



Council Meeting Minutes May 24, 2022

Members Attending

Alex Reyes (S.A.)
Aubyn Stahmer (UCEDD)
Brian Winfield (DDS)
Cathay Liu (F.A.)
Christine Moody (UCEDD)
Eric Ybarra (S.A.)
Harold Ashe (F.A.)
Harold Fujita (F.A.)
Jeana Eriksen (S.A.)
Joyce McNair (F.A.)
Julie Austin (F.A.)
Julie Neward (F.A.)
Julio Garnica (S.A.)
Kara Ponton (S.A.)
Kilolo Brodie (F.A.)
Larry Yin (UCEDD)
Lee Bycel (F.A.)
Maria Marquez (S.A.)
Mark Beckley (CDA)
Michael Ellis (F.A.)
Michael Thomas (DOR)
Nick Wavrin (CDE)
Nicole Adler (S.A.)
Rosanna Ryan (S.A.)

Members Attending

(cont.)

Sandra Smith (DRC)
Viviana Barnwell (F.A.)
Wesley Witherspoon (S.A.)

Members Absent

Marko Mijic (CHHS)
Michelle Baass (DHCS)

Others Attending

Aaron Carruthers
Beth Hurn
Brian Weisel
Bridget Kolakosky
Candis Bowles
Debbie Marshall
Dena Hernandez
Douglas Sale
Holly Bins
Joe Hernandez
Jozette Elizaldi
Julie Eby-McKenzie
Katie Hornberger
Ken DaRosa
Mary Agnes Nolan

Others Attending

(cont.)

Mary Ellen Stives
Maureen Fitzgerald
Michelle Cave
Patricia Herrera
Riana Hardin
Rick Wood
Rihana Ahmad
Robin Maitino-Erben
Ryan Duncanwood
Scarlett vonThenen
Sascha Bittner
SCDD LA Office
SCDD Bay Area Office
Sheraden Nicholau
Sidney Jackson
Tania Morawiec
Tim Jin
Tina Reszler
Veronica Magallanes
Vicki Smith
Victoria Schlussler
Yaritza Sanchez
Yolanda Cruz

1. **CALL TO ORDER**

Chair Wesley Witherspoon called the meeting to order at 10:32 A.M.

2. **ESTABLISH QUORUM**

A quorum was established.

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

3. **SWEARING IN OF NEW COUNCILMEMBERS**

Chair Witherspoon and Executive Director Carruthers swore in new Councilmembers Alex Reyes and Eric Ybarra.

4. **WELCOME/INTRODUCTIONS**

Members and others in attendance introduced themselves.

5. **PUBLIC COMMENTS**

Candis Bowles, the Associate Director of the Legal Advocacy Unit at Disability Rights California, provided a public comment on this item. She relayed that before planning their work for the year, DRC solicits feedback from their colleagues, constituents, and self-advocates regarding what should be prioritized. She encouraged everyone to participate in the survey and help circulate it to friends and colleagues. Responses will remain anonymous. The survey can be accessed at

<https://www.disabilityrightsca.org/latest-news/we-want-to-hear-from-you-2022-disability-rights-california-survey>

Maureen Fitzgerald provided a follow up to her public comment at January's Council meeting. She relayed that Alta Regional Center was still in violation of the Lanterman Act, as they are not allowing public comment at all of their committee meetings, only at Executive Committee meetings. She also mentioned challenging Alta Regional Center for holding their Strategic Planning Committee meeting in private instead of in public. Alta Regional Center said the Lanterman open meeting requirements do not apply to all meetings, and it can hold strategic planning committee meetings in private. DDS said Alta Regional Center does not have to allow for public comment at strategic planning committee meetings. She believes the statutory language is clear that the public can speak at Regional Center committee meetings, and that committee meetings must be open to the public. She mentioned that DDS can still fix the issue by taking a closer look at the language and issuing a letter to Alta Regional Center asking them to allow for public comment and to hold all committee meetings in public.

