

SELF DETERMINATION ADVISORY COMMITTEE MINUTES

November 17, 2016, 2016

Members Present:

Filomena Alomar
Martha Johanson
Stacy Melton
Doug Pascover

Cheryl Hewitt (chair)
Lori McDonnal
Wesley Moss
Angélica Victoria

Members Absent:

Connie Boyar

David Forderer

Staff:

David Grady
Arushie Nugapitiya
Fawni Tornel

Lourdes González
Irene De La Rosa
Javier Zaldivar

Community:

Louise Sylvester

The Self Determination Advisory Committee commenced at 10:38 a.m. presided by Ms. Cheryl Hewitt acting chair beginning with introductions.

1. Review and Approval of Minutes

The Committee approved the minutes for September and October 2016, with a spelling correction on the "oversight" word for the October minutes.

M/S/C Moved to approve the September and October minutes.

(Moss/Pascover) No further discussions. Seven members in favor. One Abstention. Motion carries.

Member Present	Voted
Filomena Alomar	Yes
Cheryl Hewitt	Yes
Martha Johanson	Yes
Lori McDonnal	Yes
Stacy Melton	Yes
Wes Moss	Abstain
Doug Pascover	Yes
Angelica Victoria	Yes

2. Chair Person's Report

Ms. Hewitt gave a summary of the issues discussed on the last State wide Self Determination meeting (10/27/2016). They are working on the responses to all the questions that have risen. Ms. Hewitt shared documentation on the work that has been done so far. One issue discussed was how financial managers should not be part of the referral process because it is considered confidential information. Ms. Hewitt asked the committee to work on building a stronger relationship with the Independent Living Centers to disseminate information. She said that most self determination committees are going strong on their outreach efforts.

Ms. Hewitt shared that she had been struggling to find a dentist that would serve her on her chair but finally she has found one.

3. DDS Update (SARC)

Mr. Javier Zaldivar Executive Director asked Ms. Hewitt (committee chair) to clarify the comments she made at the State wide call where she said that SARC was blocking the committee and blocking people from joining it, he asked if those feelings were personal or was it how the committee as a whole felt. Mr. Zaldivar stated that if the committee felt that SARC was not being supportive then it needs to be addressed. He believes that SARC has done everything possible to be supportive. SARC's SDAC is very robust it has been meeting longer than any other, it has met monthly since its inception, and it has presented an informational symposium that other Regional Centers want to emulate. The committee as a whole made it clear that they wish to continue working in a non-confrontational partnership with SARC and the State Council as well as doing their independent outreach. The committee chair's report to the State Wide Committee should be solely on issues the committee has agreed and voted on.

Mr. Zaldivar updated the committee on the waiver application by letting them know that it has not been resubmitted and it will probably be delayed longer due to the HCBS (Home and Community Based Services) requirements. Nothing has happened and families must wait for the launching of the Self Determination Program until it goes through all the approvals there is no initiation date yet.

Mr. Zaldivar shared some of the notes from the State Wide Self Determination Advisory Committee:

- Mr. Jim Knight continues to be the federal contact and responsible for bringing the department into compliance, he noted that the Center for Medicare and Medicaid Services (CMS) asked specific questions related to the application.
 - CMS asked DDS to describe how crisis intervention facilities differ from behavioral intervention services, and to list all types of 24 hour care services. The members suggested that the state request from CMS further information regarding the question. Collectively, the members agreed that the state should be very cautious in answering the question due to these settings being out of compliance with the HCBS Settings Rule. According to members, the states that have had their Transition Plans approved do not address crisis services
 - CMS would like for the state to establish a protocol that assures non vendors will report special to the appropriate agencies in a timely manner. Jim Knight informed the committee that the SDP Workgroup discussed the FMS taken the responsibility for reporting special incidents to the regional center. Members of the committee indicated that they feel more comfortable with the Independent Facilitator reporting the incident because this is outside of the scope of the work of the FMS. The members are concerned about the FMS having knowledge of their "personal business" may be a violation of their confidentiality. Members suggested that each individual participating in Self-Determination specify on the IPP the person or agency responsible for reporting special incidents for that individual.
 - CMS has requested information regarding rate methodology. The federal government has asked the state to explain how it plans on preventing individuals from paying an unreasonable rate. The members stated that the FMS may be of some assistance in providing rate information to participants. The committee identified the Independent Facilitator as the person responsible for assisting in negotiating the rate. One member suggested that a standard be established that states that participants of Self-Determination "should not pay more than the general public" for the same service, but other members disagreed with this recommendation.
- DDS will train select regional center personnel in order to provide them with a consistent message that will subsequently be delivered to the Service Coordinators. This was described as a train-the-trainer approach. DDS also plans to utilize people that have participated in the pilot, and others, to assist them in training the trainers.

The Committee discussed what DDS means by "participation of proportional representation" it was concluded that this requirement is still under development. The committee discussed the fact that after the recent election federal monies can be impacted, some members shared stories of seeing changes already with the waiting period for Durable Medical Equipment.

4. Discuss Frequency of Meetings

The committee discussed the frequency of meetings for the upcoming year. Several options were given and then the committee voted on one.

1. Option 1: Meet quarterly
2. Option 2: Meet monthly
3. Option 3 Meet every other month with the flexibility of going back to monthly meetings if the waiver is approved.

The motion was made to vote on option 3.

M/S/C Moved to meet every other month with the flexibility of going back to monthly meetings if the waiver is approved. (Moss/Pascover) No further discussions. All in favor. Motion carries.

Member Present	Voted
Filomena Alomar	Yes
Cheryl Hewitt	Yes
Martha Johanson	Yes
Lori McDonnal	Yes
Stacy Melton	Yes
Wes Moss	Yes
Doug Pascover	Yes
Angelica Victoria	Yes

It was made clear that the subcommittee can continue with the outreach effort whenever they wish.

The committee also voted to cancel the meeting in December 2016.

M/S/C Moved to cancel the meeting in December 2016. (McDonnal/Moss) No further discussions. Six yes. Two nays. Motion carries.

Member Present	Voted
Filomena Alomar	Yes
Cheryl Hewitt	No
Martha Johanson	Yes
Lori McDonnal	Yes
Stacy Melton	Yes
Wes Moss	Yes
Doug Pascover	No
Angelica Victoria	Yes

5. Member /Public Comment/Announcements

- Mr. David Grady requested that Recruiting be a topic in the January agenda
- He shared the revised Self Determination power point that will be used by the State Wide Self Determination Advisory Committee.
- SCDD is available to do self determination presentations to any interested organization just contact David Grady.
- December 3, 2016 Autism Society Conference in Stanford.
- SCDD is collaborating with SPAC to do a forum on HCBS issues.
- The transportation services VTA will have a meeting to discuss all the latest issues have occurred.

10. Adjournment:

There being no further discussion, the meeting adjourned at 12:06 p.m.