

Inland Counties Regional Center, Inc.
Board of Trustee Meeting
September 13, 2010

Members Present: LaVesta Locklin, President; Alma Derritt, Secretary; Darlene Fischer; Drew Cutler, M.D., Vice President; William McGuern; George Arzoo; Christian Pike; Veda Murry; Richard Chinnock, M.D.; Martha Ramirez; Robert McGuire

Members Absent: Esther Farmer, Treasurer; Gregory Harrison

Recording Secretary: Aneta Giltner

Management Staff Present: Carol A. Fitzgibbons; Margie Henderson; Lavinia Johnson; John Hunt; Janet Goehring

Staff Present: Cynthia Alexander; Isabel Bellino; Catherine Bennage; John Carville; Sheilah Coble; Carmelita De La Cruz; Ernestine Dew; Gina Gregory; Olivia Gutierrez; Kevin Haynes; Pamela Hutt; Mary Joseph-Bacon; Millee Martin-Walton; Vince Toms; Barbara Nguyen; Ismael Ocampo; Jamie Portney; Mary Ponders; Bea Regalado; Merissa Steuwer; Russ Thompson; Tiki Thompson; Sylvia Wackerman; Kathi Wild; Larry Rardin; Ken Willits; Megan Montague; Liz Wilson; Kami Elliott; Diann Morales; Robert Britton; Marilyn Bennett; Angelica Serrano; Rodney Carden; Rosa Jackson; Isaac Molen; Heidi Bierlein; Madeilaine Palma; Shanear Rivera; Rona Gladden; Lucindy Fuller; Kathy DeCoud; Romwell Sabeniano; Brooke Chambers;

GUESTS: Greg Damewood; Fay Aldridge; Laura Wiles; Denise Woolsey, Ralph Skoner, People First; Becky Thompson, People First; Angela Castro; Loleta White-Findeisen, Area Board 12; Michelle Gerard; Robert Martinez; Julie Valterria; Scott Davis; George Prado; Kim Booty; Stephen Aulman, In Unison; Moe Mendoza; Mike Smith; Danny and Melodi Gilbert; Darlene Medaris; Nancy Lenore; Kristie Burchit; Rich Williams; Debby Stangel, SUP; Steve von Rajcs, CHF; Beth Burt, Autism Society Inland Empire; Jose Fuentes, Ph.D., Interact Program; Dan Copeland, Salem Christian Homes; Norma Bocado and William Goines, Hemada; Rebecca Helgeson and Dennis Mattson, Independent Options; Rita Gaur, NLO; Shirley Moye, Moye Facility; A. Walker, Walker's Ranch; Martha Haynes, J.D.; Duane Gang, Press Enterprise; Anthony Stalworth; Arlene Daley, Westview Services; Vicki Smith, Area Board 12; Therese Kragness, Innovative Business Partnerships; Melody Amaral, The Wylie Center; J. B. Wagoner, Lolton ? and Wes Hall, ARC Mid-Cities; Jim Steinberg, The Sun; Jose Esqueda and Jorgelima Gonzalez, Comfort; Jim Stream, ARC Riverside; Nakia Eyraud, Citizen; Sonyia Davenport, Smiles; William J. Sanzo, Lampost Resource Group; Nathaniel Dixon; Rachel and John Padilla, Rainbow Care; Carrie Gilbreth, Westbound Communications;

President Locklin called the meeting to order at 7:08 p.m. Board, staff and guests introduced themselves. She announced that because of Public Input the various Reports would not be presented.

Nominations Committee: Mr. McGuern reported the following: 1) The Nominations Committee met to consider a couple of candidates for vacancies. The Committee was impressed with Henry Redden and recommends Mr. Redden for the consumer vacancy. 2) A letter was received from Loma Linda University nominating Steve Ogilvie, to fill their vacancy on IRC's Board; and, the Committee was informed that Carmela Garnica, EPD & Parent of two consumers has submitted her application to Riverside County Board of Supervisors for their vacancy on IRC's Board. Motion to appoint Henry Redden to the consumer position; Steve Ogilvie to the Loma Linda University Medical Center position and Carmela Garnica provided the Riverside County Board of Supervisors approves her application for their vacant position on IRC's Board; M/S/C McGuern/Arzoo

Minutes of the Last Meeting: Motion to accept the minutes of the July 13, 2010 meeting as presented; M/2/C Derritt/Fischer

PUBLIC INPUT: President Locklin informed the audience that public input is limited to five minutes per presenter and that all input would be taken into consideration by IRC's Director and employees.