6. **APPROVAL OF THE MARCH 2022 MEETING MINUTES**

Action 1

It was moved/seconded (Smith [DRC]/Reyes [S.A.]) and carried to

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

approve the March 2022 meeting minutes as presented. (See last page of minutes for a voting record of members present)

7. **SCDD 2022-2023 BUDGET**

Councilmember Brian Winfield presented updates from the Governor's May Budget Revise for the 2022-23 fiscal year.

Councilmember Winfield mentioned that DDS will be implementing a DSP Academy for individuals that provide direct support to people with I/DD and family members. They will be given the opportunity to go through three different tiers of training, and when complete, they will receive an increase in wages. They will also be implementing a bilingual staff pay differential. Stakeholders will evaluate how to implement these two initiatives. The Governor's May Revise contains several proposals that provide immediate action to help stabilize the workforce in developmental services. These proposals include: \$500 training stipends for direct support professionals and \$150 for service providers, a three-month training and entry level internship, tuition reimbursement for service coordination staff, and piloting remote support services.

Councilmember Winfield provided details about a proposal to amend the criteria for early start services. Currently, individuals must show a 33% delay in a particular area and show deficits in both perception and expression to become eligible. The proposed amendment would change this criteria to require 25% delay and deficits in either perception or expression. This would allow for more infants and toddlers to meet the criteria to obtain early start services.

DDS received funding to hire deaf access specialists to improve the agency and regional center services for individuals who are deaf or hard of hearing. Councilmember Winfield reported that regional centers and DDS have already filled most of these positions. After hiring these specialists, regional centers began to note the need for interpreters for the individuals to be effective in their roles. The Governor's May Revise provides funding for regional centers to hire interpreters for their staff.

Alternative services were critical during the pandemic to keep service providers operating and to provide services to individuals when they needed to stay home. The Governor's May Revise proposes to continue alternative services through the end of December. They will eliminate the half-day billing at the termination of alternative services effective July 1st.

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

In addition, DDS is proposing changes to tailored day services to make it more accessible. It intends to allow individuals to use tailored day services and traditional services in coordination with one another. Furthermore, they are proposing that on an ongoing basis, financial management services (FMS) be paid outside of the self-determination participants' budget. This would assist individuals in maintaining their status in self-determination.

DDS found that they are receiving more disparities proposals each year than they have the funding to approve. Many of the projects have been successful and resulted in policy changes within the system. The Governor's Revise is proposing an 11 million dollar of augmentation funding for their service access and equity grants. Lastly, DDS will receive funding to work with the city of Costa Mesa on the disposition of the Fairview Developmental Center property.

Executive Director Carruthers presented the SCDD budget for 2022-2023. This presentation focused on updating Councilmembers on the changes since the March Council meeting. On May 4th, the Administration on Community Living (ACL) informed SCDD that their Basic State Grant was increased by \$198,000 for the current federal Fiscal Year. He recommended that the Council apply \$150,000 for salaries and wages, and \$40,000 for other items of expense this year. The proposed 2022-2023 budget distributes the increase by allocating \$104,000 for salaries and benefits, \$75,000 for in-state travel, and \$19,000 for information technology. There was also an increase in funding related to the Client's Rights Advocates/Volunteer Advocacy Services Project. The project gained \$201,000 for salaries and benefits, and \$24,000 for other items of expense to match increased costs for client services over the last several years. SCDD was awarded a grant of \$95,000 from the Federal Administration on Community Living to support ongoing work related to COVID-19. The Council took the following action:

Action 2

It was moved/seconded (Bycel [F.A.]/McNair [F.A.]) and carried to adopt the SCDD 2022-2023 budget as proposed. (See last page of minutes for a voting record of members present)

8. CHAIR REPORT AND COMMITTEE REPORTS

Council Chair Wesley Witherspoon began his report by sharing that he was invited to present and train other Councilmembers across the country

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

on how to be a supportive Chair and make a good Council. Chair Witherspoon encourages Councilmember to attend all meetings, listen to the concerns of others, create a culture of collaboration, and learn how to resolve internal/external conflicts. Chair Witherspoon spoke about the importance of diversity and equality and the development of leadership skills in Councilmembers.

