza

- 1) **Call to Order**
 5:13 pm (Rick Wood)
- 2) **Establish of Quorum:** *Quorum was established*
- 3) **Additional Agenda Items:**

4) Public Comment

1. (Joe Hernandez) Introduction New Self-Determination Program Manager for the State Council. Main objective is the statewide orientations that are being developed by DDS right now. DDS contracted with State Council to develop those so I am the lead on that project.
2. (Dustlyne Beavers) I just wanted to give everybody kind of a boots on the ground status update when it comes to FMS's because I'm not sure if it's made it to everybody just to understand, kind of the intensity of the situation. We have very few FMS's at this point, and community interface for example has informed us that they're no longer to be a co-employer. So, that means we're having to find and transfer over you know quite a few participants to new FMS. Menzel is filled until May almost June now. Aviana is not taking any more referrals at this time. Emblem groups willing to do it but you know how they pay is very different. It's once a month and it's after Regional Center has provided funding. We have accredited, I think is the only other co-employer model at this time. Cambrian offers it but I don't know. As of right, now I received an email back saying they're no longer interested seeking courtesy vendorization with other Regional Centers. So we at this time really our FMS systems is kind of falling apart. I think however, we can unify and communicate that up to the state. I can tell you right now I mean the co-employer model itself is laborious, it's intense, it takes a lot of time, it's expensive for the FMS's. So just kind of wanted to share with you and in the way just how it's impacting. I'm happy to coordinate with you guys if you want to do a quick in service. I can give you kind of an update. The other piece is with the FMS, the ones that we are working with each one has a different way they want the services coordinators to provide confirmation and were getting pretty stuck right there. However, we can help the services coordinators better understand the process, we would love to put out kind of a tip sheet or something you know, that would be helpful for you. Then the last one just wanted to share in terms of renewing plans and new plans. What traditionally has worked is having the Self-Determination plans, be effective until the end of the month following the birth month. So if your birthday is in October. The plan would be good until the end of November, and that worked because we were able to coordinate better with the IPP. The way we are doing it now it expires the month before the birth date and we aren't aligning with the IPP's. We're having to start two months before, so really were three months before the service coordinators ever going to do in IPP. So I'd like to just kind of consider adjusting that so thank you. (K.Kulzer-Reyes) The one FMS I did not hear you mentioned was GT and I think they are still doing co-employer and I think they are still taking clients.(D. Beavers) They are. It's been a challenge. It's taking about three months though for them to get an employee cleared. (R. Wood) It is a crisis. I am participating in a DVU sponsored meeting with all the FMS's tomorrow at noon. We are hoping to broadcast the results of this meeting tomorrow, in which were really going to listen to the FMS as themselves as to what the problems are. One of the other problems Dustlyne. I know you know it but you didn't mention it that is GT has 60% of the 1100 people that are in the system. That is a problem in itself to have one provider and they've had their issues and problems I hearing across the state. That is going to come tomorrow we are going to be making some recommendations to DDS. We are going to address it and provide recommendations as to what the department ought to do. (E.Roman) I have a question the DVU meeting that you guys will be having concerning FMS is that an open meeting or is that just a DVU and FMS? (R.Wood) Just a meeting by invite we invited them and they responded. It's not a sponsored meeting by anybody. It's just one of those

things where we were so concerned about it that we want to get the information from those that are actually in it and doing it and they quickly and immediately and present that information to DDS in a way that I hope is going to identify the problem, and if we can suggest some solutions as well.

5) Approval of Minutes – December 6th, 2021 Approval of minutes is moved to the next meeting.

6) Status of SDP (Wood)