1. Ms. Wackerman translated a letter from Mr. and Mrs. Roberto Reyes, parents of a Down Syndrome daughter. The Reyes' daughter attended IBP for three years prior to the family moving out of IRC's area. The family is now back in IRC's area because of problems they had with public transportation in Pomona. When they asked the CSC about their daughter returning to IBP, the CSC said she could not attend IBP because IRC will not pay for private transportation, but would pay for public transportation. The Reyes would like IRC to allow their daughter to take private transportation so she can attend IBP.
2. Jose Esqueda: Mr. Esqueda said in 2008 he applied at IRC to be a transportation vendor. He is now a vendor for East Los Angeles, South Central and Lanterman Regional Centers. He said after 3 to 4 months of training he started working with Southwestern, IRC's transportation broker. When he worked under Southwestern for two months he noticed a lot of discrepancies in their work and decided to leave. He said he noticed on the internet there is an RFP for a new transportation vendor. He wants to know if he applies if it will go through Southwest or IRC.
3. Darlene Madeiras: Ms. Madeiras said her sister, who owns Respite Inc in Northern California, is a vendor with other regional centers and has a 97% approval rate. Her sister has been contacting IRC about becoming a provider of service in the high desert, but no one is returning her calls.
4. Michelle Girard: Ms. Girard said she is a parent and also a former provider for IRC. She experienced the same intimidation and retribution that the state auditors found during their audit of IRC. She claims she did a good, hard and difficult job as a

provider of six Level 4 homes. She and her family felt she wasn't being treated appropriately and took her concerns to the state level which you don't do at IRC. She received letters of apology from the state after which retribution was done against her and her father which caused them to sell their entire program, Home Choices, Inc. She said two of the IRC employees are no longer at IRC. There is still staff at IRC who came to her house and falsified records. She said, as a parent, IRC wouldn't access any services for her 2 year old autistic child. Upper management wouldn't return a phone call to her after she sold her business.

5. Anthony Stallworth: Mr. Stallworth spoke about the exhaustive fight he had with IRC and Catherine Bennage over a Corrective Action Plan (CAP) placed on Cypress Point. He was told by IRC that the CAP would remain in effect and would not be overturned. He referred the Board to the Office of Administrative Hearings website, Case #2010021065, regarding the hearing Cypress Point had against IRC. He said IRC denied him of all his rights under Section 56062 Subsection D. He said IRC knew the November 10 meeting was a hearing and hid this from him misleading him on every step of the process resulting in him being deprived of a fair hearing and the opportunity to present his side of the dispute related to Cyprus Point. He said the decision states the appeal by the appellate, Cyprus Point, Anthony Stallworth, Administrator is granted and that the corrective action plan issued by Inland Regional Center to Peppermint Ridge Cypress Point on October 8, 2009 is set aside and stricken from the records of Inland Regional Center. Mr. Stallworth presented a consumer whom he stated had sex with another resident on numerous occasions at a Jack Hinchman home. He said IRC uses vendors who are their buddies and will do what IRC wants them to do.
6. Jose Fuentes: Mr. Fuentes said IRC has had some bad press the past couple months and no matter what happens focus should remain on the consumers that are served by IRC. He said some of the issues in the press transcend the current administration involving individuals who are still here, but in light of that bridges need to be built in order to reestablish the regional center. IRC provides services to individuals who are among the most vulnerable sectors in the community. He said possibly through the Vendor Advisory Committee and in coordination with Area Board 12, vendors who are providing services to consumers would be able to assist in the interpretation of legislation. He used Codes 612 and 620 regarding BCBA as examples.
7. Greg Damewood. Mr. Damewood said the July 12, 2010 board minutes do not reflect his notes and asked that the minutes be corrected. He said he wants a written copy of the policy about providing a team member who signed the document noting participation in the IPP with a copy of the IPP. He said public concerns that do not require privacy should be documented in the minutes and then require action at the next Board meeting. He provided a brochure with information regarding evictions from care facilities and a consumer's right. He expressed concerns with the insurance hikes proposed by Anthem Blue Cross. He feels that facilities should be given a letter grade like restaurants in order to assist consumers and their representatives in

selecting a facility. He feels Board members should visit facilities at least once a year and share their experience with the Board. And, a safety checklist is needed for CSCs and IRC staff to use while they are visiting consumers.