SCDD committee reports were provided in the meeting packet. Chair Witherspoon asked that members read through these reports when they are able. The committee reports can also be accessed online at <https://scdd.ca.gov/councilmeetings/>.

9. EXECUTIVE DIRECTOR REPORT AND STAFF REPORTS

Executive Director Aaron Carruthers presented a report on recent Council activities and goals.

Executive Director Carruthers reminded Councilmembers that May is Mental Health Awareness Month and spoke about the importance of belonging and being accepted for who you are. He expressed hope that Councilmembers feel a sense of belonging at SCDD.

Executive Director Carruthers provided a legislative update, sharing that the Council is co-sponsoring an “Access and Inclusion” bill package. These bills include SB 1092 (Hurtado), AB 1663 (Maienschein), AB 2547 (Nazarian & Wicks), AB 2920 (Arambula). Three of the bills (SB 1092, AB 1663, and AB 2547) passed out of the suspense file hearings and will be voted on by the full house by May 27th. Next steps include developing plans for outreach and advocacy, and tracking policy bills that will be heard in June. Mr. Carruthers provided an update on Cycle 45 grant process, reporting that SCDD did not receive any viable applications that met funding requirements. In order to solicit additional responses, staff will consolidate the 14 Requests for Proposals (RFP) descriptions and re-release them for statewide consideration, increasing the available funding amount to \$260,000. The Chair of the State Plan Committee will review the final RFP before release, and SCDD will hold an additional pre-bidders conference.

Executive Director Carruthers shared that he led a meeting with CEOs of Energy Companies (IOUs) and disability leaders regarding the public safety power shut offs. IOU leaders agreed to provide funding to mitigate the impact of PSPS on people with disabilities, have a uniform approach

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

across the state, and make significant progress before the next fire season.

Executive Director Carruthers provided an update on SCDD's collaboration with DDS to develop standard, statewide Self-Determination Orientation training modules. DDS has drafted training modules and is training SCDD staff to provide training facilitation. Executive Director Carruthers recognized Wilbert Francis for his work as the UCLA representative delegate to the Council and wished him well on his new position. In addition, he recognized Fran Goldfarb's retirement, sent a get well to SCDD staff Peter Mendoza, welcomed back Tamica Fouts-Rachal to SCDD's team as the Vaccine and Public Health Coordinator, and announced that the Council has re-posted a job examination for a legislative analyst position.

10. **SB 639 PHASING OUT SUBMINIMUM WAGE UPDATE**

Deputy Directors, Tania Morawiec and Bridget Kolakosky provided Councilmembers with an update on the SB 639 workgroup efforts to write a recommendations report to phase out subminimum wage.

Deputy Director Morawiec began by stating that people with disabilities deserve to be paid at least minimum wage in an integrated setting, and the opportunity to pursue jobs related to their interests and skill sets. The Council co-sponsored SB 639 (Durazo) to phase out the subminimum wage by 2025. The bill was signed into law on September 27, 2021 and is in the implementation phase. SB 639 requires SCDD to work in collaboration with stakeholders to develop a multi-year plan that will identify benchmarks, create a list of resources, find ways to optimize federal funding, and develop comprehensive data collection. SCDD has hosted community conversations throughout the state to create spaces for people to share their thoughts, concerns, and discuss their ideas of what they deem essential for effective implementation. In response, people across the state relayed their suggestions and ideas to help support the individuals with IDD in a successful transition out of subminimum wage and into their next pathway. Deputy Director Morawiec's asked that Councilmembers participate in the community conversations and share the details with others.

The responses received through community conversations will be used to inform the Stakeholder group's work and will serve as an archive for others across the nation that are working to phase out subminimum wage.

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

The full presentation with recommendations that came from community conversations can be accessed at <https://scdd.ca.gov/councilmeetings/>.

