

**DEVELOPMENTAL DISABILITIES COUNCIL OF CONTRA COSTA COUNTY
BOARD OF DIRECTORS MEETING
10/22/14**

Board and Liaison Members Present: Suzanne Anthony, Chair (presiding), Caroline Ortiz, Vice Chair, Nichole Bouslog, Heather Hackett, Vi Ibarra, Karen Lingenfelter, Krista Loomis, Craig Rose, Heidi Spaulding, Josh Sullivan, Ken Talken, Carl Tolentino, Dan Denis, Peggy Black, Elvia Osorio-Rodriguez, Barbara Maizie, Will Sanford, Penny Musante, Gabriel Rogin, Pam Perls, Jim Burton, John Rodriguez, Staff.

Board and Liaison Members Excused: Kim Williams, Stephanie Meakin, Diana Thomas.

Guests: Carol Anne McCrary, Contra Costa ARC; Tracy Butler, Commercial Support Services-Antioch; Reese Holland, DEARA; Hester Wagner, Futures Explored; Angie Lee, ALIVE-Concord; April Whytus, Senator Mark DeSaulnier's Office; Stephen Dale, Dale Law Firm/GSPT; Ronke Sodipo, RCEB; Donna Feingold, Adaptive Learning Center; Shakendra Burks, Futures Explored; Barb Johnson, Congressman George Miller's Office.

Welcome

The meeting was called to order at 10:08 a.m. and Suzanne welcomed everyone. Introductions were made.

- The September 24, 2014 meeting minutes were approved as written, unanimously (M/Craig Rose; S/Karen Lingenfelter).
- There were no additions to today's agenda, although the order of the items was changed slightly.

Report from Caroline Ortiz, Vice Chair:

- Action Plan from last meeting: The Board is creating several new committees, including:
 - Family/Child Committee
 - School District Committee
 - Strategic Planning Committee---this committee is forming quickly....anyone interested can contact Caroline directly and/or come to the following meetings that have been scheduled at CARE Parent Network's office in Martinez from 10 a.m. to Noon:
 - Nov. 5, 2014
 - Nov. 12, 1014
 - Dec. 3, 2014
 - Dec 10, 2014
- *Going to College with a Disability Conference:* There has been overwhelming interest in this conference, scheduled for November 15, 2014, 9:00 a.m. – 1:00 at the Ed Roberts Campus in Berkeley. Unfortunately, this conference is ***sold out*** with 160 attendees. Karen, Heather and Penny are working on this conference with CARE Parent Network, and are considering a larger venue or maybe having 2 per year in the future.

Presentation: Service System Sustainability

Presented by: Barbara Maizie, Contra Costa ARC and Will Sanford, Futures Explored

Barbara began the presentation with "big picture" items, on the subject of our ability to sustain current services now, and any new services in the future.

In the 1970's, the Lanterman Act was developed and laws were passed to assure:

- Residential Services: of high quality and equitable funding;
- In-home Respite Services: Equitable funding to assure service quality;
- Non-Residential Services: Equitable rates to assure service quality.

That is the law!

The concept is great, but the reality is:

- In Oct 1999, the *State Bureau of Audits* did a study that concluded that the DD service system has been undermined by budget cuts; providers cannot attract or retain staff; and the legislature needs to fund the services. The average direct service staff wage was only \$8.89 statewide.
- In April 2000, DDS made a budget request to the legislature, describing the current instability in the workforce that is growing to a crisis level.
- At the 2008 Town Hall Meeting, legislators or representatives heard the real life impact of frozen rates; programs closing; no new programs being developed; lower employment rates for people with developmental disabilities. A chart was distributed that clearly illustrated the erosion of the California service system.
- In February of 2011, 98 agencies (Board Presidents), representing 14,000 staff and 59,000 consumers co-signed a letter to the DDS Director (Terri Delgado) about the critical state of the service system and estimates of insolvency.
- In 2011, UCLA wrote a policy brief after interviewing 250 provider agencies that were running financial deficits. The brief described the challenges to sustaining the DD service system in California.
- More recently, a *Keeping the Lanterman Promise* survey showed that the DD service system is on the verge of collapse, with 33% of agencies consolidating or closing at least one program.
- In December 2013, *The Way Forward* (a paper by Southern California Regional Centers) did an assessment of services and found that they are chronically underfunded and the quality of services is declining.
- And, *ARCA* recently put out 2 reports that concluded that the rates for service providers are inadequate; between 2009 and 2013, rates were cut twice; the service system is unstable and is behind inflation by 36.6%.

Barbara stated that service providers are going above and beyond to keep services going, but are stretched to the limit. In July 2014, it was devastating that the legislature and governor did not address nor recommend rate increases.

These inadequate rates affect each agency differently: as mission-driven service agencies, it is against our mission to stop. Many current politicians are starving "traditional" services and have no motivation to save them, but there aren't any replacement services either. No new services are being created, as they would not be sustainable with the current rate system.