8. Laura Liles, Special Education Advocate, expressed her concerns with high school aged individuals with autism being transitioned from high school and into the community with no programs and these individuals sit at home with no programs. IRC needs to focus on adult programs to assist individuals with autism by maybe setting up a task force or committee that could go into the community to find jobs and programs for them. She said she is a parent of an 18 year old son with autism who was not served appropriately during his 12 years in high school. She said her son is attending a program in Oceanside, Charity Inc., where he is flourishing. She said IRC is out of focus on the individuals it serves and hopes Ms. Fitzgibbons can clean up the mess IRC is in.
9. Denise Woolsey, parent of a 24 year old son with autism. She said programming for adults with autism is needed in southwestern Riverside County. Quality assurance needs to be done on some of the existing programs in that area. Her son did not receive any transitioning from the school system into the community and that all the programs in their area turned her son down. She did not want him sitting at home like all his peers. IRC needs to work on providing programs for adults with autism. Her son is now attending a pilot program outside of IRC's area that has been very beneficial to him.
10. Ralph Skoner: Mr. Skoner wanted IRC to recognize Rita Gauer by placing a special letter in her vendor file in regards to the outstanding service she provides him. Ms. Gauer helped him avoid another heart attack by taking him to Kaiser.
11. Scott Davis: Mr. Davis said he has a 27 year old son with autism who has a high school diploma and holds a 20-30 hour a week job. He was provided with a key to the home where he resides but then IRC came along with a heavy foot and took the key away which he had for 1-1/2 years and IRC staff never did anything about it and then IRC's QA team took it away from him and cites the home. IRC's legal department states the CAP will not come off the facility where his son resides. He said he has to consider whether IRC is the best place for his son.
12. Debbie Stangel, Supporting Unlimited Possibilities expressed her concern with the Press Enterprise article. She said she responded to the Press via e-mail. She felt the auditors should have contacted her regarding a perceived conflict of interest. The article indicates she received educational services money and that she personally gained from this when in fact the money was used for various IRC conferences, the family fun festival and other events and receipts were provided to IRC for every dollar she received. She said the delivery of services to consumers is the most important thing to her. She said she did not like folks passing out inaccurate information and personal information about her and her family.

13. Therese Kragness, Innovative Business Partnership (IBP). She said she has literally been involved with IRC since age 8 because her sister has been a consumer since 1971. She worked at IRC prior to opening IBP and she has an 8 year old son with autism. She referred to the BSA Audit which states \$950,000 was awarded to Southwest Transportation and wanted to know if Southwest would be required to return these funds. She said Southwest asked IBP at one time if they could transport 8 consumers and said they would obtain the required authorization for the service. These consumers were never placed with her for transportation. She asked why IRC requires consumers to use public transportation to IBP, but allows CVS and Peoples Care to use other forms of transportation and noted that Southwest funds at higher rates and only considers certain transporters. IBP was randomly chosen to be audited for Medicaid Waiver and was found in compliance. Prior to the audit an IRC Program Manager came to IBP and pulled documentation and replaced it with doctored documents and recreated signatures and then IBP supervisors were ordered to shred the old documents. When she brought this to the attention of IRC's upper management she was informed IRC does not tolerate this type of behavior. Plus, IRC continues to discourage families from using IBP services. She said she often assists families with obtaining their choice of service.
14. Julie Waltz: Ms. Waltz said she is a First Amendment Rights Advocate who supports the developmentally disabled individuals' rights to live where they want to. She said the girls in the Supporting Unlimited Potential home are not getting good service. She said there is a huge conflict of interest and the only way to get it resolved is to call the attorney general and ask for a forensic audit and a grand jury.
15. Lavinia Johnson read a letter from Kristie Burchit, parent. Ms. Burchit said the Board should make the following goals a priority: (1) Lanterman Act training for IRC staff and Board with a test afterward that everyone should pass; 2) Parent Advisory Committees at IRC on all issues that reports to the Board; and, 3) A legislative advisory committee made up of parents, consumers, providers and IRC staff.

President Locklin thanked the persons for their input.

PERFORMANCE CONTRACT: Ms. Forthun-Baldwin gave a power point presentation on the Performance Contract process. She said language will be made clearer under public policy measure #5, related to four or fewer consumers. Final approval will be voted upon at the November 8 Board of Trustee meeting. Input provided tonight will be considered in the final document. The revised Performance Contract will be posted on IRC's website and copies will be placed in IRC's lobby.

