



NOTICE/AGENDA

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
EXECUTIVE COMMITTEE MEETING
POSTED AT: www.scdd.ca.gov**

This is a teleconference and zoom meeting only. There is no physical location being made available to the public per [Government Code Section 11133](#). Therefore, members are not required to list their remote locations and members of the public may participate telephonically or by Zoom from any location. Accessible formats of all agenda and materials can be found online at www.scdd.ca.gov

JOIN ZOOM MEETING: <https://bit.ly/ExecCmteFeb2022>

MEETING ID: **895 5389 1972**

PASSCODE: **886433**

JOIN BY TELECONFERENCE: (VOICE ONLY)

CALL IN NUMBER: **(888)-475-4499**

MEETING ID: **895 5389 1972**

DATE: February 22, 2022

TIME: 10:30 AM – 2:00 PM

COMMITTEE CHAIR: Lee Bycel

Item 1. CALL TO ORDER

Item 2. ESTABLISH QUORUM

Item 3. WELCOME AND INTRODUCTIONS

Item 4. PUBLIC COMMENTS Page 4

This item is for members of the public to provide comments and/or present information to this body on matters not listed on the agenda. There will be up to 20 minutes allocated to hear from the public with each person allotted up to 3 minutes to comment.

Additionally, there will be up to 10 minutes allocated to hear from the public on each agenda item, with each person allotted up to 1 minute to comment.

Item 5. APPROVAL OF OCTOBER 2021 MINUTES  Page 5
All

Item 6. SPONSORSHIP REQUEST(S)  Page 11
Ken DaRosa, Chief Deputy Director
A. Care Parent Network
B. San Carlos Community Garden

Item 7. CONFLICT OF INTEREST WAIVER REQUESTS  Page 25
Brian Weisel, Legal Counsel
A. Ramon Hooper, Board Member, Tri-Counties Regional Center
B. Liliana Martinez, Board Member, North Los Angeles County Regional Center
C. Angelina Martinez, Board Member, North Los Angeles County Regional Center

Item 8. SCDD BUDGET UPDATE  Page 63
Ken DaRosa, Chief Deputy Director
A. Budget Cover Sheet
B. 2021/22 Approved Budget
C. 2021/22 First and Second Quarter Report
D. Draft 2022-2023 Proposed SCDD Budget
E. Budget Narrative with Line Item Definitions
F. Budget Process Timeline

Item 9. EXECUTIVE DIRECTOR REPORT Page 80
Aaron Carruthers, Executive Director

Item 10. PROPOSED AMENDMENT TO SCDD AUTHORIZED REPRESENTATION POLICY  Page 81
Brian Weisel, Legal Counsel

- Item 11. REGIONAL OFFICE PRESENTATION** Page 89
Julie Eby-McKenzie, North Coast Regional Office Manager
Sarah May, North State Regional Office Manager
- Item 12. OUT-OF-STATE TRAVEL (OST) RESTRICTION UPDATE** Page 92
Aaron Carruthers, Executive Director
- Item 13. ADJOURNMENT AND NEXT MEETING DATE** Page 95
The next meeting of the Executive Committee will be on April 19.

Accessibility:

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Yaritza Sanchez at (916)-207-2856 or yaritza.sanchez@scdd.ca.gov. Please provide at least 3 business days prior to the meeting to allow adequate time to respond to all requests.

All times indicated and the order of business are approximate and subject to change.

FEBRUARY 22, 2022

**AGENDA ITEM 4.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Public Comment

This item is for members of the public to provide comments and/or present information to this body on matters not listed on the agenda. There will be up to 20 minutes allocated to hear from the public with each person allotted up to 3 minutes to comment.

Additionally, there will be up to 10 minutes allocated to hear from the public on each agenda item, with each person allotted up to 1 minute to comment.

FEBRUARY 22, 2022

AGENDA ITEM 5.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Approval of October 2021 Minutes

The draft minutes from the October 19, 2021 Executive Committee meeting have been included in the packet for review. Committee members will vote on whether to approve the minutes.

Attachment

October 2021 Executive Committee Meeting Minutes

Action Recommended

Approve the October 2021 minutes.



DRAFT
Executive Committee Meeting Minutes
October 19, 2021

Members Attending

Lee Bycel, Chair
Julie Austin
Kilolo Brodie
Jeana Eriksen
Maria Marquez
Jonathan Nelson
Kara Ponton
Wesley Witherspoon

Members Absent

Rihana Ahmad
Sandra Aldana
Aaron Carruthers
Ken DaRosa
Riana Hardin
Beth Hurn
Charles Nguyen
Yaritza Sanchez
Brian Weisel

Members Absent

N/A

1. CALL TO ORDER

Executive Committee Chair Lee Bycel called the meeting to order at 10:33 A.M.

2. ESTABLISH QUORUM

A quorum was established.

3. WELCOME/INTRODUCTIONS

Members and others in attendance introduced themselves.

4. PUBLIC COMMENTS

There was no public comment on this item.

5. SCDD STAFF SPOTLIGHT

This month's SCDD Staff Spotlight was presented by Legal Counsel Brian Weisel. Mr. Weisel shared stories and details about his personal and professional journey that included pictures of his nine-year-old son Joshua. He mentioned how the pandemic had impacted his and Joshua's life, and the transition into his current position. He enjoys running, hiking, cooking, and playing online chess.

6. APPROVAL OF THE AUGUST 2021 MEETING MINUTES

Action 1

It was moved/seconded (Witherspoon [S.A.]/Marquez [S.A.]) and carried to approve the June 2021 meeting minutes as presented. (Unanimously accepted by members present, see page one for list of members present.)

7. CONFLICT OF INTEREST WAIVERS

Legal Counsel Brian Weisel presented four conflict of interest waiver requests for the Committee's consideration. There is one new request (Howard Kraus) and three renewal requests (Michelle Ramirez, Adam Beals, and Nicole Turofsky). Detailed conflict of interest mitigation plans for each individual's request were provided in the meeting packet.

Ms. Sandra Aldana provided a public comment on this item. She stated that she believes in the past the full Council did conflict of interest waiver reviews because it is written in state law as a responsibility of the Council. She is curious as to why the review is being done by the Executive Committee instead of the Council. Executive Director Carruthers responded that in the spring of 2019 the Council authorized the Executive Committee to take on some tasks from the full Council to preserve Council meeting time for other items. The bylaws grant the Executive Committee with full authority of the Council to function between meeting months. Councilmember Kilolo Brodie asked if the Council had access to the meeting minutes for Executive Committee meetings, to which Executive Director Carruthers confirmed.

Action 2

It was moved/seconded (Austin [F.A.]/Eriksen [S.A.]) and carried to approve the conflict of interest waiver requests from Howard Kraus (Tri-Counties Regional Center), Michelle Ramirez (Alta California Regional Center), Adam Beals (Far Northern Regional Center), and Nicole Turofsky (Tri-Counties Regional Center). (Unanimously accepted by members present, see page one for list of members present.)

8. EXECUTIVE DIRECTOR REPORT

Executive Director Aaron Carruthers provided Committee members with a report on recent Council activities and priorities that included a budget update and Year of Optimizing presentation.

The Executive Director presented the fiscal year end and first quarter expenditures to the members. The State Council on Developmental Disabilities finished the year 20% under the budget and in a strong financial position because of low expenditures from reduced costs of not traveling, state employee salary reductions, and staff vacancies. As of October 2021, the expenditures for the new fiscal year are on track. There is a 18% vacancy rate for staff and the federal grant shows that they are 1% under expenditures for the year. He relayed that they anticipate ending the year in June 2022 with savings from reduced travel and staff vacancies.

The second part to Executive Director Carruthers' report addressed how the State Council will roll out the first year of the five-year State Plan, also known as the "Year of Optimizing". The course of the pandemic has changed how people want services and support, the way people work with one another, and employee talent and expectations. In response to the pandemic and to meet growing health needs, the State Council pivoted to providing direct support/supplies and moved to virtual meetings. However, community needs continue to increase, and the pandemic accelerated existing disparities in regional center services, health access and care, employment, education access and success, and housing. Moving into the Year of Optimizing will leverage staff passion and expertise while bringing about system changes.

The year of optimizing will require the State Council to lean into their skills and strengths by focusing on infrastructure and core fundamental issues. The plan has four changes which include shifting duties within regional offices to increase capacity, organizing around strengths/expertise, maximizing on-demand information and training platforms, and ensuring headquarters is functioning in a way to provide support to regional offices. Implementing these changes will create a clear and easy-to-access process throughout the state, help offices increase coordination and avoid redundancy, allow staff to connect to passion and reduce burnout, and build capacity. In addition to laying the groundwork, there are crisis issues that also require attention, priority, and to be viewed with an equity lens. These include self-determination, employment and sub minimum wage (SB 639), health and safety (vaccines, PPE, wildfires, power shutoffs, abuse and neglect), and DDS budget initiatives.

9. **2022 COUNCIL MEETING SURVEY RESULTS**

Executive Director Carruthers briefly presented the data from the 2022 Council meeting survey results that included questions on meeting length, agenda items, and training topics. The data and bar graph presentation can be accessed online at https://scdd.ca.gov/executive_committee/.

Following the presentation, the following feedback was provided.

Member of the public Sandra Aldana brought up the concern of a 50% response rate, with a maximum of 16 responses out of 30 surveys that went out. She mentioned that the response rate may need to be discussed at a Council meeting. Executive Committee Chair Lee Bycel had no objections to it potentially being discussed at a Council meeting. He added that staff and Councilmembers can only construct recommendations based on the data from the Councilmembers who chose to respond to the voluntary survey. Executive Director Carruthers added that the six new Councilmembers did not participate as they have never been to a Council meeting, so the response rate is at 2/3rds.

Councilmember Julie Austin asked what would become of the survey results. Executive Director Carruthers relayed that it would depend on what the Executive Committee would like to do and if they have any recommendations on adopting changes.

Councilmember Kilolo Brodie mentioned that action should not be made based off the response rate because majority of the Councilmembers may not have been able to weigh in due to other factors (e.g. access to hard copies). She suggested that the addition of a discussion item may help to ensure that everyone who receives the survey has an opportunity to have dialogue on it (e.g. clarification on questions) which may provide a higher response rate.

Councilmember Jonathan Nelson suggested collecting more demographic information on similar surveys in the future to better understand disproportionate rates.

10. **CLOSED SESSION: PERSONNEL**

The Executive Committee went into closed session.

11. **RECONVENE OPEN SESSION**

The Executive Committee reconvened from closed session with no actions to report.

12. **ADJOURNMENT AND NEXT MEETING DATE**

The next Executive Committee meeting will be held on February 22, 2022.
Meeting adjourned at 2:52 P.M.

FEBRUARY 22, 2022

AGENDA ITEM 6.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Sponsorship Requests

Chief Deputy Director Ken DaRosa will present two sponsorship requests for the Committee's consideration. The first sponsorship is from the Care Parent Network and the second from the San Carlos Community Garden.

Following Chief Deputy Director DaRosa's presentation, members will vote on whether to approve these requests.

Attachment(s)

Care Parent Sponsorship Application Package
San Carlos Community Garden Sponsorship Application
Sponsorships Awarded for 2021/22

Handout(s)

May be additional handouts the day of the meeting.

Action Recommended

Approve the sponsorship requests from Care Parent Network and the San Carlos Community Garden.

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Care Parent Network.

AMOUNT: \$1,500.00

BACKGROUND: The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

ANALYSIS/DISCUSSION: The Autism Star Conference is a biennial conference for families of children with autism in the San Francisco Bay Area, primarily Contra Costa and Alameda Counties. The goal of the conference is to provide support, training, advocacy, resources to parents, guardians, primary caregivers and other family members of children with autism. The information that family members receive from the talks, the resource packet that is provided to each participant and the resource/vendor fair will help them to become more informed about autism and services and supports for individuals with autism. Family members will thus be able to make informed choices and decisions on behalf of their children with autism.

The conference program always emphasizes parents' and family members' perspectives, in collaboration with professionals who work with individuals on the autism spectrum and other developmental disabilities.

Almost all the attendees are expected to be family members of children with autism or other developmental disabilities. The conference is planned and advertised as an event for parents, primary caregivers and other family members of children with autism.

SCDD funds will be used to help defray the cost of translation of conference materials into Spanish and the cost of translators at the conference.

Family Voices of California received a SCDD sponsorships 2017, 2018, and 2019 for annual health summit. In 2019, they received funding that was used to defray the costs of translation of conference materials and Spanish interpreters.

COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE: This conference fits into Goal 1- Californians with I/DD and their families reflecting the diversity of the state will have increased information and supports to advocate for civil and service rights to achieve self-determination, integration, and inclusion in all areas of community life.

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2021-22 the Council has awarded \$3,999 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2021.

STAFF RECOMMENDATION: Approve Care Parent Network's request for sponsorship.

ATTACHMENTS(S): Care Parent Network's request for sponsorship.