a) (Kelly Kulzer-Reyes) My understanding is that we don't actually have bylaws. So, if Rick, you could speak to that. Like I know there was like some kind of agreement between KRC and State Council about membership on this particular committee. I think that was what we were referring to, from the bylaws. Did you already vote on the agenda minutes from the last time? (R. Wood) It seems to me there's two or three parts to this. One is the question of whether Bagley Keene is applicable to our committee. I made the arguments, based upon a confidential analysis by a law firm that had been commissioned to provide that analysis that Bagley Keene didn't apply. Bagley Keene is just an open meeting law, where you have to notice a meeting and you have to tell people what you going to talk about in advance. We don't have Robert's Rules of Order we don't need them. We are very informal; we all get along. Secondly, understand we are not making policy we are advisory. It's an Advisory Committee. Secondly, we don't have any formal bylaws nor am I aware of any other local advisory committee that has bylaws. The bottom line is this, from my perspective since we don't have bylaws and I'm not suggesting that we have them. We continue to be an advisory committee, we vote on things that we wish to either recommend or provide advice on it, we do it when we are able to, that is when we have a quorum and when we don't have discussion. We always post our meetings, and we post our agendas to tell people what it is we are going to talk about. Somebody seems to rule that a paid independent facilitator cannot serve on our committee, and I happen to be aware there are paid independent facilitators on committees all over the state and 21 Regional Center, local advisory committees. So perhaps Kelly or Yolanda could identify really what the issue is here and whether it requires any resolution on our part. (Y. Cruz) The reason why that whole independent facilitator piece came up is because, there was some type of an agreement between SCD and Kern Regional Center and I think part of the agreement did say that we would no appoint either an Independent facilitator or broker a paid independent facilitator broker. I don't have a problem with having an independent facilitator be part of the committee. That's what self-determination is, and we need people who have a vested interest in being part of this. I just couldn't appoint anyone knowing that there was something that stated that. So, I think this is more probably at our end and maybe just modify that agreement because I do think that we should have independent facilitators be part of the committee. (K. Kulzer-Reyes) I think part of it is, I don't think anyone actually said our regional center, nobody appointed somebody who was an independent facilitator because when we started, and there weren't any independent facilitators. It's pretty clear that without the experience of people who are doing independent facilitation attending these meetings and participating in these meetings, nobody is going to know what's going wrong with families. Families tend to not to come to these meeting. We have a very hard time getting people who are simply like only family members and not super involved advocates to attend. KRC and SDP have to figure out that little piece of paper and I'd say cut that line. It's not going to help anybody to have no independent

facilitators troubleshooting together. (Y. Cruz) I think it's a document and that document should be shared with the committee so they could see how all this came about. So that was my predecessor who agreed to that, I think it was with someone from KRC. (R. Wood) Yolanda has identified the issue, which is conflict of interest; it was a financial conflict of interest that was feared. If Enrique could find something or Yolanda on your end find that evidence is what the original agreement was. I don't know that we as a committee can change anything, but I think we ought to know what it says. Secondly, I'm going to do my own recognizance around the state, see what other people are handling this paid IF issue. Because Yolanda you might be right maybe we just need to change the agreement and I think we need to look at the statute as well because there's a provision in the law that was passed nine years ago there is a sentence in there about conflict. Last but not least, what I don't want to do as a committee is, try to handicap whether Bagley Keene is applicable or not. Six years ago, I shared this legal opinion. I think Mario takes the position and know that he does that Bagley Keene applies. In the end we are doing what we need to do correctly, which is that we are public, that we are the we noticed our meetings, that we put out an agenda, we have very very detailed minutes that say almost verbatim what it is we are talking about. (Y. Cruz) I just found it so I will share it with everybody. (M. Gates) Is there a connection between Begley King whether this meeting is under Begley King and the IF issue. (R. Wood) No. (M. Gates) We understand that the IF's were prohibited from being on this committee because of the conflict of interest, we've talked internally and since this has come up and we're not against changing that agreement to eliminate that because you know for another thing it would be very easy if we have an IF on the Advisory committee and there is a vote to say to award money to IF's like we've had before they can always recuse themselves from the vote. Enrique, you talked to DDS. (K. Kulzer-Reyes) That is for all future people. We don't have enough volunteers to be all that picky right now. (M. Gates) We can change it easily; we can have it changed by the next meeting. If we all agree on it. I just wanted to make sure when it came up at the meeting last time, I just wanted to make sure the Advisory Committee, all of the members were in agreement. (R. Wood) I want to talk about vendors. It's a similar issue, which is should vendors be on a committee. You recuse yourself there's a method to not participate and under the Brown Act which is similar not exactly the same as Bagley Keene. Recusal was really very simple you leave the room when there's a discussion, you recuse I've got a conflict, you announce it and then you leave the room. (K. Kulzer-Reyes) I just like to know if it's something that regional center and State Council are going to meet about before our next meeting or email back and forth about to bring that up or is this like an action that might happen. (M. Gates) Yolanda, do you want us to just go ahead and take that out or do whatever and send it to you. (Y. Cruz) Yes, I mean we can take it out. (M. Gates) Our understanding then as the advisory committee would like us to remove the prohibition on IF's and providers? (R. Wood) Virginia, Nico are you on board with that. (V. Gantong) I am, yes. (R. Wood) and Nico is as well.