Deputy Director Kolakosky shared that the SB 639 Workgroup submitted a budget request to the legislature in April for \$3 million to ensure the transition out of sub-minimum wage is successful. The workgroup recommended that the \$3 million budget request be used to cover: \$350,000 for work incentive benefits coaching, \$900,000 for upskilling job developers/coaches, \$300,000 for transportation needs assessment, \$1.3 million for competitive integrated employment pilot, and \$150,000 for sourcing and developing diverse transition case studies. SCDD staff accompanied SB 639 Workgroup members in meetings with budget committee staff. Deputy Director Kolakosky shared that the legislature has been receptive and responsive to the budget request so far. The final deadline for the budget is June 15th.

11. **SELF-DETERMINATION SPOTLIGHT**

The Self-Determination Program (SDP) is a priority for the State Council. SCDD was a co-sponsor of the legislation and trained over 10,000 people in the program. The Department of Developmental Services, regional centers, the State Council, the Statewide Self-Determination Advisory Committee, the SDP Ombudsperson, and local volunteer advisory committees are named in statute to help the people in the program and the program itself be successful. Representatives from each of these groups, except for regional centers who were unable to make it, were represented on the Self-Determination panel. Executive Director Carruthers recognized that there are networks of others, formal and informal, that are also involved in helping to ensure the program is successful.

Co-Chairs of the Statewide Self-Determination Advisory Committee (SSDAC) Harold Fujita and Rick Wood relayed that their advisory committee's purpose is to advise the State Council about the program, and to improve it. They are made up of the 21 chairpersons of local advisory committees, one from each regional center. The members discuss and report their observations, experiences, and provide updates on the work they are doing. The committee released a report identifying barriers to enrollment and implementation, and recommendations to overcome those barriers. The report resulted in several directives, guidance, and best practices among regional centers. Moreover, the committee has established a Self-Determination Facebook forum to

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

facilitate the sharing of information about the SDP, created a reporting form to assist local chairs with reporting data to their committee, and formed a nine member workgroup to determine priorities and discussion topics. The committee will be working to create a platform for sharing best practices and information, identify and create solutions/recommendations in addressing and overcoming disparities, identify activities/projects that they want to focus on, work to identify their top three-five priorities for a work plan for the next 18 months or two years, and participate in the delivery of additional training for service coordinators.

Chair of the Golden Gate Regional Center Self-Determination Advisory Committee Sascha Bittner presented on best practices for a local self-determination advisory committee. These include: getting statistics of where people are in the process, respectful questioning of low numbers, learning how to use resources for better client outcomes, strategizing with regional centers to assist in serving more people, prioritizing empathy, and differentiating regional center issues and system wide issues. Problems she has seen from the local perspective include: service coordinators and supervisors lacking in knowledge, long delays in the accounting process, not enough person centered plans or coaching, loud and persistent clients getting served quicker, and the program not being advertised on the Golden Gate Regional Center website. To help with some of the issues, she mentioned that her regional center has hired a company to conduct independent facilitation trainings and provide coaching supports to people. They also hired someone to help manage communication to their community. Funds will also be allocated for a Bay Area resources website. She concluded by sharing that her local advisory committee needs a better understanding of the appropriate timeline to get into the SDP, and clarification on their role from DDS.

Vice Chair of Orange County Regional Center Self-Determination Advisory Committee Tim Jin mentioned that he was in a traditional regional center system for a long time. No one asked him what they could do better, and assumed he was doing fine. He suffered in silence from constant neglect, missed numerous lunches, did not receive physical support when needed, worked around staff schedules, and needed constant permission to live his life. It took him almost six months to get started with SDP. Since he has joined the program, his stress levels are lower, he exercises almost every day, has gotten a job, and seen friends he has not seen in years.