PREPARED: Kristie Allensworth February 9, 2022

Request for SCDD Sponsorship

Request date: 28th, December 2021

Requesting organization:

Care Parent Network

1340 Arnold Dr. Suite 115

Martinez, CA 94553

Contact:

Shital Agrawalla

925-457-8055

sagrawalla@careparentnetwork.org

Event:Autism Star Conference

Date: April 9th, 2022, from 8:30 a.m. to 12:30 p.m.

Location: Webinar Via Zoom Platform

Conference description:

The Autism Star Conference is a biennial conference for families of children (0 to 21 years old) with autism in the San Francisco Bay area, primarily Contra Costa and Alameda Counties. The goal of the conference is to provide support, training, advocacy, resources (“star”) to parents, guardians, primary Caregivers, and other family members of children with autism. The information that family members receive from the talks, the resource packet that is provided to each participant (approximately 80 pages per packet), and the resource/vendor fair will help them to become more informed about autism and services and supports for individuals with autism. Family members will thus be able to make informed choices and decisions on behalf of their children with autism.

As due to pandemic, we have transitioned from in person conference to virtual in webinar format. This has reduced our conference cost significantly. We are offering this virtual conference free of charge to families.

Conference presenters:

The conference program always emphasizes parents' and family members' perspectives, in collaboration with professionals who work with individuals on the autism spectrum and other developmental disabilities. The Conference has 3 sessions. The Presentations cover a wide area for Basics of Autism, and they are listed below:

- Keynote: Journey of self-advocates on the spectrum
- Top Strategies to Manage Challenging Behaviors
- IEP – Education & Advocacy during the Covid Period

Expected attendees:

Almost all the attendees are expected to be family members of children with autism or other developmental disabilities. The conference is planned and advertised as an event for parents, primary caregivers, and other family members of children with autism. Professionals may attend, but the conference is not targeted at them. 150 people attended the last in person conference. We anticipate a similar attendance at this virtual event.

Outreach:

Outreach will be conducted by all planning partner agencies thru various mailing lists and websites (via mail, Eventbrite, Constant Contact, Facebook.) Save the date flyer will go out through all the networks in January, with registration opening in mid-February.

Utilization of SCDD funding:

We are requesting SCDD funding in the amount of \$1500 to help defray the cost of translation of conference materials into Spanish, the cost of simultaneous Spanish translation at the conference, and the cost of Closed Captioning. Since it is via Webinar and due to the tough pandemic time, this conference is going to be at no charge to the attendees.

Past SCDD sponsorships and grants:

- Yes, The Autism STAR conference committee received a sponsorship for \$990 from SCDD for the 2018 Conference.
- Care Parent Network is also a fiscal agent for another community conference “The Going to College with a Disability /Vision for the Future”. This conference has received SCDD sponsorships in the past: 2017, 2018, 2019.

Conference Sponsors/Major Contributors

Representatives from agencies serving Alameda and Contra Costa Counties partner for this conference. Agencies provide staff time and in-kind donations, when possible, to make the event a success. Planning committee members include family advocates and community volunteers as well as:

- Care Parent Network
- Developmental Disabilities Council of Contra Costa County
- Alameda County Developmental Disabilities Council
- Manos Home care
- La Familia
- Regional Center of the East Bay
- State Council on Developmental Disabilities, Bay Area Office
- Spectrum Center School and Programs
- Arc of California

Recommendation from a family organization:

- See letter of recommendation from Regional Center of the East Bay (RCEB)

Budget:

Projected Expenses

Venue – Webinar Via Zoom –Alameda County DD Council (In kind donation and program Conference partner)	\$0
Design &Printing conference materials (In kind donation from Spectrum center school and program conference partner)	\$0
Translation of conference materials (Flyers, forms, PowerPoints, resource pages, etc.)	\$800
Simultaneous translation services at conference (Translator for 4 hrs. @\$100 per hr.)	\$400
Closed Captioning - Services at conference (Captioner for 4hrs @200/hr)	\$800
<u>Total Projected Expenses</u>	<u>\$2000</u>

Projected Funding Sources

Estimated income from Autism Star Conference Community Sponsors	\$500
Estimated income from registration fees (Free for families)	\$0

Total Projected Income **\$500**

Amount That We Are Requesting from SCDD **\$1500**
For Translation Expenses

Thank you for your consideration.

Submitted by:

Shital Agrawalla

Family Support Specialist, Care Parent Network

925-457-8055, sagrawalla@careparentnetwork.org

December 2nd, 2021

State Council on Developmental Disabilities
3831 N. Freeway Boulevard, Suite 125
Sacramento, CA 95834

Dear Sponsorship Committee,

I am writing this letter in support of a sponsorship for the 2022 Autism Star Conference webinar to be held on April 9th, 2022, virtually via zoom Platform, Bay area CA. Regional Center of the East Bay (RCEB) has always supported individuals with developmental disabilities and their families to achieve success and participate in their communities. This conference is put on by parents for parents, guardians, and caregivers of children ages birth through age 22 who are diagnosed with Autism.

This sponsorship would allow for funding of translation and interpretation services needed to include a diverse range of families interested in this conference. RCEB takes pride in hosting and supporting events, such as this conference, that promote diversity, equity, and outreach to Individuals and families in emerging and isolating communities. Finding out a child is diagnosed with Autism and learning how to best meet that child's needs is a process many of RCEB's families experience. Speakers and workshops will help parents, guardians, and caregivers navigate this process and leave with resources that can help with day-to-day activities. I believe this conference will greatly benefit the children and youth we serve at RCEB.

Thank you,



EIVla Osorio-Rodriguez
Associate Director of Children's Services
Regional Center of the East Bay

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: San Carlos Community Garden (SCCG)

AMOUNT: \$1,500.00

BACKGROUND: The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

ANALYSIS/DISCUSSION: San Carlos Community Garden is requesting a sponsorship for the 10th Anniversary "Growing Community". The event will help raise awareness for SCCG and the effectiveness of school and community gardens and will inspire positive environmental change and a healthier and more inclusive community.

SCCG shares space with its joint-use partner, the Sierra School, a K-12 school that provides special educational services aimed at strengthening students with disabilities academic and organizational skills, social and emotional abilities, sense of responsibility, job skills, and self-esteem.

The all-volunteer garden was established in 2011 and today is thriving as one of the largest community gardens in San Diego County the Garden's outdoor classroom provides a safe, healing and inspiring space for people with and without disabilities and brings the community together. SCCG partners with many organizations, including ARC of San Diego.

SCDD's funds would be utilized to offset the costs for expenses such as garden maintenance and planting supplies, signage for Garden workshops and events, etc.

They have never received a sponsorship from SDDD.

COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE: Goal 6: Formal & Informal Community Supports- Californians with I/DD and their families, reflecting the diversity of the state, will have increased information and supports to access community-based services available to the general population.

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2021-22 the Council has awarded \$3,999 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2021.

STAFF RECOMMENDATION: Approve San Carlos Community Garden's request for sponsorship.

ATTACHMENTS(S): San Carlos Community Garden's request for sponsorship.

PREPARED: Kristie Allensworth February 9, 2022

**San Carlos Community Garden - GROWING COMMUNITY
SPONSORSHIP; \$1,500**

Sponsorship funding from State Council on Developmental Disabilities will be allocated towards the San Carlos Community Garden 2022 General Budget which covers necessary expenses such as garden maintenance and planting supplies, signage for Garden workshops and events, etc.

- Opportunity to have an exhibit booth during 10th Anniversary Spring Celebration, March 26, 2022 from 1-3pm
- Name/logo used in all media publicity throughout the year, including 100 Cox Communications PSAs scheduled to run across San Diego networks October 1-31, 2022.
- Exclusive E-blast w/tag to SCCG community members (350+)
- Recognition on SCCG's website with name/logo w/ link.
- 11"x 17" signage opportunity to promote your business in SCCG's highly visible Garden Kiosks (choose one month, March – December); *must provide printed, color materials.*
- Logo recognition on 2 highly visible outdoor Garden Banners, March - December 2022.
- Social media recognition includes:
 - 1 post per week during your dedicated month of choice, plus 1 post per month in 2022; *must provide content to SCCG two weeks in advance.*
 - 2 shout-outs with tags on Edible San Diego Magazine Facebook (March/October 2022).
- Appreciation plaque + Legacy sponsor recognition on permanent sign placed in garden.

State Council on Developmental Disabilities
3831 N. Freeway Boulevard, Suite 125
Sacramento, California 95834

Attn: Kristie Allensworth

I am writing to inform the California State Council on Developmental Disabilities of the partnership that Sierra School of San Diego has with the San Carlos Community Garden. Sierra School of San Diego provides intensive, structured, individualized special education programs for children ages 6-21 years old with moderate to severe special needs. By strengthening student's academic and organizational skills, social and emotional abilities, sense of responsibility, job skills, and self-esteem, we aim to get our students to the point where they can successfully reenter mainstream schools and the community.

As Sierra's Director, the San Carlos Community Garden (SCCG) has played a significant role in the health and wellness of our students and staff since the joint-use community garden was first created in 2012. I have served on the Garden's Leadership Team since 2016 and have worked closely with SCCG on projects that enrich the learning experience for our students. Examples of our collaboration with SCCG over the years include six dedicated garden plots that are maintained throughout the school year by our students and staff; annual Earth Day activities and event, nature inspired science, and art and literature assignments. The Garden also serves as a safe, healthy and calming venue that allows our students and staff to reduce stress and cope with anxiety and frustration.

Having worked for Sierra for more than 20 years, I can say with confidence that there is no other school like Sierra School of San Diego and the San Carlos Community Garden is a very big reason why. I encourage the California State Council on Developmental Disabilities to consider supporting the San Carlos Community Garden and am happy to provide any additional information needed to support their funding request.

Sincerely,

Lanae Aguilera
Director
Sierra School of San Diego
(619) 460 5090
Lanae.aguilera@sischools.com

Sierra School of San Diego

6460 Boulder Lake Avenue • San Diego, CA 92119

(P) 619-460-5090 **(F)** 619-460-5091 www.sesischools.com

Sponsorships Awarded for 2021/22

Name:	Event Date:	Amount Requested:	Amount Awarded:	Amount Invoiced:	2021/22 Remaining Funds
Special Needs Resource Foundation of San Diego	8/1/21	\$1,500	\$1,500	\$1,500	\$23,500
Employment for People with Disabilities	10/31/21	\$1,500	\$1,500	\$1,500	\$22,000
The University Center for Excellence in Developmental Disabilities	8/6/21	\$999	\$999	\$999	\$21,001
	Totals:	\$3,999	\$3,999	\$3,999	\$22,500

FEBRUARY 22, 2022

AGENDA ITEM 7.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Conflict of Interest Waiver Requests

Legal Counsel Brian Weisel will present conflict of interest waiver requests from the following regional center board members:

- A. Ramon Hooper, Board Member, Tri-Counties Regional Center
- B. Liliana Martinez, Board Member, North Los Angeles County Regional Center
- C. Angelina Martinez, Board Member, North Los Angeles County Regional Center

Committee members will vote on whether to approve these requests.

Attachment(s)

Staff analysis details and conflict of interest mitigation plans for Regional Center Board Members Ramon Hooper, Liliana Martinez, and Angelina Martinez.

Handout(s)

May be additional handouts the day of the meeting.

Action Recommended

Approve the conflict of interest waiver requests.

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Regional Center Conflict of Interest (COI)

BACKGROUND: Codified in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.¹ The Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.²

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

Ramon Hooper, Board Member, Tri-Counties Regional Center: Ramon Hooper is a self-advocate who was appointed as a member of the Board of Directors of Tri-Counties Regional Center (TCRC) on October 6, 2018. Mr. Hooper works for Pathpoint, a TCRC vendor. His job duties involve facilities maintenance. Mr. Hooper is not involved in the individual selection of vendors who will work with TCRC.

TCRC has a public member recruitment and appointment process which is subject to public review and engagement. Candidates for the TCRC board may be recommended by organizations representing individuals with developmental disabilities and/or their family members, service providers, the general public or self-referral.

The Council Previously approved a conflict waiver for Ramon Hooper for a similar employment position with a different vendor in 2019.

DISCUSSION:

Conflict of Interest: Department of Developmental Services (DDS) Regulation³ 54520 provides in part that a conflict of interest exists when the

¹ Welf. & Inst. Code § 4626, subd. (I).

² Welf. & Inst. Code § 4628.

³ DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Mr. Hooper's conflict of interest arises because he is employed by Pathpoint, a TCRC vendor.⁴ To address the conflict, Mr. Hooper submitted the following Conflict of Interest Resolution Plan (Plan):

1. Mr. Hooper shall not involve himself in any business dealings with Pathpoint.
2. Mr. Hooper shall recuse himself from voting on any Board matters involving decisions specifically involving Pathpoint, including voting and contract reviews.
3. Mr. Hooper is not to allow any decisions he makes in the course of his duties as a Board member to be influenced by the fact that he is employed with Pathpoint.
4. If such an occasion did occur, Mr. Hooper understands he is to remove himself from any decision-making involving Pathpoint.
5. Mr. Hooper shall not participate either individually, or as part of a group, in the presentation, preparation, formulation or approval of reports, plans, policies, analyses, or opinions regarding Pathpoint.