- b) (R. Wood) We have to find out ways to get more families to participate on the committee well, I am not sure how to do that honestly. (K. Kulzer-Reyes) Maybe this just opened it up. (R. Wood) Well you know one of the things I know is, that it really requires individual outreach, and you know, it's hard because it's dependent upon relationships that we might have with other families and, you know, this whole idea of confidentiality and privacy, sort of almost prevents us from, you know having those relationships. (K. Khuu) Well Rick, I agree with you just a conversation that we would have with our families during our meetings with them about SDP and like to encourage them to attend these meetings and learn more about it and if they're really interested to be part, participate in the committee. It's just an ongoing

conversation. (K. Kulzer-Reyes) Cindy had a great idea. IF can reach out to their clients as well and invite them. I just would like to see more people involved in the process and getting more feedback and thoughts on things. I know not everybody is going to be as involved as Rick is but there are some really helpful brains out there.

- c) Discuss the RFP proposal for the year 2022, I do have some thoughts on that, but Kelly let me hear from you on what you were thinking about that. Did that come from the agenda. (M. Waters) There is no RFP, to my knowledge for 21/22. I Didn't know that actual, the allocation funds had been released. There's not been a year three RFP, that I've worked on. (E. Roman) And not that I'm aware of, but we can certainly look, and then follow up to see if there's something that have been released by the department. (M. Waters) Yes did, the committee, get the allocation funds to be released for 21/22. I have not seen a directive. (R. Wood) So, Melaine you're talking about year three, so you're one and two we have allocated funds? (M. Waters) Correct. (R. Wood) The funds, the unexpected funds for year one we're too late to revise that? (M. Waters) Well again because those are technically just allocated for those 75 individuals that gave us such a narrow response on that. Year two, we did expand KRC. I met with Enrique, and we did expand on the two awardees for year two to include, they were wanting some one-on-one coaching because it was so successful. Per their RFP, they were doing more big coaching sessions orientations training etc. And then the clients were really wanting that one-to-one individualized coaching again, so we did include that, made amendment to their contract so there are now starting to do that. So, that's going to be great and they're really going forward with that, but I have not heard anything on year three. (M. Gates) I believe we've received that. I'm looking at the allocation documents right now how much does Kern get for that? (M. Waters) I don't know what 21/22 is. (M. Gates) it's the same so what was it last year? (M. Waters) well, 19/20 was 56. I want to say 77ish. (R. Wood) I agree (M. Gates) We received that in the C1 so we have it. (M. Waters) Okay we just need to work on getting an RFP out because I wasn't aware of that. (R. Woods) Here is where I'd like some clarification if I can. The original, the 19/20 which was 56,000 was the one that was very narrowly prescribed and those are the funds that are not going to be fully spent, and they needed to be spent by March of 2022, which is now, the next one needs to be spent by March of 2023. (M. Wsters) Correct. (R. Wood) I thought we had contracts for that funding. (M. Waters) We do 20/21 we have contracts for that. So that's Choice Solutions and that's Alli Comprehensive Services, so they are ongoing, which I separate them, it's easier for me year one and year two. We do have contracts for the first allocation year funds in the second. So fiscal year 2021 that RFP and all that's done so now I guess we need to work on the RFP for the next year, 21/22. (R. Wood) So, what happens if, say six months from now, August or September, it looks like those funds are not going to be fully spent by the vendors that have been awarded them. Is it possible to add another or to revise the award by putting something different, because I happen to have something different that I want to propose? I can propose it for next year but it's not consistent with how we decided to spend the money for this 20/21 year. (K. Kulzer-Reyes) But we're working on the year three right now and Melanie needs to get those out right now, so your idea needs to go in there right now. (R. Wood) Okay what I want to do is agendize for the next meeting a discussion of how we're going to spend the next round of money assuming that it's still the 77 or 78,000. (K. Kulzer-Reyes) Melanie what's the date we need to have that out? (M. Waters) Again, I have no, I'll have to do some research on that. (K. Kulzer-Reyes) My memory says last year was March 31, but I don't know if that's accurate. Does anyone else know? (M. Gates) I think we have to have contract signed by the end of the fiscal year. (K. Kulzer-Reyes) So we have till June. So, it will be okay to do it next meeting. I was just making sure we had enough time. (R.