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

Mr. Jin mentioned that many of the members of his local advisory committee are parents and family members with children in the traditional system. They do not have firsthand knowledge or experience with SDP, except for one other member who is in the program. It leads to lack of oversight from the committee because they are not taking responsibility for advising their regional center. He has attended many other local advisory committee meetings from other regional centers and noted the same trend. He relayed that there needs to be transparency from regional centers and committees. Things that could help his local advisory committee include professional training on how to be a productive member of the committee and using subcommittees to do some of the leg work. Lastly, he identified access to online orientations as a best practice used at his local advisory committee.

Katie Hornberger, the interim SDP Ombudsperson, shared that Suzy Requarth was hired as the official SDP Ombudsperson and will be starting on July 11th. The Ombudsperson helps and advises people with SDP related issues and complaints. The office reports trends and frequent questions to DDS. She relayed that the most common calls are from SDP participants inquiring how to get more money in their budget, regional centers calling to verify what services they can cover, regional centers struggling with how to implement the program, and questions around financial management services. Issues with the program, trends, and frequently asked questions have been identified through the calls and complaints that her office has received. She relayed that there is still a lot of work to do for the Self-Determination Program, but that she is optimistic in its success due to all of the proposals, directives, and guidance that have and will continue to come from DDS.

Vicki Smith, Special consultant for federal projects at DDS, relayed that the department is committed to the long-term sustainability of the Self-Determination Program. There are currently 1,378 participants enrolled in the program, averaging an increase of about 72 new people per month. She described the current demographics of program participants and notes that the White population is overrepresented and Hispanic population is underrepresented in SDP.

DDS has issues several directives to improve the enrollment process, including: clarifying what services, supports, and goods can be purchased through self-determination; information on how individual budgets, the certification tool, and spending plans are developed; and information on

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

how the home and community based services waiver, and self-assessment for the settings is determined. DDS issued guidance to the regional centers asking them to identify how they were going to support the implementation of SDP in conjunction with the local vendor advisory committees on the outreach plan. They also recently updated their frequently asked questions on their website. They are working to ensure that there are subject matter experts at each of the regional centers to assist with questions from case managers and to support the local vendor. They are working to provide more support between the time of orientation, time of attending, time of enrollment, and the potentially unbundling of services. In conjunction with SCDD, DDS will be rolling out the self-determination orientations with a new curriculum in June. Ms. Smith concluded by sharing that DDS submitted trailer bill language requesting that FMS fees be pulled out of the self-determination participants' budget.

Councilmember Maria Marquez shared her struggles with SDP. Her service coordinator refused to accept her paperwork, which also delayed her entry into SDP. She is still fighting to get the paperwork accepted.

Councilmember Ponton shared that a disagreement with her service coordinator led her to the decision to stay with traditional services.

Councilmember Nicole Adler shared that she had a positive experience with SDP. She gained freedom and choice to her own decisions without the need to rely on others. She hopes that others can also gain access and entry into the program.

12. **NEXT MEETING DATE AND ADJOURNMENT**

The next Council meeting will be held on July 26, 2022. The meeting was adjourned at 3:26 P.M.

Legend:

SA = Self-Advocate
FA = Family Advocate

N/A = not available
DNP = Did Not Participate

Name	Action 1 Minutes	Action 2 SCDD Budget
Adler, Nicole	For	For
Ashe, Harold	NP	For
Austin, Julie	For	DNP
Barnwell, Viviana	For	For
Beckley, Mark	For	For
Brodie, Kilolo	For	For
Bycel, Lee	For	For
Ellis, Michael	For	For
Eriksen, Jeana	For	For
Fujita, Harold	For	For
Garnica, Julio	For	For
Liu, Cathay	For	DNP
Marquez, Maria	For	For
McNair, Joyce	For	For
Moody, Christine	For	For
Neward, Julie	For	For
Ponton, Kara	For	For
Reyes, Alex	For	For
Rosanna, Ryan	For	For
Smith, Sandra	For	For
Stahmer, Aubyn	For	For
Thomas, Michael	For	For
Wavrin, Nick	For	For
Winfield, Brian	For	For
Witherspoon, Wesley	For	For
Ybarra, Eric	For	For
Yin, Larry	For	For