⁴ Cal. Code Regs., title 17, § 54520(a)(10).

6. The TCRC Board President and Executive Director shall ensure that all confidential matters related to the status of Pathpoint will not be discussed with Mr. Hooper and will be responsible for ensuring this Plan and its safeguards are applied and monitored.

The proposed Plan appears to mitigate concerns over a conflict of interest that could result based upon Mr. Hooper's employment with a TCRC vendor. Furthermore, Mr. Hooper's membership on the WRC Board appears to help WRC meet the composition requirements set forth in W&I Code section 4622. Accordingly, staff recommends approval of this waiver request.

STAFF RECOMMENDATION: Approve Mr. Hooper's waiver request.

ATTACHMENT: Mr. Hooper's COI reporting statement and Plan.

PREPARED BY: Legal Counsel Brian Weisel – February 3, 2022.

State of California—Health and Human Services Agency

Enclosure C
Department of Developmental Services



**CONFLICT OF INTEREST REPORTING STATEMENT
DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Ramon Hooper Regional Center: Tri-Counties Regional Center

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date): _____
 Change of Status¹

If a change in status, date and circumstance of change in status:
WORKING AT PATHPOINT STARTED AT 8/27/2021 9-7-2021

1. Please list your job title and describe your job duties at the regional center.
TCADD Board Member

¹ Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity. *I WORK ON AN ACTIVITIES POSITION*

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest. *I WORK IN A CREW*

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].
 yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

Board members approve contracts over \$250,000

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

I WORK ON A CREW

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I Ramon Hooper (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature *Ramon Hooper* Date 9-23-2021

INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual does does not have a present potential conflict of interest

Signature of Designated Reviewer

DocuSigned by:
Omar Noorjad

Date Review Completed

9/23/2021 11/2/2021

6E5538F04627427

Tri-Counties Regional Center

Conflict Resolution Plan

Objective: The proposed Conflict Resolution Plan shall be a written, detailed plan to eliminate, or mitigate and manage, the present or potential conflict of interest, along with any necessary supporting documents.

The following is the Conflict Resolution Plan for a Board member of Tri-Counties Regional Center (TCRC). TCRC's responses to the regulatory components of the conflict resolution plan are in bold below. Any questions regarding this plan are to be directed to Michael Nagel, TCRC Director of Human Resources and Organizational Development , at 805-884-7217.

Date: July 26, 2021

Name of Board member: Ramon Hooper

Title: TCADD Board member

Potential conflict as stated by the Board member: Ramon currently serves on the TCADD Board and is served by TCRC. Ramon also currently works for a vendor of TCRC, Pathpoint, who receives POS funding from TCRC.

The proposed Conflict Resolution Plan shall contain the following:

- (1) Describe the precise nature of the present or potential conflict of interest or activity and give a detailed description of the conflict:
 - (A) The type of interest creating the present or potential conflict; and

The potential conflict of interest is created by Ramon's position on the TCADD Board and his employment relationship with a vendor of TCRC.

- (B) The identity and relationship between the individual(s) and/or entity(ies) involved; and

Ramon is the employee of a TCRC vendor.

- (C) The roles and duties of each individual and/or entity, that gives rise to the present or potential conflict of interest.

Ramon holds a TCADD Board position and works on a crew that arranges activities for participants of the vendor Pathpoint. As a Board member, Ramon votes on Board matters including contracts over \$250k.

(2) State the action(s) that the regional center governing board, regional center and/or the individual(s) will take, including the necessary timeframes, to eliminate or mitigate and manage the present or potential conflict of interest. Actions to eliminate, or mitigate and manage, the present or potential conflict of interest, may include, but are not limited to, one or more of the following:

- (A) Resignation of the individual(s) from the position or activity creating the conflict of interest
- (B) Refraining from participation, or limiting the individual's ability to act, in a particular matter or category of matters
- (C) Change of assignment, duties, or position
- (D) Divestiture of financial interests that give rise to the conflict of interest
- (E) Terminating or refraining from relationships that give rise to conflicts of interest

Ramon understands and TCRC has made it clear, that he is not to involve himself in any business dealings involving Pathpoint. Also, it is understood by the TCADD Board President, Mark Wolfe, and the TCRC Executive Director, Omar Noorzad, that Ramon is not to be involved in any potential business dealings involving Pathpoint. Ramon understands he is to recuse himself from voting on any Board matters involving any decisions specifically involving Pathpoint including voting, contract reviews, etc. of their services.

Ramon is not involved in the individual selection of vendors who will work with TCRC. Ramon understands he is not to allow any decisions he makes in the course of his duties as a Board member to be influenced by the fact that he is employed with a vendor of TCRC. If such an occasion did occur, he understands he is to remove himself from any decision making involving this vendor. He shall not participate either individually or as part of a group, in the presentation, preparation, formulation or approval of reports, plans, policies, analysis, or opinions regarding Pathpoint.

(3) Provide a detailed explanation of how each of the proposed actions, will actually eliminate or mitigate and manage the present or potential conflict of interest.

The actions described above will eliminate or mitigate any present or potential conflict of interest as Ramon's actions are visible by the TCADD Board President and TCRC Executive Director.

(4) Provide the name, position and duties of the individual(s) who will be responsible for ensuring that any actions, limitations, or restrictions, included in the Conflict Resolution Plan, if approved by the Department, will be taken, applied, followed, and monitored. Explain any

oversight and monitoring mechanism in enough detail to allow the Department to ascertain that the mechanism is sufficient to eliminate, or mitigate and manage, the present or potential conflict of interest.

The TCADD Board President and the TCRC Executive Director ensure that all confidential matters related to the status of Pathpoint will not be discussed with Ramon. The TCADD Board President and TCRC Executive Director will be responsible for ensuring the plan and its safeguards are applied and monitored.

(5) A proposed Conflict Resolution Plan shall be signed by the individual(s) subject to the Conflict Resolution Plan, in addition to the person in the designated position or committee responsible for reviewing the Conflict of Interest Reporting Statement, and the person in the designated position or committee responsible for monitoring performance under the proposed Plan, if approved.

<u>Ramon Nagel</u>	<u>11-12-21</u>	DocuSigned by: <u>[Signature]</u>	<u>11/2/2021</u>
<small>48DABE402435448</small>			
Board member	Date	TCADD Board President	Date

DocuSigned by: <u>Omar Noorjad</u>	<u>11/2/2021</u>
<small>6E5536F0162742F</small>	
Executive Director	Date

DocuSigned by: <u>Michael Nagel</u>	<u>11/2/2021</u>
<small>BET2477FA3D04F2</small>	
Director of HR & OD	Date

NOTIFICATION OF CONFLICT OF INTEREST,
AND
RE-SUBMISSION OF CONFLICT RESOLUTION PLAN

LILLIAN MARTINEZ – NLACRC BOARD MEMBER
NORTH LOS ANGELES COUNTY REGIONAL CENTER

I. Law Governing Conflicts of Interest

The prohibition against Regional Center employee or board member conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code. Subsection (d) of said section 4626 provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding....”

That general prohibition is explained in more detail in Title 17 of the California Code of Regulations, section 54520 “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides in pertinent part:

(a) A conflict of interest exists when a regional center governing board member...or family member of such person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations...:

- (1) a governing board member
- (2) a board committee member
- (3) a director
- (4) an officer
- (5) an owner
- (6) a partner
- (7) a shareholder
- (8) a trustee
- (9) an agent
- (10) an employee
- (11) a contractor
- (12) a consultant
- (13) a person who holds any position of management
- (14) a person who has decision or policy making authority.
(Emphasis added.)

Section 54505 states that: “Business Entity, Entity or Provider” means any individual or business venture from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations.”

Further, Section 54533 states:

- (a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the present or potential conflict

shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Potential Conflict of Mrs. Martinez

Lillian Martinez is a Board Member at North Los Angeles County Regional Center (hereinafter “NLACRC” or “the Regional Center”). Mrs. Martinez is a board member and the board’s Secretary. She participates on the Strategic Planning, Administrative Affairs and Executive committees. NLACRC Executive Director Ruth Janka confirms that Mrs. Martinez is a productive and valued member of the Board of Trustees. Attached as **Exhibit A** is Mrs. Martinez’s completed Conflict of Interest Reporting Statement. As part of the Conflict Resolution Plan, she will remain in her position on the Board of Trustees.

Mrs. Martinez’s father, Roberto Arias, however, is a respite worker for his grandson (a consumer of NLACRC) for Caring Family Supports, a vendor of North Los Angeles County Regional Center. This creates a direct conflict for Mrs. Martinez as defined by regulation. This document constitutes a re-submission of the disclosure of this conflict, a Conflict Resolution Plan to continue the elimination of any adverse consequences from this relationship, and a request for re-approval of the Conflict Resolution Plan by DDS.

In short, this Conflict Resolution Plan will have Mrs. Martinez remain in her position on the NLACRC Board of Trustees and Secretary, but limit her actions as a board member so that she in no way participates in any role whatsoever with regard to Caring Family Supports or any other vendor who provides respite and personal assistance services.

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this request will first provide the facts regarding Mrs. Martinez’s duties and responsibilities as a board member and her father’s role as a respite worker for Caring Family Supports.

A. Mrs. Martinez’s Duties as a Board Member

As a board member, Mrs. Martinez regularly meets with other board members of NLACRC to create policy for the operation of the regional center. Policy is developed through recommendations from board committees and the Executive Director. Direct operation is delegated to the Executive Director who is hired by the board. Staff recommendations for policy initiation or modification go the Executive Director, who, in turn, refers them to the board and/or an appropriate board committee. A copy of the Board Member Responsibilities is attached as **Exhibit B**.

Mrs. Martinez's board member primary duties are as follows:

1. Attendance at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at the main NLACRC office in Chatsworth at 6:30 p.m.
2. Membership and attendance on at least one (1) board committee.
3. Because the regional center is funded under contract with the State of California, Department of Developmental Services, each member of the Board of Trustees is required to identify any potential conflict of interest as identified in Welfare and Institutions Code Sections 4626 and 4627.
4. A part of a board member's responsibility is to be an informed and active advocate member of the Board of Trustees, she is expected to attend a board orientation and/or board training scheduled during the first year on the board and attend one annual board retreat.
5. Visitation to NLACRC supported programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day program program as well as those providers who deliver a specific service (e.g. school setting or transportation).
6. Mrs. Martinez participates on the Strategic Planning, Administrative Affairs and Executive committees.

Under the suggested Conflict Resolution Plan, Mrs. Martinez will remain in her board position, but will be strictly regulated so that she has no role or involvement whatsoever with any matter that might conceivably impact Caring Family Supports, or a vendor that provides respite and personal assistance services.

B. Mrs. Martinez's Duties as Secretary of the Board

The office of secretary is established in Article V, Section 8 of the bylaws of North Los Angeles County Regional Center. The secretary shall be a member of the Board of Trustees and elected by the Board of Trustees. The term of office shall be one (1) year with no limitation on the number of terms. The secretary shall serve on the Executive Committee. A copy of the Secretary Responsibilities is attached as **Exhibit C**. The secretary shall:

1. Review the minutes, taken by the secretary to the executive director, at meetings of the Board of Trustees, and sign the original copy of the minutes.
2. Maintain a log or record of actions taken in executive session and transfer this record to his/her successor.
3. Sign the original copy of the bylaws when revisions are made.
4. Perform such other duties as may be prescribed by the Board of Trustees and the bylaws.

C. Roberto Arias' Duties at Caring Family Supports

Caring Family Supports is a service provider to NLACRC that provides the following services:

1. Respite Services
2. Personal Assistance

As a respite worker for Caring Family Supports, Mr. Arias provides respite services solely to his grandson who is a NLACRC consumer. Mr. Arias' duties and responsibilities are as follows:

1. Review and understands Individual, Family and/or Home Provider Needs;
2. Provide individual receiving services with the supports necessary to meet their need;
3. Understand what to do in case of an emergency;
4. Under the direction of the Co-Founder, has a list of activities appropriate for each individual;
5. Attends in-service trainings and staff meetings;
6. Any other job-related duties as assigned by Co-Founders.

IV. Conflict Resolution Plan

The Regional Center and its Executive Director, Ruth Janka, have concluded that Mrs. Martinez provides great value to the Board of NLACRC. After consideration of the totality of the circumstances and a careful review of the facts, the Executive Director believes it is in the best interests of the Regional Center to re-submit a Conflict Resolution Plan to provide mitigation and/or elimination of any adverse consequences from this relationship and seek approval of this plan by DDS.

Initially, the first step in the Conflict Resolution Plan is to allow Mrs. Martinez to remain in her position on the Board of Trustees, but to cease any activity or action that might in any way impact Caring Family Supports. This will eliminate any instance in which Mrs. Martinez would have to vote, give her opinion, analyze, assess the performance of, or take action for or against Caring Family Supports, and would eliminate any possible action by Mrs. Martinez to recommend Caring Family Supports or other similar available respite and personal assistance services.