- Wood) It's a great opportunity, it's almost 80,000 to spend and I can think of a number of ways to do that, including some stuff hasn't been done yet, and I'll bring that back at the next meeting, so we'll have a discussion about the RFP for the next year. (M. Waters) Well, Rick one thing I would like to say which I'm hopeful because the second-year funding is through the whole rollout so I'm hoping that our providers, our transition providers, they'll have a larger group of individuals to work with and now that we've added that one to one coaching piece. I'm hoping that those funds will be spent.
- d) (Virginia Gantong) New Member of the board. Introduction. She is with Exceptional Family Center. I'm the Executive Director there. Was at Kern Regional Center for 30 years was the director of client services. We work together with Kern Regional Center and other agencies to bring support to clients and families and the community.
- e) IF Training, it says we have funding in RFP to set up intent and intensive IF Training. I know that IF trainings are going on around the state. When you say we have funding in the RFP? DDS says you can use a portion of these funds for IF Training? (K. Kulzer-Reyes) I think 1st Choice said that they'd be willing to do this, and they have funding that have been allocated to them. (M. Waters) That's correct 1st Choice solution, part two of their proposal on their RFP which was awarded was called SD IF cohort program a goal to build IF support capacity structured learning series that will help guide students through the IF process so that's already in their RFP that was approved for year two, so they're part of that 77,000 for 20/21. (K. Kulzer-Reyes) Well I can tell you I've had students and disability services that have college who are interested in learning more, and I think they'd participate but they don't necessarily live within our catchment area is that an issue? (R. Wood) Funds are restricted to those that are operating entirely within our catchment area. I know that other Regional Centers are collaborating on IF Training. I don't have a problem with that at all. I think that if we've got funds in this years RFP for training my vote would be to have first choice, spend that money and conduct the training, obviously, you know they need to be some deliverables that are proposed and we need to hold them accountable instead of simply assuming that they're going to spend the money correctly or get the desired result but I think independent facilitator training is really a good thing. (K. Kulzer-Reyes) How many people did 1st Choice think that they'd be able to get into that first cohort? And do they need help getting people who are interested, because that was kind of the question like is their interest or is there need. Need I'm sure there is, like my student can afford the 1500 dollars that they have to pay somewhere else. We need help getting interest. Thank you Dustlyne. Even if there are a catchment isn't exactly. Okay do you want to just see if they can like, put our feelers and see if it's something that's of interest because we're talking about like multiple learning circle type classes right? Not just a one and done to our session, like what's person centered planning right. (D. Beavers) I think in terms of , you wanted a number, how many people we could put into the IF cohort, we can adjust it. I think realistically we can have up to 20, and then we could do some breakout groups, something like that, and you know with the capacity of 20 with the idea that we would set it up those certain sessions would have breakout groups to work in smaller groups of five. Our biggest challenge is just getting interest across the board, we're going to try something new this month with some lunch and learns, some low-key topics just to kind of get interest back into the program again. Any suggestions on days of the week and time of day that would be more effective for people.
- f) All I'm really going to say is first of all there's a meeting on the 15th as I mentioned, a statewide Self-Determination Advisory Committee. Secondly, we're going to have a discussion at that meeting about this new directive that has come out for the purchase of goods and services. I like to add that as well to our next agenda. There's an update on a

directive that has just come out in the last day or two. So, I think I'd like to have an agenda item next time about DDS directives that were promised at the last statewide self-determination advisory committee meeting. We talked about the FMS crisis and that is something that I'm going to bring back to you, at least from what I know from a statewide basis. We know as Joe Hernandez said earlier that the city council is putting together a statewide self-determination orientation. When that is finished and presented to DDS and approved, I think we should probably walk through that orientation as a committee, so we know what's going on and compared to some of the things that we're doing. The other thing I wanted to mention is that I understand you guys can confirm the number of participants choice specialist has been determined that there will be three per regional center. One would be what I call the back of the house person to solve the problems the accounting, the administrative, and all the stuff that the consumers and families can't see. How you guys handle the service codes and how things are paid and kind of the mechanics. I understand from the minutes that we've got that it looks like you're trying to recruit from within. DDS is going to put out to all the regional centers this description of the duties of the participant choice specialist it's not mandatory, it's guidance. I want to have somebody, and I hope you guys at regional center will agree or at least provide us with your thoughts on this is to have this sort of overarching person who's like the problem solver, the fix it person, the one who knows everything because that person see's it day in and day out the various service coordinators who have SDP clients and handle the problems as they come along. (M. Gates) We also wanted that problem solver kind of person who knows SDP backwards and forwards. Nobody internally, really wanted to step up to this position, so Celia has had to kind of go out and try to talk this position up and convince people to apply. (C.Pinal) Yes, we were kind of like all the other regional centers in a position where we needed to fill these positions quickly. Nobody had a job description, so one of the few regional centers that came up with the job description, we try to incorporate everything that we were seeing that kind of rose through the years of being in this committee. We formulated a job description to include possible duties. We posted internally then outside, we interviewed candidates which I thought the learning curve just not having regional center knowledge would be huge. What we did get was two service coordinators who I've been part of consulting on SDP, which I think handle families really well. The two service coordinators have graciously accepted the positions. Then Michi notified us about the most recent, how we can use a third person. So, we are left now, hoping that we find someone who can help us out with the POS System, help out with the problem solved with the independent facilitators with the FMS and so forth and with case management stuff as well. So, I commented to Michi that I really do feel that we can definitely benefit from this position. I could even announce right now the individuals have been spoken to they've obviously accepted. We have Chloe Hayes who has been here probably longer than 13 years. We have Adriana Antonio, who is one of the relatively new individuals. The comments that you made in the last minutes from the last meeting. I went ahead and sent those over to Shannon as well to see it and asked her, this is something that we can incorporate would have been that maybe participants will be circles and all that kind of stuff. (J. Hernandez) I can definitely let you know that right now the modules in their draft form are with DDS so we're waiting to hear back from them with their feedback and additional comments. I think this is the third radiation between us and DDS. We are getting very close to finalizing them, the tentative date for them to be ready was March and that's the day that the set by DDS. (R. Wood) What happens after that comes out at that point, trainings begin and what are they gong to look like? (J. Hernandez) So, what's going to happen these trainings are designed to work in collaboration with the regional center, so, they can decide to