There are additional forces that are also going to have an impact on service providers:

- New provisions of the Affordable Care Act will be put in place on January 1, 2015. For Contra Costa ARC, this means 110+ people currently not on our health plan will need to be covered, costing the agency \$450,000+ more in premiums. No amount of fundraising or foundation grants will fill this gap.
- The Federal government is requiring, through CMS (Centers for Medicare & Medicaid Services), that services be inclusive by 2019. There may be federal funds available to assist with this transition, but not currently.

In the political arena, it is sometimes seen as unpopular to talk about service providers needing to survive, but these agencies exist for the persons served!

Will likened the service system to “classic cars”----always put your best foot forward in public, but don't kick the tires. He asked:

- When the Affordable Care Act is mandated, who pays for it?
- When minimum wages increase, who pays for it?

While we do a good job connecting with our legislators, we don't do a good job of getting onto the top 5 issues of their agendas. We have to let them know that *this is it!*

Will stated that the Governor is very independent and is not easily influenced. Our message to the Governor and our legislators has to be that:

- The DD service system needs something now;
- New services come at a cost (e.g., Employment First);
- When the Developmental Centers are de-certified by the Federal government, it will cost the State;
- We want the Governor and legislators to **take action** (not just photo ops);
- When programs close, don't go quietly!

Questions and suggestions from the audience included:

- If Governor Brown is re-elected, how do we change his priorities?
 - We have to find out who will stand up for us of the Big 5, those that make budget decisions. We have to push back and require action from our legislators.
- What can we do that is different?
 - Educate the new generation of legislators;
 - Use social media (e.g., Change.org);
 - Use film and PSA's to tell stories;
 - Require our legislators to take action;
 - Put out a “scorecard” on legislators, based on their action on our issues;
 - Overwhelm the local offices of our legislators;
 - DD Council can put on a training on how to talk to legislators or their assistants; create talking points;
 - Letter writing campaigns;
 - Branch out to the rest of the community and expand our circles;
 - Use celebrities to raise public awareness (e.g., Maria Shriver);
 - Barbara Johnson stated not to be afraid of using the phrase “unfunded mandates”.

John thanked Barbara and Will for their insightful presentation.

RCEB Update by Jim Burton

Jim stated that he thought that this group had a lot of great ideas and that a strong grassroots effort to impact rates is what is needed.

Regarding the State Budget:

- The budget barely balanced statewide;
- There is a \$100 million shortfall for the current year due to a budgeting mistake;
- Jim recommended that we rest up for the holidays and be ready to go in January with our advocacy efforts.

Self-Determination:

- Will and Jim are on a task force to work on implementation of Self-Determination. All 21 Regional Centers will be piloting this project, with 153 people at RCEB having the opportunity to participate.
- The Self-Determination proposal is being submitted to the Federal government for approval in December 2014.

The allowable services for Self-Determination were posted on the DDS website yesterday (dds.ca.gov), then search "self-determination services".

Lanterman Developmental Center:

- There are 14 residents left---it looks like they will meet their closure goal of Dec. 31, 2014!

State Council Regional Office Update by Gabriel Rogin

Gabriel announced that there is a Self-Advocacy Celebration on November 14th at the Ed Roberts campus. He recommended that everyone attend, as it is a very uplifting celebration!

The next State Council Regional Office meeting is scheduled for December 3rd at 1000 Broadway in Oakland. They will be discussing the results of the informal day program survey, self-determination, and employment.

Committee Reports:

Legislative Committee: Carl and Josh encouraged everyone to vote! The East Bay Legislative Committee will be planning a legislative breakfast in January 2015 at the RCEB San Leandro offices. Carl is excited about the legislative scorecard idea and will be taking it back to the committee.

Other committee reports were postponed.

Upcoming Meetings for 2014:

- November 19, 2014 @ RCEB (out of normal cycle) @ RCEB-Concord office.
- No December 2014 meeting is planned.
- Next meeting is scheduled for January 28, 2015 @ RCEB-Concord office.

Announcements:

- The Central and East County Transition Fair will be held on October 24th, from 9 am – Noon, at the Willow Creek Center in Concord.
- "Lives Worth Living" is a great movie that will on KOED tonight at 11:00 p.m.
- Peggy announced that she is going to speak at the Mental Health Commission meeting about replicating in Contra Costa County the MH Center that is being planned for Alameda County. You can send information to her at: peggy.black-311@gmail.com
- Stephen Dale will be putting out a series on long-term planning for people with developmental disabilities.
- Barb Johnson spoke emotionally about the closing of Congressman Miller's office. She stated that his most important work was on IDEA for Special Education. He will be doing more locally in his retirement. Barb stated that this DD Council is a very strong group and encouraged us to continue to participate in legislative advocacy. She learned a lot from us. She was commended for her many years of work in the field and with the DD Council.

The meeting was adjourned at 12:13 p.m.

**Our next meeting will be Wednesday, November 19, 2014
@ RCEB-Concord Conference Room
2151 Salvio Street
Concord, CA 94520**

There is no December 2014 meeting planned.

Respectfully submitted electronically by,

Carol Anne McCrary

Contra Costa ARC