The second part of the plan is to insulate Mrs. Martinez from any involvement whatsoever with the generic type of provider like Caring Family Supports. She would recuse herself from participation in any vote regarding, drafting, planning, or discussion of rules, policies, or restrictions that would impact Caring Family Supports and all other respite and

personal assistance vendors. Any duties that potentially relate to Caring Family Supports or generic policies applicable to such a vendor represent a small portion of the valuable duties she performs on behalf of the Regional Center, and these duties can be easily delegated to other Regional Center board members. Like other board members, Mrs. Martinez develops policy through recommendations from the Executive Director, and thus works with numerous vendors on a variety of services.

Further, as the Conflict Resolution Plan details below, when any matter arises with regard to Caring Family Supports or other respite and personal assistance vendors, she will agree not to be involved in the discussion of the matter, the presentation of options to the Board, or the decision or vote on such matter. NLACRC will require Mrs. Martinez to abstain from discussion with, or involvement in the matter, and require the other board members to take all such actions, including appropriate description of options, recommendations, analysis and ultimate decision and vote.

The Regional Center and Mrs. Martinez's Conflict Resolution Plan for this conflict of interest is as follows:

1. Mrs. Martinez will have no interaction as a board member with any matter that might impact Caring Family Supports, and specifically she will recuse herself from any vote on any matter that could impact Caring Family Supports.
2. Mrs. Martinez will, in every conceivable manner, cease interacting with the Board on any matter that could conceivably impact Caring Family Supports.
3. Mrs. Martinez will not participate as a board member in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion, recommendation or action regarding Caring Family Supports or any actions creating policy or approaches that would impact Caring Family Supports and other respite and personal assistance vendors.
4. Mrs. Martinez will not review or participate as a board member in any discussions, recommendations, or decisions about Purchase of Service authorizations for Caring Family Supports and other respite and personal assistance vendors.
5. Mrs. Martinez will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Caring Family Supports and other respite and personal assistance vendors.
6. Mrs. Martinez will not create, review, or in any way participate as a board member in, any corrective action plans for Caring Family Supports and other respite and personal assistance vendors.
7. Mrs. Martinez will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Caring Family Supports and other respite and personal assistance vendors.

8. Mrs. Martinez will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Caring Family Supports and other respite and personal assistance vendors.

9. Mrs. Martinez will not as a board member access vendor files or other information the regional center maintains about Caring Family Supports and other respite and personal assistance vendors, either in electronic or hard copy form.

10. Mrs. Martinez shall not participate as a board member in developing, creating, or recommending any POS policies, or other policies, that might apply to Caring Family Supports and other respite and personal assistance vendors. Instead, these tasks will become the responsibility of the other board members.

11. Mrs. Martinez will not be involved as a board member in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving Caring Family Supports and other respite and personal assistance vendors.

12. The NLACRC Board of Trustees will be informed about this Plan of Action, and they will be informed of the need to ensure that Mrs. Martinez has no involvement whatsoever in any action or business whatsoever involving or affecting Caring Family Supports and other respite and personal assistance vendors.

13. These restrictions only apply to Caring Family Supports and policies impacting other respite and personal assistance vendors. The bulk of Mrs. Martinez's duties with regard to a vast array of other Board issues and other vendors will remain unchanged, unless the Board work would in any way impact Caring Family Supports. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Mrs. Martinez provides to the NLACRC Board.

14. In the event the board member changes to a different respite agency during the course of her term, each provision of this plan shall apply to with regard to the new agency for the duration of the trustee's term on the board.

15. NLACRC has received approval from its Board of Trustees regarding this Conflict Resolution Plan.

V. Request Re-Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, North Los Angeles County Regional Center hereby requests that DDS re-approve the Conflict Resolution Plan in this matter.

Respectfully submitted,

By: _____
Lillian Martinez, NLACRC Board Member

Date: _____

By: _____
Leticia Garcia, NLACRC Board President

Date: _____

By: _____
Ruth Janka, Executive Director, NLACRC

Date: _____

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

My father works for Caring Family Supports

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

My father is an employee of Caring Family Supports. Caring Family Supports provides personal care services, daycare and respite services for regional center consumers.

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? [Note: Governing board members do not have to answer “yes” to this question if the financial benefit would be available to regional center consumers or their families generally].
 yes no -- If yes, please explain.

See #2 above

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

Yes, if they are over \$ 250,000.00- the board is involved with the approval process.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

See #2 above.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I Lillian Martinez (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 07/28/2021

Date this Statement was received by Reviewer:

The reporting individual does does not have a present potential conflict of interest

Signature of Designated Reviewer <u></u>	Date Review Completed <u>07/30/2021</u>
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Board Member Responsibilities

The role of the Board of Trustees of the North Los Angeles County Regional Center (NLACRC) is to make policy for the operation of the regional center. Policy is developed through recommendations from board committees and the executive director; direct operation is delegated to the executive director who is hired by the board. Staff recommendations for policy initiation or modification go to the executive director who, in turn, refers them to the board and/or an appropriate board committee.

Your responsibility as a member of the Board of Trustees of the NLACRC would include, but not be limited to:

- Attendance, either virtual or in-person, at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at one of NLACRC's three offices at 6:30 p.m.
- Membership and attendance on one (1) or more board committees.
- Board participation and advocacy will be focused on systems issues; issues regarding an individual consumer, family or program will be directed to the Executive Director's Office.
- Identification of any potential conflict of interest as identified in Welfare and Institutions Code, Sections 4626 and 4627 during the board member's term on the board will be reported to the administrative assistant to the board.
- Completion of the Conflict of Interest Statement annually and MediCal Provider Enrollment Form as applicable due to the regional center's funding and contract with the State of California, Department of Developmental Services.
- Completion of a W-9 form by board members who seek reimbursement for childcare or personal care services under the Board Member Support policy.
- Adherence to the board's Code of Conduct.
- Attendance at the annual board orientation for all newly seated board members.
- Participation in board-coordinated trainings and the annual board retreat.
- Visitation to NLACRC vendored programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).

[policy.bd.bdmbbr.resps] 01-13-93 Revised: 08-16-2021 Adopted: 9-9-2021

North Los Angeles County Regional Center
Board of Trustees Policy Statement

Secretary

The office of secretary is established in Article V, Section 8 of the bylaws of North Los Angeles County Regional Center. The secretary shall be a member of the Board of Trustees and elected by the Board of Trustees. The term of office shall be one (1) year with no limitation on the number of terms. The secretary shall serve on the Executive Committee.

The secretary shall:

- Review the minutes, taken by the secretary to the executive director, at meetings of the Board of Trustees, and sign the original copy of the minutes.
- Maintain a log or record of actions taken in executive session and transfer this record to his/her successor.
- Sign the original copy of the bylaws when revisions are made.
- Perform such other duties as may be prescribed by the Board of Trustees and the bylaws.

[policy.stmt.secretary] Adopted 05-13-15

NOTIFICATION OF CONFLICT OF INTEREST,
AND
RESUBMISSION OF CONFLICT RESOLUTION PLAN

ANGELINA MARTINEZ - NLACRC BOARD MEMBER
NORTH LOS ANGELES COUNTY REGIONAL CENTER

I. Law Governing Conflicts of Interest

The prohibition against Regional Center employee or board member conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code. Subsection (d) of said section 4626 provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding....”

That general prohibition is explained in more detail in Title 17 of the California Code of Regulations, section 54520 “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides in pertinent part:

(a) A conflict of interest exists when a regional center governing board member...or family member of such person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations...:

- (1) a governing board member
- (2) a board committee member
- (3) a director
- (4) an officer
- (5) an owner
- (6) a partner
- (7) a shareholder
- (8) a trustee
- (9) an agent
- (10) an employee
- (11) a contractor
- (12) a consultant
- (13) a person who holds any position of management
- (14) a person who has decision or policy making authority.
(Emphasis added.)

Section 54505 states that: “Business Entity, Entity or Provider” means any individual or business venture from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations.”

Further, Section 54533 states:

- (a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the present or potential conflict

shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Potential Conflict of Ms. Martinez

Angelina Martinez is a Board Member at North Los Angeles County Regional Center (hereinafter “NLACRC” or “the Regional Center”). Ms. Martinez is a board member and the Association of Regional Center Agencies (ARCA) Delegate and as such she participates on the Executive, Nominating and Government and Community Relations Committees. NLACRC Executive Director Ruth Janka confirms that Ms. Martinez is a productive and valued member of the Board of Trustees. Attached as **Exhibit A** is Ms. Martinez completed Conflict of Interest Reporting Statement. As part of the Conflict Resolution Plan, she will remain in her position on the Board of Trustees.

Ms. Martinez’s daughter, Jessica Martinez, however, is a respite worker for her siblings (consumers of NLACRC) for Choice Home Care, a vendor of North Los Angeles County Regional Center. This creates a direct conflict for Ms. Martinez as defined by regulation. This document constitutes a disclosure of this conflict, a Conflict Resolution Plan to mitigate any adverse consequences from this relationship, and a request for re-approval of the Conflict Resolution Plan by DDS.

In short, this Conflict Resolution Plan will have Ms. Martinez remain in her position on the NLACRC Board of Trustees and ARCA Delegate, but limit her actions as a board member so that she in no way participates in any role whatsoever with regard to Choice Home Care or any other vendor who provides ILS, Home Health (RN and LVN services), respite and personal assistance services.

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this request will first provide the facts regarding Ms. Martinez’ duties and responsibilities as a board member and ARCA Delegate and her daughter’s role as a respite worker for Choice Home Care.

A. Ms. Martinez’ Duties as Board Member

As a board member, Ms. Martinez regularly meets with other board members of NLACRC to create policy for the operation of the regional center. Policy is developed through recommendations from board committees and the Executive Director. Direct operation is delegated to the Executive Director who is hired by the board. Staff recommendations for policy initiation or modification go the Executive Director, who, in turn, refers them to the board and/or an appropriate board committee. A copy of the Board Member Responsibilities is attached as **Exhibit B**.

Ms. Martinez primary duties are as follows:

1. Attendance at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at the main NLACRC office in Chatsworth at 6:30 p.m.
2. Membership and attendance on at least one (1) board committee.
3. Because the regional center is funded under contract with the State of California, Department of Developmental Services, each member of the Board of Trustees is required to identify any potential conflict of interest as identified in Welfare and Institutions Code Sections 4626 and 4627.
4. A part of a board member's responsibility is to be an informed and active advocate member of the Board of Trustees, she is expected to attend a board orientation and/or board training scheduled during the first year on the board and attend one annual board retreat.
5. Visitation to NLACRC supported programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).
6. Ms. Martinez participates on the Executive, Nominating and Government and Community Relations committees.

Under the suggested Conflict Resolution Plan, Ms. Martinez will remain in her board position, but will be strictly regulated so that she has no role or involvement whatsoever with any matter that might conceivably impact Choice Home Care, or a vendor that provides ILS, Home Health (LVN and RN services, respite and personal assistance services).

B. Ms. Martinez's Duties as ARCA Delegate

The offices of ARCA delegate and ARCA alternate are established in Article V, Sections 10 and 11 of the bylaws of North Los Angeles County Regional Center. The ARCA delegate and ARCA alternate shall be members of the Board of Trustees and elected by the Board of Trustees. The terms of office shall be a minimum of 2 years with no limitations on the number of terms. The ARCA delegate or ARCA alternate shall report to the Executive Committee, as needed. A copy of the ARCA delegate Responsibilities is attached as **Exhibit C**.

The duties of the ARCA Delegate and ARCA Alternate include:

1. Willing to accept a leadership role in ARCA. The delegate board members play an essential role in ARCA and contribute to its policy direction.
2. Able to clearly articulate the center's position on statewide issues.
3. Able to work effectively in a large group and with individuals who may have differing opinions.

4. Able to explain complex issues to the board in the context of state and local concerns.

5. Willing to commit the time to fully participate in ARCA activities.

ARCA is an incorporated organization of the regional centers. Representatives to ARCA consist of one member from each board and the executive director of each regional center. ARCA meets regularly to address issues of common concern to the regional centers.

The ARCA delegate and ARCA alternate shall represent the corporation at ARCA meetings. The ARCA delegate and/or ARCA alternate shall report to the Board of Trustees regarding actions taken at the ARCA meetings and assure that the board votes, when possible, on any issues requiring such action.

C. Jessica Martinez's Duties at Choice Home Care

Choice Home Care is a service provider to NLACRC that provides the following services:

- In home respite services
- Personal assistance
- Independent Living Services (ILS)
- Home Health (Solely provides RN and LVN skilled nursing services for NLACRC at this time.)
 - RN and LVN
 - Certified Home Health Aides
 - Licensed Physical Therapist
 - Occupational Therapy
 - Speech Therapy
 - Medical Social Services
 - Dietitian

As a respite worker for Choice Home Care, Ms. Martinez provides respite services solely to her siblings who are NLACRC consumers. Ms. Martinez's responsibilities are as follows:

1. Review and understands Individual, Family and/or Home Provider Needs;

2. Provide individual receiving services with the supports necessary to meet their need;
- 3 Understand what to do in case of an emergency;
4. Under the direction of the Co-Founder, has a list of activities appropriate for each individual;
5. Attends in-service trainings and staff meetings;
6. Any other job-related duties as assigned by Co-Founders.