have their own training still, their own orientation still, or they can decide to use the statewide orientation as their orientation, they can choose to use the statewide orientation as supplemental material to their orientation, since it is kind of designed to be more of a self-pace and shorter stint kind of in depth and certain parts of self-determination. The five modules that are being developed will be kind of focused to certain parts of self-determination onboarding process. One will be on person centered planning, one will be on individual budgeting spending plan, one will be on working with others which pretty much talks about key players of self-determination and how that relationship works with the participant. The last one will be arranging and finding services and supports the first actual module sorry I missed it is an overview. They are designed to be about an hour, an hour and a half. They will be administered virtually. The plan is to also eventually do them in person. The first two main languages will be English and Spanish, but we will have seven languages available. The idea is that it supposed to be flexible, and we want to make it as easy and accessible for the community that needs the information disseminated. (K. Kulzer-Reyes) I'm kind of surprised that you put the budget and the spending plan into one module is there a reason for that? (J. Hernandez) These modules were set up by DDS. (R. Wood) I'm personally really looking forward to this because there are a number of organizations, including one that I belong to who think that they can do it better than the government does.

7) KRC Updates

- a) (K. Khuu) As of today's date we have about 82 individuals enrolled in self-determination, which is an increase since last month. We have about 79 individuals enrolled in our online LMS orientation, 43 English speaking and 9 Spanish have completed the LMS modules. With regards to the remaining rollouts like original selection list we still have 12 who are like I said have yet to transition over.
- b) (C. Pinal) Heidi Randall is now overseeing the Bishop office so; she is also the program managers tying up there. She's been really involved with following through with the SDP and that catchment area. So, she is now supervising both the Bishop and Ridgecrest office. She's physically in the Ridgecrest office and does plan on working out of the Bishop office when she can. So, well she transitions over she's mostly doing remote right now.
- c) (M. Waters) A quick report just on invoices. Year one 19/20 as of January 12th was 36,470, Year two as of today's date which is January 31 invoiced is 14,655. I just wanted to give an update like I said for year one on Alli, she has already worked with all her individuals that she started with, they've all been invoiced, and all the services were fully rendered as far as year two, she says that the individual coaching services were added on the contract. They are currently working with six KRC participants one in English, five in Spanish and they're also receiving additional interest from other individuals that have contacted them in the KRC community. They did put a pause on their workshops during the holidays and they are going to be starting again in February. Year two update for First Choice, they had one orientation scheduled in January. They are actually going outlying areas and providing orientations, providing hotspots, and bringing laptops. Transitioned eight in English one in Spanish, close to transition five are pending better Spanish speakers three are pending English and one is pending Native American. They are also doing some lunch and learns in February. Those flyers have been posted on the KRC social media platform.

8) Topics for Next Meeting

1. *Call to Order*
2. *Establishment of Quorum*
3. *Additional Agenda Items*
4. *Public Comments*
5. *Approval of Minutes*
6. *Status of SDP (Wood/Kulzer-Reyes)*
 - a) *Update on SD*
 - b) *Goods & Services Presentation*
 - c) *FMS*
 - d) *Update on Statewide AC on Feb 15*
7. *KRC Updates (Khuu/Roman)*
 - a) *KRC SD Updates*
 - b) *General Updates*
 - c) *Non-pilot updates*
 - d) *Nominations for Committee*
8. *Topics for Next Meeting*
9. *Date of Next Meeting*
10. *Adjournment*

9) Date of Next Meeting

March 14th, 2022

10) Adjournment

Meeting adjourned at 6:55 pm M/S/C (Nico(M) Kelly(S))