The following public input on the Performance Contract was submitted:

1. Dan Copeland, Director, Salem Christian Homes, announced they are celebrating their 50th year in business. He said they have always been a non-profit and always had to raise money beyond the rates they received. He spoke on Item 5 of the

Performance Contract, the public policy measure on facilities serving more than 6 consumers. He said when the ARM rate setting was established it was based on 6 consumers in a home/facility and that rate was never changed as far as providing more money if there are fewer than 6 in a home. IRC and most other regional centers have pushed to have 4 or fewer in a home and most facilities were forced into this. Salem's fund raising efforts have continued to grow and with 111 consumers being served, it had to raise an additional \$960,000 to cover the gap between the rates they receive and what it costs to provide services. He recommended the same for Item 4 in regards to fewer than 6 be dropped. He said providers have already taken the 3% cut last year and possibly another 1.25% cut this year.

2. Steve Aulman, In-Unison: Mr. Aulman said Mr. Copeland covered the same issues he had with the Performance Contract.
3. Mo Mendoza, employee of Lanterman Developmental Center, and a parent of a son with a developmental disability. In regards to Performance Contract Public Policy Measure #1, she said, with the future closure of Lanterman Developmental Center, IRC needs to insure that the consumers who move do not end up at Fairview. She also said there is no mention of SB 962 homes like those for Agnews consumers that provide special health care and intensive support services. She would like to see SB 962 homes available for the consumers. Public Policy Measure #2: She has concerns with parents having to sign for the IPP before they actually receive a copy of it. She has concerns in regards to management staff at IRC. She said she received a form saying her son's IPP has been signed and that she participated in the IPP development, which she did not do. She noted that the signature sheet of the IPP only has IRC management on it. She said IRC needs to insure that its consumers get the services they need, but this does not happen unless the parent files for a fair hearing.
4. Beth Bird, Autism Society of Inland Empire and a parent. She sees most of the public policy measures looking at quantity and not quality. Suggested IRC look at doing surveys in order to measure parents' satisfaction. There should be a measure related to employment options as there is currently a 95% unemployment rate amongst individuals with autism. IRC's website should be updated and more user friendly.
5. Greg Damewood. Would like to see something in regards to evictions from care homes. Would also like to see establishment of a safety checklist for IRC staff to use while visiting a facility.

Ms. Fitzgibbons said during the Performance Contract process people can continue to provide input to Paula Forthun-Baldwin for consideration/incorporation until the end of September.

FINANCIAL REPORT: Mr. Hunt reported that California has not passed the budget. By the end of the week IRC will begin drawing on the line of credit it has with its bank which should get IRC through budget impasse. It looks like IRC would have enough cash to make it through the end of November, which would pay for services through all of October as well as staff salaries. DDS has not paid claims due since most centers were sent small amounts. IRC is one of three centers that have not begun drawing on its line of credit. If IRC runs out of cash; no payment for services or staff will be possible. Mr. Arzoo asked if there is a possibility of extending the loan line. IRC's bank also deals with 12 other centers and has already extended over \$400 million to them. Ms. Fitzgibbons shared that IRC is working on getting an additional line of credit which will take IRC through the end of December.

Ms. Locklin announced that the reports normally presented orally to the board would be posted on IRC's website.

RESOLUTION: Ms. Fitzgibbons said the Another Way is a department within IRC that raises funds to meet the emergency needs of consumers in IRC's catchment area. Because it has grown considerably it is at a point where a more formalized way to take in funds is needed. A Resolution was presented giving Carol Fitzgibbons, Executive Director and John Hunt, the Chief of Financial Services authority to study organization options for the Another Way and provide a recommendation to the Corporation's Executive Committee. Motion to approve the Resolution as presented for Carol Fitzgibbons and John Hunt to work with the Another Way Committee; M/S/C McGuire/Pike

AREA BOARD 12: Ms. Smith reported that the Area Board remains concerned about the glaringly repugnant business ethics of IRC and will work with Ms. Fitzgibbons to get on the right track. These included Program Managers threatening providers; Non-compliance with ABX 49 in regards to the IPP process; and, W&I 4731 complaints show that copies are not being provided at the regularly scheduled meetings and families are having a difficult time in trying to get fair hearings granted. Area Boards are charged with the responsibility of oversight of every public funded agency that supports people with disabilities and offered her services to insure that all public agencies are working together. The Area Board plans to reinstate the Professional Advisory Committee and is looking into the possibility of Riverside County having its own regional center.

The Board of Trustees went into Executive Session.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Aneta Giltner
Recording Secretary

LaVesta Locklin
President