IV. Conflict Resolution Plan

The Regional Center and its Executive Director, Ruth Janka, have concluded that Ms. Martinez provides great value to the Board of NLACRC. After consideration of the totality of the circumstances and a careful review of the facts, the Executive Director believes it is in the best interests of the Regional Center to create and implement a Conflict Resolution Plan to eliminate any adverse consequences from this relationship and seek re-approval of this plan by DDS.

Initially, the first step in the Conflict Resolution Plan is to allow Ms. Martinez to remain in her position on the Board of Trustees and ARCA Delegate, but to cease any activity or action that might in any way impact Choice Home Care. This will eliminate any instance in which Ms. Martinez would have to vote, give her opinion, analyze, assess the performance of, or take action for or against Choice Home Care, and would eliminate any possible action by Ms. Martinez to recommend Choice Home Care or other similar available ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

The second part of the plan is to insulate Ms. Martinez from any involvement whatsoever with the generic type of provider like Choice Home Care. She would recuse herself from participation in any vote regarding, drafting, planning, or discussion of rules, policies, or restrictions that would impact Choice Home Care and all other ILS, Home Health (LVN and RN services), respite and personal assistance vendors. Any duties that potentially relate to Choice Home Care or generic policies applicable to such a vendor represent a small portion of the valuable duties she performs on behalf of the Regional Center, and these duties can be easily delegated to other Regional Center board members. Like other board members, Ms. Martinez develops policy through recommendations from the Executive Director, and thus works with numerous vendors on a variety of services.

The third part of the plan is the development of an internal process that the Community Services department will notify the Chief Organizational Development Officer in the event that Choice Home Care begins to provide additional services under their Home Health vendorization. Those additional services include the following:

1. Certified Home Health Aides
2. Licensed Physical Therapist

3. Occupational Therapy
4. Speech Therapy
5. Medical Social Services
6. Dietitian

In the event that the above services are provided to NLACRC consumers, Ms. Martinez's Conflict Resolution Plan will include the service(s) that are provided and will comply with the plan as outlined below.

Further, as the Conflict Resolution Plan details below, when any matter arises with regard to Choice Home Care or other ILS, Home Health (RN and LVN services), respite and personal assistance vendors, she will agree not to be involved in the discussion of the matter, the presentation of options to the Board, or the decision or vote on such matter. NLACRC will require Ms. Martinez to abstain from discussion with, or involvement in the matter, and require the other board members to take all such actions, including appropriate description of options, recommendations, analysis and ultimate decision and vote.

The Regional Center and Ms. Martinez suggested Conflict Resolution Plan for this conflict of interest is as follows:

1. Ms. Martinez will have no interaction as a board member with any matter that might impact Choice Home Care, and specifically she will recuse herself from any vote on any matter that could impact Choice Home Care.

2. Ms. Martinez will, in every conceivable manner, cease interacting with the Board on any matter that could conceivably impact Choice Home Care.

3. Ms. Martinez will not participate as a board member in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion, recommendation or action regarding Choice Home Care or any actions creating policy or approaches that would impact Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

4. Ms. Martinez will not review or participate as a board member in any discussions, recommendations, or decisions about Purchase of Service (POS) authorizations for Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

5. Ms. Martinez will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

6. Ms. Martinez will not create, review, or in any way participate as a board member in, any corrective action plans for Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

7. Ms. Martinez will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

8. Ms. Martinez will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

9. Ms. Martinez will not as a board member access vendor files or other information the regional center maintains about Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors, either in electronic or hard copy form.

10. Ms. Martinez shall not participate as a board member in developing, creating, or recommending any POS policies, or other policies, that might apply to Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors. Instead, these tasks will become the responsibility of the other board members.

11. Ms. Martinez will not be involved as a board member in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

12. The NLACRC Board of Trustees will be informed about this Plan of Action, and they will be informed of the need to ensure that Ms. Martinez has no involvement whatsoever in any action or business whatsoever involving or affecting Choice Home Care and other ILS, Home Health (RN and LVN services), respite and personal assistance vendors.

13. These restrictions only apply to Choice Home Care and policies impacting other ILS, Home Health (RN and LVN services), respite and personal assistance vendors. The bulk of Ms. Martinez' duties with regard to a vast array of other Board issues and other vendors will remain unchanged, unless the Board work would in any way impact Choice Home Care. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Ms. Martinez provides to the NLACRC Board.

14. In the event that Choice Home Care provides additional services under their Home Health vendorization, Ms. Martinez will comply with the requirements listed above as it relates to those service(s). The additional services include the following:

- a. Certified Home Health Aides
- b. Licensed Physical Therapist
- c. Occupational Therapy
- d. Speech Therapy
- e. Medical Social Services
- f. Dietitian

15. In the event the board member changes to a different respite agency during the course of her term, each provision of this plan shall apply to with regard to the new agency for the duration of the trustee’s term on the board.

16. NLACRC has received approval from its Board of Trustees regarding this Conflict Resolution Plan.

V. Request Re-Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, North Los Angeles County Regional Center hereby requests that DDS re-approve the Conflict Resolution Plan in this matter.

Respectfully submitted,

By: _____
Angelina Martinez, NLACRC Board Member

Date: _____

By: _____
Lety Garcia, NLACRC Board President

Date: _____

By: _____
Ruth Janka, Executive Director, NLACRC

Date: _____

**CONFLICT OF INTEREST REPORTING STATEMENT
DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A “conflict of interest” generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Angelina G. Martinez Regional Center: North Los Angeles County Regional Center

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date):
 Change of Status¹

If a change in status, date and circumstance of change in status:
 As of October 2019, my daughter Jessica Martinez has provided respite for my children due to COVID 19 situation.

1. Please list your job title and describe your job duties at the regional center.
 -Member, Board of Trustees and ARCA Delegate

¹ Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

My daughter Jessica Martinez is a caregiver at Choice Home Care.

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

see answer for #2 above.

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? [Note: Governing board members do not have to answer “yes” to this question if the financial benefit would be available to regional center consumers or their families generally].
 yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

As a board member, I participate in the approval process of contracts.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

see answer for #2

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

Angelina G. Martinez

_____ (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature _____  Date 7/22/2021

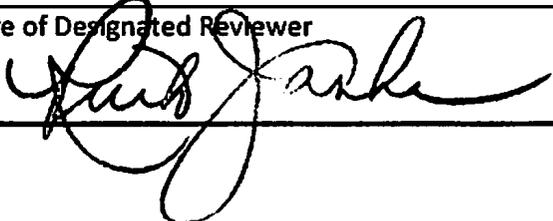
INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual does does not have a present potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

 7/23/2021

North Los Angeles County Regional Center
Board of Trustees Policy

Board Member Responsibilities

The role of the Board of Trustees of the North Los Angeles County Regional Center (NLACRC) is to make policy for the operation of the regional center. Policy is developed through recommendations from board committees and the executive director; direct operation is delegated to the executive director who is hired by the board. Staff recommendations for policy initiation or modification go to the executive director who, in turn, refers them to the board and/or an appropriate board committee.

Your responsibility as a member of the Board of Trustees of the NLACRC would include, but not be limited to:

- Attendance at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at the main NLACRC office in Van Nuys at 6:30 p.m.
- Membership and attendance on at least one (1) board committee.
- Because the regional center is funded under contract with the State of California, Department of Developmental Services, each member of the Board of Trustees is required to identify any potential conflict of interest as identified in Welfare and Institutions Code, Sections 4626 and 4627.
- As part of a board member's responsibility to be an informed and active advocate member of the Board of Trustees, it is expected to attend a board orientation and/or board training scheduled during the first year on the board and attend one annual board retreat.
- Visitation to NLACRC supported programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).

[policy.bd.bdmbr.resps] Adopted 01-13-93

North Los Angeles County Regional Center
Board of Trustees Policy Statement

Association of Regional Center Agencies (ARCA)
Delegate and Alternate

The offices of ARCA delegate and ARCA alternate are established in Article V, Sections 10 and 11 of the bylaws of North Los Angeles County Regional Center. The ARCA delegate and ARCA alternate shall be members of the Board of Trustees and elected by the Board of Trustees. The terms of office shall be a minimum of 2 years with no limitations on the number of terms. The ARCA delegate or ARCA alternate shall report to the Executive Committee, as needed.

The duties of the ARCA Delegate and ARCA Alternate include:

1. Willing to accept a leadership role in ARCA. The delegate board members play an essential role in ARCA and contribute to its policy direction.
2. Able to clearly articulate the center's position on statewide issues.
3. Able to work effectively in a large group and with individuals who may have differing opinions.
4. Able to explain complex issues to the board in the context of state and local concerns.
5. Willing to commit the time to fully participate in ARCA activities.

ARCA is an incorporated organization of the regional centers. Representatives to ARCA consist of one member from each board and the executive director of each regional center. ARCA meets regularly to address issues of common concern to the regional centers.

The ARCA delegate and ARCA alternate shall represent the corporation at ARCA meetings. The ARCA delegate and/or ARCA alternate shall report to the Board of Trustees regarding actions taken at the ARCA meetings and assure that the board votes, when possible, on any issues requiring such action.

FEBRUARY 22, 2022

AGENDA ITEM 8.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

SCDD Budget Update

Executive Director Aaron Carruthers and Chief Deputy Director Ken DaRosa will provide an update on current year (F/Y2021-22) budget expenditures and present the proposed SCDD 2022-2023 budget for consideration.

Attachment(s)

Budget Cover Sheet

2021/22 Approved Budget

2021/22 First and Second Quarter Report

Draft 2022-23 Proposed SCDD Budget

Budget Narrative with Line Item Definitions

Budget Process Timeline

Action Recommended

Approve the FY 2022/23 proposed SCDD budget to send to the full Council for consideration.



SFY 2021-22 Budget Update Cover Page

The package before the Committee includes the first and second quarter budget expenditure report and statement of activities for State Fiscal Year (SFY) 2021-22 expenditures through December 2021, and a description of the budget line items. As a reminder, on May 25, 2021, the Council approved the SFY 2021-22 BSG budget

Methodology

Personal Services

The Department of Finance requires all state departments to fully fund their authorized staff positions in the State Budget. Therefore, the Personal Services line items reflect all BSG authorized positions filled for the entire year, resulting in no difference from the original BSG budget.

Operating Expense and Equipment (OE&E)

The OE&E line items are based on the actual expenditures from prior SFYs, taking into consideration trends upward or downward.

Calculation of Total BSG Award

Because the Council approves the BSG budget on the SFY (July-June) and federal BSG funds are awarded on the Federal Fiscal Year (FFY) (October-September), the SFY 2021-22 budget reflects 3 months of FFY 2021 funding (July-September) and 9 months of FFY 2022 funding (October-June).

Difference Between Council Budget & BSG Award

This represents the combined budgeted amounts for Personal Services, OE&E, and Community Grants subtracted by the Total BSG Award. The approved SFY 2021-22 budget is \$7,694,000 and the BSG Award is \$7,759,000 for a projected difference between award and expenditures of \$65,000.

Prior Year Unexpected Funds

Prior year unexpended funds primarily result from Personal Services savings resulting from vacant positions and OE&E, and Community Grantee expenditures that are not paid before June 30, as well as grant award timing and its "overlap" of the federal fiscal year and the state fiscal year. Staff project unexpended funds to be approximately \$445,000 for available funding in the current year.



State Council on Developmental Disabilities

State Council Budgeted Base Fiscal Year 2021-22 Budget

Categories	Basic State Grant (BSG)	Quality Assessment	Clients' Rights Advocates/ Volunteer Advocacy	TOTAL
	Federal Grants	State Grants	State Grants	
1. Personal Services:				
Net Salaries & Wages	\$ 3,748,000	\$ 1,438,000	\$ 927,000	\$ 6,113,000
Temporary Help / Honorarium	\$ 87,000	\$ -	\$ -	\$ 87,000
Worker's Compensation	\$ 55,000	\$ 3,000	\$ 5,000	\$ 63,000
Staff Benefits	\$ 1,938,000	\$ 693,000	\$ 436,000	\$ 3,067,000
Less 5% Salary Savings From Vacancies	\$ (291,000)			
Total Personal Services	\$ 5,537,000	\$ 2,134,000	\$ 1,368,000	\$ 9,330,000
2. Operating Expense and Equipment:				
General Expense	\$ 75,000	\$ 18,000	\$ 5,000	\$ 98,000
Printing	\$ 45,000	\$ 520,000	\$ 9,000	\$ 574,000
Communications	\$ 100,000	\$ 40,000	\$ 10,000	\$ 150,000
Postage	\$ 20,000	\$ 266,000	\$ 1,000	\$ 287,000
Travel-in-State :	\$ 300,000	\$ 5,000	\$ 32,000	\$ 337,000
Out-of-State Travel	\$ 20,000	\$ -	\$ -	\$ 20,000
Training (Tuition and Registration)	\$ 35,000	\$ 3,000	\$ 15,000	\$ 53,000
Facilities Operations (Rent)	\$ 600,000	\$ 255,000	\$ 24,000	\$ 879,000
Utilities	\$ 6,000	\$ 2,000	\$ -	\$ 8,000
Interdepartmental Services:	\$ 225,000	\$ 164,000	\$ 134,000	\$ 523,000
External Contract Services	\$ 301,000	\$ 30,000	\$ 3,000	\$ 334,000
Information Technology	\$ 465,000	\$ 50,000	\$ 45,000	\$ 560,000
Statewide Cost Allocation Plan (SWCAP)	\$ 25,000	\$ -	\$ -	\$ 25,000
Other Items of Expense	\$ 5,000	\$ 25,000	\$ 91,000	\$ 121,000
Less Previously Approved One-Time Projects	\$ (325,000)			
Total Operating Expense and Equipment	\$ 1,897,000	\$ 1,378,000	\$ 369,000	\$ 3,969,000
3. Community Grants / Other Projects	\$ 260,000	\$ 200,000	\$ -	\$ 460,000
4. Total Council Budget (1 + 2 + 3)	\$ 7,694,000	\$ 3,712,000	\$ 1,737,000	\$ 13,759,000
5. Total Basic State Grant Award	\$ 7,759,000			
6. Difference between Total Council Budget and Basic State Grant Award	\$ 65,000			
7. Cash Reserve	\$ 1,750,000			
8. Estimated Unexpended Funds Available for Council to Spend	\$ 445,000			

Estimate as of July 1, 2021



SFY 2021-22 FIRST AND SECOND QUARTER EXPENDITURE REPORTS STATEMENT OF ACTIVITIES AND PROJECTIONS

This is a narrative description of the year-to-date expenditure reports, which are attached. It is important to understand that these projections are based on an analysis of expenditure data at a specific point in time (i.e., December 2021) and are subject to change.

SFY 2021-22 BSG Expenditures and Unexpended Funds

The budget assumes BSG expenditures of \$7,694,000. With six months remaining in the state fiscal year, total year-to-date expenditures of \$3,571,269 result in a projected remaining balance of \$4,122,731 (i.e., 54 percent).

- Personal Services: Total expenditures to date (\$2,808,182) result in a remaining balance of \$2,728,818 (49 percent). The current vacancy rate is 14 percent, or a total of 11 vacancies. Several recruitments are underway, and staff anticipates the vacancy rate to improve.
- OE&E: Total expenditures to date (\$733,028) result in a remaining balance of \$1,163,972 (61 percent). Staff predict the In-State Travel line item will be underspent this year because the ongoing COVID-19 pandemic continues to limit travel opportunities. We project savings of approximately \$150,000
- Program Development Grants: Year-to-date expenditures total \$30,059, resulting in a remaining balance of \$229,941 (88 percent unspent). Staff anticipates expenditures will increase over the remaining six months.
- Unexpended Funds Available for the Council to Spend: After deducting the traditional \$1.75 million reserve, and projecting an anticipated amount of carryover, staff projects \$445,000 is available for the Council to consider on additional one-time initiatives.

SFY 2021-22 Quality Assurance (QA) Reimbursements from DDS

Total QA funding available is \$3,712,000. With six months remaining in the fiscal year, the program shows a remaining balance of approximately \$2,149,976 (58 percent).

- Personal Services: Year-to-date expenditures of \$924,343 reflect a remaining balance of \$1,209,657 (57 percent). The vacancy rate is 11 percent (i.e., one vacancy).
- OE&E: Year-to-date expenditures reflect a remaining balance of \$940,319 (60 percent).

SFY 2021-22 Client's Rights Advocates/Volunteer Advocacy Services (CRA/VAS) Reimbursements from DDS

Total CRA/VAS dollars available are \$1,737,000. With six months remaining in the state fiscal year reimbursements from DDS for the CRA/VAS Program reflect a remaining balance of \$1,047,365 (60 percent).

- Personal Services: Expenditures to-date total \$594,093 and reflects a remaining balance of \$773,907 (57 percent). The vacancy rate is 11 percent (i.e., two positions).
- OE&E: Currently, program expenditures total \$95,542 with a remaining balance of \$273,458 (74 percent). Travel likely will remain modest, resulting in savings in OE&E expenditures. It's important to note this program is funded by reimbursement from DDS, and that SCDD is these reimbursed for actual expenses. Any projected savings has no fiscal impact.



State Council on Developmental Disabilities

Council Report for FY 21-22

July 1 through June 30

Updated 2/11/22

Council Report for FY 21-22

Expenditure through December-21

FEDERAL GRANT (BSG)

BSG	Annual Grant Award	Monthly Expenditure	Year-To-Date Expenditure	Balance	Positions
Personal Services & Benefits	\$ 5,537,000	\$ 484,462	\$ 2,808,182	\$ 2,728,818	# Positions 50
Operating Expenses	\$ 1,897,000	\$ 179,161	\$ 733,028	\$ 1,163,972	# Vacancies 8
Grants / Special Items	\$ 260,000	\$ -	\$ 30,059	\$ 229,941	
Unallocated Funds	\$ -	\$ -	\$ -	\$ -	
Total	\$ 7,694,000	\$ 663,623	\$ 3,571,269	\$ 4,122,731	Vacancy % 16%

QUALITY ASSESSMENT (QA)

QA	Annual	Monthly	Year-To-Date	Balance	Positions
Personal Services & Benefits	\$ 2,134,000	\$ 159,188	\$ 924,343	\$ 1,209,657	# Positions 18
Operating Expenses	\$ 1,578,000	\$ 74,074	\$ 637,681	\$ 940,319	# Vacancies 2
Total	\$ 3,712,000	\$ 233,262	\$ 1,562,024	\$ 2,149,976	Vacancy % 11%

Client's Rights Advocates/Voluntary

CRA/VAS	Annual Budget	Monthly Expenditure	Year-To-Date Expenditure	Balance	Positions
Personal Services & Benefits	\$ 1,368,000	\$ 97,728	\$ 594,093	\$ 773,907	# Positions 9
Operating Expenses	\$ 369,000	\$ 17,336	\$ 95,542	\$ 273,458	# Vacancies 1
Total	\$ 1,737,000	\$ 115,064	\$ 689,635	\$ 1,047,365	Vacancy % 11%

Total	
# Positions	77
# Vacancies	11
Vacancy %	14%



State Council on Developmental Disabilities
Council Report for FY 21-22

December-21

FEDERAL GRANT (BSG)	Budgeted Base	Current Month Expenditure	YTD Expenditure	Remaining Balance	Remaining Percentage
PERSONAL SERVICES (PS & PB)					
Salaries & Wages w/ Benefits	5,537,000	484,462	2,808,182	2,728,818	49.3%
OPERATING EXPENSE (OE&E)					
General Expense (Meeting/Conf)	75,000	-	9,056	65,944	87.9%
Printing	45,000	72	16,749	28,251	62.8%
Communications	100,000	7,319	44,640	55,360	55.4%
Postage	20,000	97	5,293	14,707	73.5%
Insurance*	(325,000)	-	-	(325,000)	100.0%
Travel-in-State :	300,000	4,690	15,470	284,530	94.8%
Out-of-State Travel	20,000	-	-	20,000	100.0%
Training (Tuition and Registration)	35,000	2,225	15,748	19,252	55.0%
Facilities Operations (Rent)	600,000	30,815	263,062	336,938	56.2%
Facilities Plng/Maint. & Utilities	6,000	200	2,150	3,850	64.2%
Interdepartmental Services	225,000	108,361	137,614	87,386	38.8%
External Contract Services	301,000	10,602	21,989	279,011	92.7%
Information Technology (Computer, Software)	465,000	10,555	191,184	273,816	58.9%
SWCAP	25,000	-	-	25,000	100.0%
Other Items/ Client Services	5,000	4,225	10,073	(5,073)	-101.5%
Subtotal OE&E	1,897,000	179,161	733,028	1,163,972	61.4%
SPECIAL ITEM (PROGRAM 20)	260,000	-	30,059	229,941	88.4%
UNALLOCATED FUNDS	-	-	-	-	
TOTAL	7,694,000	179,161	3,571,269	4,122,731	53.6%

Quality Assessment (QA)	Budgeted Base	Current Month Expenditure	YTD Expenditure	Remaining Balance	Remaining Percentage
PERSONAL SERVICES (PS & PB)					
Salaries & Wages w/ Benefits	2,134,000	159,188	924,343	1,209,657	56.7%
OPERATING EXPENSE (OE&E)					
General Expense (Meeting/Conf)	18,000	-	1,459	16,541	91.9%
Printing	520,000	10	10,838	509,162	97.9%
Communications	40,000	3,597	16,645	23,355	58.4%
Postage	266,000	33,265	48,739	217,261	81.7%
Travel-in-State :	5,000	-	152	4,848	97.0%
Training (Tuition and Registration)	3,000	350	350	2,650	88.3%
Facilities Operations (Rent)	255,000	31,643	126,550	128,450	50.4%
Facilities Plng/Maint. & Utilities	2,000	336	2,697	(697)	-34.9%
Interdepartmental Services	164,000	-	78,640	85,360	52.0%
External Contract Services	30,000	-	(14,904)	44,904	149.7%
Data Processing (Software, Supplies & Misc.)	50,000	4,873	27,776	22,224	44.4%
Other Items/ Client Services	225,000	-	338,739	(113,739)	-50.6%
Subtotal OE&E	1,578,000	74,074	637,681	940,319	59.6%
TOTAL	3,712,000	233,262	1,562,024	2,149,976	57.9%

Clients' Rights Advocates/Volunteer Advocacy Services (CRA/VAS)	Budgeted Base	Current Month Expenditure	YTD Expenditure	Remaining Balance	Remaining Percentage
PERSONAL SERVICES (PS & PB)					
Salaries & Wages w/ Benefits	1,368,000	97,728	594,093	773,907	56.6%
OPERATING EXPENSE (OE&E)					
General Expense (Meeting/Conf)	5,000	-	595	4,405	88.1%
Printing	9,000	-	839	8,161	90.7%
Communications	10,000	1,000	3,949	6,051	60.5%
Postage	1,000	-	283	717	71.7%
Travel-in-State :	32,000	984	6,023	25,977	81.2%
Training (Tuition and Registration)	15,000	-	-	15,000	100.0%
Facilities Operations (Rent)	24,000	3,472	20,463	3,537	14.7%
Interdepartmental Services	134,000	-	-	134,000	100.0%
External Contract Services	3,000	-	-	3,000	100.0%
Data Processing (Software, Supplies & Misc.)	45,000	3,180	16,460	28,540	63.4%
Other Items/ Client Services	91,000	8,700	46,930	44,070	48.4%
Subtotal OE&E	369,000	17,336	95,542	273,458	74.1%
TOTAL	1,737,000	115,064	689,635	1,047,365	60.3%



State Council on Developmental Disabilities

State Council Budgeted Base Fiscal Year 2022-23 Budget

Categories	Basic State Grant (BSG)	Quality Assessment	Clients' Rights Advocates/ Volunteer Advocacy	TOTAL
	Federal Grants	State Grants	State Grants	
1. Personal Services:				
Net Salaries & Wages	\$ 4,110,060	\$ 1,532,000	\$ 698,000	\$ 6,340,060
Temporary Help / Honorarium	\$ 60,000	\$ -	\$ -	\$ 60,000
Worker's Compensation	\$ 55,000	\$ 3,000	\$ 5,000	\$ 63,000
Staff Benefits	\$ 1,951,994	\$ 731,000	\$ 346,000	\$ 3,028,994
Less 5% Salary Savings From Vacancies	\$ (205,503)			
Total Personal Services	\$ 5,972,000	\$ 2,266,000	\$ 1,049,000	\$ 9,492,000
2. Operating Expense and Equipment:				
General Expense	\$ 60,000	\$ 21,260	\$ 5,000	\$ 86,260
Printing	\$ 40,000	\$ 53,000	\$ 9,000	\$ 102,000
Communications	\$ 100,000	\$ 40,000	\$ 10,000	\$ 150,000
Postage	\$ 18,000	\$ 28,600	\$ 1,000	\$ 47,600
Travel-in-State :	\$ 100,000	\$ 95,000	\$ 32,000	\$ 227,000
Out-of-State Travel	\$ 10,000	\$ -	\$ -	\$ 10,000
Training (Tuition and Registration)	\$ 35,000	\$ 3,000	\$ 15,000	\$ 53,000
Facilities Operations (Rent)	\$ 550,000	\$ 269,000	\$ 24,000	\$ 843,000
Utilities	\$ 8,000	\$ 2,000	\$ -	\$ 10,000
Interdepartmental Services:	\$ 250,000	\$ 164,000	\$ 134,000	\$ 548,000
External Contract Services	\$ 100,000	\$ 10,000	\$ 3,000	\$ 113,000
Information Technology	\$ 225,000	\$ 50,000	\$ 45,000	\$ 320,000
Statewide Cost Allocation Plan (SWCAP)	\$ 25,000	\$ -	\$ -	\$ 25,000
Other Items of Expense	\$ 5,000	\$ 923,500	\$ 108,000	\$ 1,036,500
Total Operating Expense and Equipment	\$ 1,526,000	\$ 1,659,360	\$ 386,000	\$ 3,571,000
3. Community Grants / Other Projects	\$ 260,000	\$ -	\$ -	\$ 260,000
4. Total Council Budget (1 + 2 + 3)	\$ 7,758,000	\$ 3,925,000	\$ 1,435,000	\$ 13,323,000
5. Total Basic State Grant Award (Estimate)	\$ 7,759,000			
6. Difference between Total Council Budget and Basic State Grant Award	\$ 1,000			
7. Cash Reserve	\$ 1,750,000			
8. Estimated Unexpended Funds Available for the Council to Spend	\$ 445,000			

Estimate as of February 2, 2022

State Council on Developmental Disabilities Proposed Fiscal Year 2022-23 BSG Budget Description of Line Item Changes

The preliminary State Fiscal Year (SFY) 2022-23 BSG budget would increase by approximately \$70,000 from \$7,694,000 to \$7,758,000. This document describes the proposed changes to various line items in the preliminary SFY 2022-23 budget

Net Salaries and Wages

The base line item is projected to increase from \$3,748,000 to \$4,111,000. This change includes salary adjustment associated with merit salary increases, as well as an anticipated 2.5 percent general salary increase for state employees consistent with their bargaining union agreements, as approved by the Legislature and the Governor.

Temporary Help/Honorarium

This line item is reduced slightly from the prior year (\$27,000) to reflect an anticipated reduction in retired annuitant spending. The honorarium budget remains unchanged.

General Expense and Operating Expenses and Equipment

Generally, we anticipate reduced spending (approximately \$370,000) from prior budgeted amounts to better reflect the past two years' spending patterns as well as recognizing, for example, the expanded use of digital documents and forms processing and remote meetings use.

However, staff will continue to analyze these line items as pandemic conditions change over the next several months to identify areas where spending projections may need to change.

Printing

This line item is projected to modestly decrease from the previous year (\$5,000) and can include:

- Copier maintenance
- Pamphlets, brochures, and business cards, etc.
- Printer/copy paper

Communications

This line item is projected to remain unchanged from the previous year and includes:

- \$60,000 annual legislation, policy, and communications budget to implement a comprehensive statewide communications plan
- Land line and mobile telephones and usage, Zoom licenses, and overnight delivery services (FedEx)

Postage

This line item is reduced slightly from the previous year (\$2,000) and includes:

- Postage meter rental, repair, and supplies
- Postage permits, stamps, etc.

Travel In-State

This line item is budgeted at \$100,000, a reduction from previous years to reflect travel practice and patterns over the last two years. While conditions are easing relative to the pandemic, and spending projections may change, some ongoing use of remote meetings and interaction may continue. Travel includes:

- Commercial airfare
- Train fare
- Overnight lodging
- Meals
- Private car mileage and rental car charges
- Public transit, Taxi, Uber, Lyft, shuttles, etc.

Travel Out-of-State

This line item reflects a modest decrease of \$10,000 and includes approved out-of-state trips for required meetings with the Administration on Community Living, NACDD and other DD Act partners as required as part of our Basic Support Grant.

Training

This line item is projected to remain unchanged from the previous year and includes:

- Tuition and registration for all required and job-related skills development and leadership development training to rank and file and managerial staff
- Contract with CalHR and external trainers for staff training and development

Facilities Operations

This line item is reduced by \$50,000 reflecting a move to smaller office space and includes:

- Rents/leases for SCDD offices
- DGS planning and lease management services
- Janitorial services
- Security/alarm services

Utilities

This line item reflects a \$2,000 increase from the previous year and includes electricity, gas, water, sewer, and garbage disposal for SCDD offices where utilities are not included in the rent/lease.

Interdepartmental Services

This line item is projected to increase by \$25,000 in anticipation of modest cost increases for various interagency agreements with state partners for support and technical services:

- \$175,000 annual contract with the Department of Social Services for administrative support services
- Contracts with other state agencies for their services (State Treasurer, State Controller, Attorney General, CalHR, etc.)
- Audit charges for SCDD audits by control agencies (State Auditor, State Personnel Board, Department of General Services, Department of Finance, etc.)

External Contract Services

This line item, projected at \$100,000 supports interpreting, translation, and captioning services.

Information Technology

This line item is budgeted for \$225,000 and supports:

- CDT website hosting and data line charges for all SCDD offices
- Software purchases and licenses

SWCAP

This line item represents SCDD's share of state administrative overhead and is statutorily capped at \$25,000.

Other Items of Expense

This line item is projected to remain unchanged from the previous year and represents expenses that do not fall under any of the above categories.

Community Program Development Grants

This line item is projected at \$260,000 for statewide grants.

Dates	State Budget Process	Federal Budget Process	SCDD Budget Process
January	<p><u>January 10</u> Governor releases proposed budget for State Fiscal Year (SFY) starting July 1.</p> <p>Legislative Analyst’s Office (LAO) submits analysis of the proposed budget.</p>	<p>Federal agencies develop their funding proposals for potential inclusion in the President’s proposed budget for the upcoming FFY.</p>	<p>HSA Secretary reports to the Council on the Governor’s proposed HSA budget for the upcoming budget year (BY) beginning July 1.</p> <p>Staff prepares the 6-month expenditure report, analysis and expenditure projections for the current year (CY) budget.</p>
February	<p><u>February 1</u> Department of Finance (DOF) provides to the Legislature all proposed statutory changes (Budget Trailer Bills), that are necessary to implement the Governor’s Budget.</p> <p><u>February-April</u> Legislative budget subcommittee staff hold budget pre-hearings with LAO, DOF and departments. (SCDD funding is included in the Health & Human Services Agency budget assigned to Assembly and Senate Budget Sub Committees.</p>	<p><u>Typically, by the first Monday in February</u> The President gives Congress his proposed budget for the Federal Fiscal Year (FFY) starting October 1.</p>	<p><u>February-April</u> Staff monitor both the Governor’s proposed budget and the President’s proposed HHS budget and incorporates the proposed funding into the SCDD’s proposed operating budget.</p> <p>Staff presents the proposed SCDD operating budget to the Executive and Administration Committees for approval as well as CY expenditure data, analysis and projections.</p>

	Legislative budget subcommittees hold budget hearings.		Staff presents the proposed SCDD operating budget to the full Council for preliminary approval, pending any May Revision changes or federal funding changes.
March		<p><u>March-September</u> The House and Senate each draft a budget resolution setting overall spending levels.</p> <p>A conference committee of House and Senate members resolves differences to create a final version that each chamber votes on.</p> <p>House and Senate appropriations committees divide the budget resolution into 12 appropriations bills. (SCDD funding is included in the Labor, Health & Human Services appropriations bills assigned to the Labor, Health & Human Services and Related Agencies subcommittees)</p>	

		<p>The full House and Senate vote on their bills.</p> <p>Both versions of each bill go to a conference committee to merge the two.</p> <p>Both chambers vote on the merged version and if approved, it goes to the President.</p>	
April	<p><u>April 1</u> The Administration submits additional budget proposals not included on January 10.</p>		
May	<p><u>May 11</u> Governor releases May Revision proposed budget.</p> <p>Legislative budget committees hold May Revise budget hearings to approve changes.</p> <p>Budget Act and Trailer Bills are sent to the floors for a vote.</p> <p>Conference committee of Assembly and Senate reconciles differences.</p>		<p><u>May-June</u> Staff presents the final proposed SCDD operating budget to the full Council for final approval as well as the final estimate of unspent funds from the CY.</p>

June	<u>June 15</u> Constitutional deadline for the Legislature to pass the Budget Act. <u>By June 30</u> The Governor signs the Budget Act.		
July	<u>July 1</u> SFY begins		<u>July-June</u> Staff monitors expenditures to the approved budget.
August	Departments begin preparing the next year's budget change proposals (BCPs) and submit them to DOF for possible inclusion in the January 10 Governor's proposed budget.		<u>August</u> Staff prepares the year-end expenditure report. <u>August-September</u> Staff determines if any BCPs are needed for the next year. If yes, submits them to DOF (BCPs are confidential until released as part of the Governor's proposed budget on January 10)
September	<u>September-December</u> DOF approves/rejects BCPs and works with departments on the completion of required adjustments.	<u>By September 30</u> The President signs the 12 bills into law. (Short term continuing resolutions (CR) to temporarily fund the government while Congress and the President negotiate have become common)	

October	Departments submit their budget galleys to DOF for inclusion in the January 10 Governor's proposed budget.	<u>October 1</u> FFY begins. If bills are not signed and there is no CR, all or part of the government shuts down.	<u>October-December</u> Staff calculates the federal funds carryforward from the FFY ending September 30. Depending on the timing of award of our federal funding, staff may recommend one-time and ongoing budget increases/reductions to the Executive and Administration committees and the full Council.
November		<u>November-December</u> Federal agencies develop their funding proposals for potential inclusion in the President's proposed budget for the upcoming FFY.	
December	The details of the Governor's proposed budget are confidential until it is released on January 10.		

FEBRUARY 22, 2022

**AGENDA ITEM 9.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Executive Director Report

Executive Director Aaron Carruthers will provide Committee members with an update on recent Council activities, and upcoming goals.

Handout
Executive Director Report

FEBRUARY 22, 2022

AGENDA ITEM 10.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Proposed Amendment to SCDD Authorized Representation Policy

Legal Counsel Brian Weisel will provide an update on filings with the Office of Administrative Law and SCDD's Authorized Representative Policy.

Attachment(s)

Authorized Representative Policy Update Detail Sheet

Recommendation from Office of Administrative Law

Current Authorized Representative Policy with Proposed Amendment

Action Recommended

Amend SCDD Authorized Representative Policy per recommendation from the Office of Administrative Law.

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Authorized Representative Policy Update

BACKGROUND: The Council has granted several Authorized Representative (AR) requests for individuals with disabilities with successful results for the individuals, their representatives, and the regional center staff. The Council approved its current AR policy in 2019, which is currently in use.

Recently, a citizen filed a petition to the Office of Administrative Law (OAL) requesting review of the policy, alleging that portions may be unauthorized underground regulations. The OAL rejected nearly all the petition, except for one line that provided automatic review of all AR grants after one year.

DISCUSSION:

The Legal Standard

State Agencies may adopt common sense policies in furtherance of their mission. Most agency policies are appropriate and unable to be challenged. However, whenever a policy has any automatic additional burden on the public, that must be justified by statute. Otherwise, it may not be passed without a proposed published regulation with proper notice and comment rules.

Currently, the Council has not been granted regulatory authority in its statutes, and therefore has created policies that do not trigger this requirement. The AR policy is largely in line with the OAL's interpretation of the regulation rules for state government.

The Council's AR Policy

One line of the AR policy, however, provides for automatic reapplication, or else the AR may be cancelled. This was a smart approach to ensuring that AR grants are consistently being used in an appropriate manner, and it within the Council's authority to review AR grants when appropriate.

However, an **automatic** one-year lapse period is without authority in our statutes. Staff have spoken with OAL senior counsel and they agree the authority to grant ARs also provides the authority to review and possibly

revoke them. The only issue is the automatic lapse at a one-year period, which is currently in our policy. Removing that line will allow our policy to comply with OAL rulings, and still allow the Council to review ARs periodically, just not on an automatic one-year calendar timeline.

STAFF RECOMMENDATION: Approve revised Authorized Representative Policy.

ATTACHMENTS: Current Policy, Office of Administrative Law Notice.

PREPARED BY: Legal Counsel Brian Weisel – February 11, 2022.

November 15, 2021
Re: CTU2021-0708-01

Dear Mr. Coelho:

On September 14, 2021, the Office of Administrative Law (OAL) received your completed petition alleging that the State Council on Developmental Disabilities (SCDD) has issued, used, enforced, or attempted to enforce an underground regulation.

The specific alleged underground regulation is:

Appointment of Authorized Representative

OAL accepts the petition for consideration as to the alleged rule that "[a]ll appointments of Authorized Representatives will be limited to periods not to exceed one year, subject to renewal if requested and approved by the SCDD" contained in the document entitled "STATE COUNCIL ON DEVELOPMENTAL DISABILITIES, Appointment of Authorized Representative." OAL declines the remainder of the petition.

Pursuant to California Code of Regulations, title I, section 270, please note the following timetable:

Publication of Petition in Notice Register: 1/26/2022

Deadline for Public Comments: 12/27/2021

Deadline for Agency Response: 1/10/2022

Deadline for Petitioner Rebuttal: No later than 15 days after receipt of the agency's response

Deadline for OAL Decision: 3/28/2022

Sincerely

Kevin D. Hull
Attorney IV
For: Kenneth J. Pogue
Director

Appointment of Authorized Representative

Purpose:

The State Council on Developmental Disabilities (SCDD) is entrusted with the authority to appoint an authorized representative to assist individuals with intellectual and developmental disabilities (I/DD) in expressing their desires, making decisions and advocating their needs, preferences, and choices where the individual has no other identified representative and has a need for representation. This Policy provides a summary of the duties and authority of Authorized Representatives and the roles and responsibilities associated with the review of requests for appointments of authorized representatives.

Authority/Reference:

Welfare & Institutions Code §§ 4541, subd. (a)
42 U.S.C. § 15001 et seq.

Applies To:

SCDD employees

REQUIREMENTS FOR APPOINTMENT OF AN AUTHORIZED REPRESENTATIVE

Welfare & Institutions Code (WIC) section 4541 authorizes the SCDD to appoint an Authorized Representative for persons with I/DD when the person with I/DD has no parent, guardian, or conservator legally authorized to represent them and either:

- 1) The person has requested the appointment of an Authorized Representative, or
- 2) The SCDD determines the rights or interests of the person will not be properly protected or advocated without the appointment of the representative.

In addition, the SCDD shall appoint an Authorized Representative to advocate the rights and protect the interest of a person residing in a developmental center when a regional center recommends that a person be admitted to a community care facility or health facility as a developmentally disabled resident pursuant to Welfare & Institutions Code section 4803.

It is essential to keep in mind that following the appointment of an Authorized Representative, the right of the person to reject the assistance of the Authorized Representative shall be honored. Furthermore, the appointment of an Authorized Representative is limited to advocacy purposes. Therefore, the Authorized Representative is not authorized to make decisions for the represented individual or to

sign legal documents on the individual's behalf. However, as an advocate, the authorized representative can speak on behalf of the represented individual.

AUTHORITY OF THE AUTHORIZED REPRESENTATIVE

All appointments of Authorized Representatives will be limited to specific purposes and may be revoked at any time.

WIC section 4541(a)(1) provides authorized representatives with the general authority to assist individuals in expressing their desires and in making decisions and advocating their needs, preferences, and choices. Additional sections of the WIC address specific situations where Authorized Representatives may advocate for individuals by speaking on their behalf or providing other forms of assistance. Some of the statutory authority is summarized below. This list is neither fully inclusive nor restrictive but illustrates some of ways Authorized Representatives may advocate for individuals.

WIC § 4803: Advocate for the rights and protect the interests of individuals residing in a developmental center for whom community placement is proposed.

WIC § 4418.3: Provide assistance with Regional Resource Development Project in transition process from a developmental center to a community living arrangement.

WIC § 4646: Actively participate in the development of the represented individual's IPP. The Authorized Representative may not sign the IPP on behalf of the individual; rather, the Authorized Representative may sign the IPP as a participant only.

WIC § 4646.6: The Authorized Representative has the right to record electronically the proceedings of an IPP meeting on an audiotape recorder. The Authorized Representative shall notify the regional center of their intent to record the meeting at least 24 hours prior to the meeting.

WIC § 4648(a)(6): Participate in the process of selecting a provider of consumer services and supports.

WIC § 4705(e): Assist in the mediation and fair hearing procedure.

WIC § 4685.7: Authorized Representatives can also assist individuals who participate in the Self-Directed Services Program. As part of that process, the Authorized Representative will receive two individual budget amounts and assist the individual in selecting which of those budget amounts will be used to implement their IPP.

DETERMINATION OF THE APPROPRIATE AUTHORIZED REPRESENTATIVE

Individuals have the right to choose their Authorized Representative, which shall be honored, unless good cause otherwise exists. If the individual does not express a preference, the order of preference for selection shall be as follows:

1) the person's parent;

- 2) involved family members;
- 3) a volunteer selected by the SCDD.

Unless good cause otherwise exists, the requests of parents or involved family members to be appointed as the Authorized Representative shall be honored. Parents or involved family members shall not be required to be appointed guardian or conservative to be selected as the Authorized Representative.

NOTE: An SCDD employee funded solely from the Basic State Grant may not be appointed as an authorized representative.

MONITORING AND RENEWAL OF APPOINTMENTS

Each SCDD Regional Office shall maintain a detailed log of requests for appointment of an authorized representative that are submitted to the regional office. A separate log of all requests for appointments of an authorized representative shall be maintained in the SCDD headquarters office. If the request is directed to the headquarters office, the requestor will be referred to the appropriate regional office to initiate the process. The Council shall be notified of all approved and denied requests as part of the Executive Director’s report during the Executive Committee meetings.

Thirty (30) days prior to the expiration of the appointment, SCDD staff shall notify both the authorized representative and represented individual that the term is set to expire and determine whether a renewal of the appointment is desired. If a renewal is sought, the SCDD regional office will interview the authorized representative and the individual and document the benefits and any issues that occurred in connection with the appointment so it can be determined if renewal of the appointment is appropriate.

ROLES AND RESPONSIBILITIES

Role	Responsibility
Regional Office Staff	<ul style="list-style-type: none"> • Process the intake of requests for appointments of Authorized Representatives. • Maintain records of submitted requests. • Ensure the Regional Manager is timely notified of each request.
Regional Office Managers	<ul style="list-style-type: none"> • Implement regional office procedures for processing requests for appointments of Authorized Representative. • Inform the Executive Director and Deputy Director of Regional Office Operations of each request. • Review relevant documents and conduct investigations when it is determined that additional information is needed. • Prior to making recommendations to the Executive Director, interview both the individual seeking appointment as the authorized representative and the

Role	Responsibility
	<p>individual who will be represented if the appointment is approved.</p> <ul style="list-style-type: none"> • Submit a detailed Memorandum to the Executive Director that includes a summary of the information obtained in connection with the request for appointment of an authorized representative and a recommendation to approve or deny the request. • Promptly notify the individual seeking appointment as authorized representative whether the appointment was approved or denied. • Serve as point of contact for both authorized representative and represented individual to answer any questions or concerns regarding the representation. • Consult with SCDD Legal Counsel as needed regarding any legal issues or concerns. • 30 days prior to the expiration of the appointment, notify the authorized representative of the date the term of appointment will expire and confirm whether the authorized representative will seek renewal of the appointment. • For appointments that are approved, provide documentation to the authorized representative that summarizes the specific purpose(s) and length of the appointment.
Executive Director	<ul style="list-style-type: none"> • Conduct a timely and prompt review of requests for appointments of Authorized Representatives and related documents. • Following review of the request and supporting documentation, determine if the request shall be approved or denied, or if further information is needed. • If the request is approved, determine the specific purposes of the appointment and authorize the appointment for a period not to exceed one year. • Provide the Council with updates of approved and denied requests during Executive Committee meetings.

FEBRUARY 22, 2022

**AGENDA ITEM 11.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Regional Office Presentation

Committee Chair Lee Bycel has invited Managers Julie Eby-McKenzie and Sarah May, from the North Coast and North State Regional Offices, to highlight emerging issues and other unique work in their catchment areas. Chair Bycel hopes that by doing this, councilmembers will learn more about important work and emerging issues taking place outside their local communities.

Attachment(s)

DAN Collaborative Principles
Local Master Plan for Aging



MISSION AND PRINCIPLES OF THE DIVERSABILITY ADVOCACY NETWORK

Mission Statement: The Diversability Advocacy Network (DAN) is committed to ensuring that people of all ages who experience disabilities, functional limitations or chronic conditions achieve access to quality healthcare.

Vision Statement: DAN serves as a trusted and reliable information resource for many of California's northern, rural counties. DAN provides information regarding long-term services and supports (LTSS).

We advocate for a high-quality LTSS system that promotes individual well-being and social participation, economic independence, and prevents impoverishment. DAN advocates for legislative and health care changes that will impact individuals of all ages.

Definition: LTSS: Long-term services and supports refer to a wide range of personal, medical, and social/financial assistance required by persons with functional limitations over an extended time. The services may be publicly or privately financed, delivered in a wide range of settings, and may change as the needs of the individual who uses the services change.

DAN Principles: DAN endorses a system of long-term services and supports based on the following principles:

- Dignity
- Choice
- Flexibility
- Quality
- Legality
- Cultural Competence
- Accessibility
- Affordability
- Inclusive
- Independence



Rural Master Plan for Aging 2022-23 Scope of Project Summary

The Diversability Advocacy Network (DAN) is committed to ensuring that people of all ages who experience disabilities, functional limitations or chronic conditions achieve access to quality healthcare, affordable housing, and social/emotional support. It is with this spirit that we embrace the Rural Master Plan for Aging (MPA) project to facilitate the formation of a Local MPA Advisory Council that will hold as one of the identified goals the establishment of a Designated Aging and Disability Resource Connection in our Region.

Advisory Committee Objectives

Objective 1

- Finalize and approve an Interview Guide for the Local MPA Listening Sessions.
- Meet monthly to Oversee project development and implementation based on the Governor's 5 Bold MPA Goals.

Objective 2

- Identify sub-groups (throughout Shasta, Butte and Glenn Counties) for Listening Session Interviews. Subpopulations may include:
 - Age 55-70, Age 70+, LGBTQ older adults, People with disabilities, Ethnic-specific groups (e.g., LatinX, Native American, Vietnamese, Hmong, Filipino), Aging services professionals, Economically challenged, Caregivers.
- Organize and participate in community Listening Sessions to identify unmet needs and potential solutions, reflecting diverse geographic locations and sub-groups.

Objective 3

- Identify at least two long-term regional MPA goals in addition to the establishment of a Designated Aging and Disability Resource Connection in our Region.

Objective 4

- Approve and Publicly Release Local Master Plan for Aging.

Objective 5

- Obtain approval from at least one Board of Supervisors or City Council Member to assure successful plan implementation (and necessary resources).

FEBRUARY 22, 2022

**AGENDA ITEM 12.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Out-of-State Travel (OST) Restriction Update

Members will be provided an update on the state's travel restrictions pertaining to California's Travel Prohibition list.

Pursuant to Gov. Code, § 11139.8, subd. (a)(5) and SCDD Policy #1-460, Ohio has been added to the state's travel prohibition list. Therefore, SCDD Policy #1-460 has been updated to reflect this. A copy of the updated SCDD policy is being provided to members.

Attachment
SCDD Policy 1-460

Adopted by Council: XXXXXXXX

Federal Law: No State Law: Yes

TRAVEL OUT OF STATE

Purpose:

To provide Councilmembers with the annual Out-of-State Travel policy and procedures.

Authority/Reference:

Governor's Executive Order B-06-11

Government Code, § 11139.8

Travel and Expense Planning and Reimbursement Policy.

Applies To:

Councilmembers

POLICY

Policy Statement

Governor's Executive Order B-06-11 states that no travel, either in-state or out-of-state, is permitted unless it is mission critical or there is no cost to the state.

Mission critical means travel that is directly related to:

- Enforcement responsibilities
- Auditing.
- Revenue collection.
- A function required by statute, contract or executive directive.
- Job-required training necessary to maintain licensure or similar standards required for holding a position.

For the State Council on Developmental Disabilities (SCDD), this means that travel directly related to federal requirements such as the following items would be considered mission critical: meetings or training fulfilling a requirement of a federal grant or to maintain federal grant funding; requests by the federal government to appear before committees; required attendance at any litigation or compliance related events (e.g. interviews, depositions, or testimony) related to federal funding.

For example, to stay in good standing with SCDD's federal funding agency, the U.S. Administration on Intellectual and Developmental Disabilities (AIDD), the SCDD Chairperson (or designee) and the SCDD Executive Director (or designee) should attend the National Association of Councils on Developmental Disabilities (NACDD) annual in-person training. Generally, travel for this NACDD training is the only mission critical out-of-state travel required of any Councilmembers. However, there may be an exception if a particular trip's purpose is to maintain compliance with SCDD's AIDD basic state grant contract. The Executive Director in consultation with Legal Counsel will make this determination.

Additionally, the following states are currently subject to California's ban on state-funded and state-sponsored travel:

1. Alabama
2. Arkansas
3. Florida
4. Idaho
5. Iowa
6. Kansas
7. Kentucky
8. Mississippi
9. Montana
10. North Carolina
11. North Dakota
12. **Ohio**
13. Oklahoma
14. South Carolina
15. South Dakota
- 16.. Tennessee
17. Texas
18. West Virginia

Please visit the Attorney General's prohibited state travel website at <https://oag.ca.gov/ab1887> for the most current list of prohibited states.

Furthermore when traveling, the Chairperson (or designee) shall comply with the rules set forth in SCDD's Travel and Expense Planning and Reimbursement Policy.

FEBRUARY 22, 2022

**AGENDA ITEM 13.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Adjournment and Next Meeting Date

The next meeting of the Executive Committee is scheduled for April 19, 2022.