



SAN ANDREAS REGIONAL CENTER BOARD OF DIRECTORS MEETING MEETING NOTICE/AGENDA

Zoom - <https://us06web.zoom.us/meeting/register/tZYudOisqzsqH9KbL7j3zUL5nb6ges8nyX6B>

Date: Monday, June 19, 2023

Time: 6:00 - 8:00 pm



Location: Watsonville Office

1110 Main Street.

Watsonville CA. 95076

AGENDA



6:00—6:02 I. Call to Order & Introduction. Glendora Pitre



6:02 — 6:05 II. Vision Statement. Maya Bareket

6:05 — 6:09 III. Approval of Minutes



1. Board Meeting Minutes - 5/15/2023
2. Fiscal Committee Meeting Minutes - 5/15/2023
3. Service Provider Advisory Committee Meeting Minutes - 5/24/23
4. Program Policy Committee Meeting Minutes 6/6/23
5. Board Development Committee Meeting Minutes – 6/6/23
6. Executive Committee Meeting Minutes - 6/6/23
7. Quality Assurance Advisory Committee Meeting Minutes 6/13/23



6:09— 6:20 IV. State Council on Developmental Disabilities Central Coast ...D Grady

Note: Time is allowed for public input on all agenda items prior to board action on that item. Time is also allowed for public input on any issue not included on the agenda. (*Welfare and Institutions Code Section 4660 (c)*). People wishing to give input need to fill-out the pink note and give it to the Administrative Assistant then they are invited to use the lectern or remain at their seats while speaking. During a virtual meeting send a direct message via chat to the Administrative Assistant stating name, and topic of discussion.



6:20 — 6:30 V. Presidents ReportGlendora Pitre
 1. Juneteenth



6:30 — 6:55 VI. Executive Director’s Report. Javier Zaldivar
 1. Diversity Outreach Update
 2. Employment Programs Update
 3. Health and Safety Awareness Strategy
 4. Performance Contract and NCI Data Report



6:55 — 7:15 VII. Director of Consumer Services Report.Mike Keeley
 1. New and Closing Programs
 2. Self-Determination Update



7:15 — 7:40 VIII. Committee Reports
 1. Fiscal Elisabeth Einaudi
 2. Board Development Maya Bareket
 3. Quality Assurance AdvisoryGlendora Pitre
 4. Service Provider Advisory Erika Gonzalez
 5. Program Policy Lisa Lopez
Action Item: Recommendation to Adopt the *Appeals Policy*
 6. People’s Advisory Committee Maya Bareket
 7. ARCA Veronica Contreras



7:40 — 7:45 IX. Public Comment



7:45 — 7:50 X Board Comment



7:50 — 8:00 XI. Announcements
 **Super Hero Festivals*
 **Service Above Self Awards Dinner 10/28/3*



8:00 XII. Adjournment

**SAN ANDREAS REGIONAL CENTER
Board of Directors Meeting Minutes
Via Zoom
May 15, 2023**

Presiding: Glendora Pitre Board President

Board Members Present: Paloma Barraza Cole Baumeister
Veronica Contreras Jon Drennan
Elisabeth Einaudi Erika Gonzalez
Andy Le Lisa Lopez
Gus Maldonado Alicia Mesa
Rajesh Patel

Board Members Absent: Maya Bareket Nefte Couttolenc
Daniel Stickney

Staff Present Mia Garza Lourdes Gonzalez
Lisa Hartley Gina Jennings
Angel Johnson Mike Keeley
Michelle Livoni Arushie Nugapitiya
Irene De La Rosa Katherine Sanders
Francisco Valenzuela Javier Zaldivar

Community Present: Jaclyn Balanay (DDS) Per Maresca
Darcy McCann Soheila Mozayan
Judy Paulson

CALL TO ORDER

Ms. Glendora Pitre Board President called to order the regularly scheduled business meeting of San Andreas Regional Center at 5:04 p.m. at the San Jose Office, Ms. Pitre also called attention to the note on the agenda stating that time is allowed for public input on any issue not included on the agenda, with a five-minute limit. (Welfare and Institutions Code Section 4660 (c)). Self-introductions were made, and Mr. Cole Baumeister read the mission statement.

APPROVAL OF MINUTES

M/S/C Moved to approve the March meeting minutes. (Lopez/Le) No further discussions. All in favor, Motion carries.

1. Board Meeting Minutes – 3/20/23
2. Fiscal Committee Meeting Minutes - 3/20/23
3. Service Provider Advisory Committee Meeting Minutes – 3/22/23, 4/26/23
4. Program Policy Committee Meeting Minutes -
5. Board Development Committee Meeting Minutes – 5/2/23
6. Executive Committee Meeting Minutes - 5/2/23
7. Quality Assurance Advisory Committee Meeting Minutes -5/9/23

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES CENTRAL COAST

None

PRESIDENT’S REPORT

Ms. Glendora Pitre shared “What the end of the school year means for parents with a child with disabilities”; she explained that her child existed in a world of routine and when that changed it was difficult for her:

- Anxiety occurred
- Meltdowns happened
- She is happy for inclusive programs now
- Ms. Pitre encouraged understanding of those individuals
 - She celebrates all the small successes now.

EXECUTIVE DIRECTOR’S REPORT:

Mr. Javier Zaldivar discussed these issues.

- Highlights of the May Revise Budget:
 - Attend the legislative budget hearings to stay informed
 - Last year there was a surplus, this year there is \$22 billion in deficit
 - Our system stays stable not much change expected
 - FY 2023 -2024 new program Coordinated Family Services (CFS)
 - ILS (Independent Living Services) gets an increase to better support individuals
 - Regional Center Operations gets an increase
 - Support for Enhanced Caseload
 - Target funding for housing opportunities
 - Support for provisional eligibility
 - HCBS (Home and Community Based Services) funding

- ARCA's position on budget proposals:
 - Permanent Elimination of Family Fees such as AFPP (Annual Family Program Fee), and FCPP (Family Cost Participation Program)
 - Support for Health and Safety requests for individuals that need non-English speaking
- SARC is working to confirm a meeting with Assembly member Ms. Dawn Addis representative of Monterey County:
 - Author of Bill 1147 that could change the Regional Center (RC) system
 - Wish to show her what the Regional Center does and how it works
 - Will partner with Tri-Counties RC since she serves the San Luis Obispo area as well.

Employment Update

Ms. Katherine Sanders discussed these issues:

- Work groups are working on a position for Person Center Navigator, any one can join the work groups
- DDS has awarded two grants to employers to support individuals
 - Zavicon job development and career source
 - Stanford training on job coaching
 - Waiting on two more
- New Quality Incentives
 - Certification training for staff is reimbursed by DDS
- Give feedback and complete employment survey by using this link:
https://docs.google.com/forms/d/e/1FAIpQLSdUdgdPiWgEG6vG3ZSORFYWbRjQe4m-5A9_ToT93lVQmQDtfA/viewform

Diversity Outreach Update

Mr. Keeley presented the inclusion/disparity report:

- Enhanced Caseloads:
 - At capacity, and working on the Vietnamese Speaking caseload
 - Working with OCRA (Office of Clients Rights Advocacy) on referrals
- Outreach & Grants:
 - Creating Parent Conference Committee in Monterey County
 - Parent Support Group on Zoom 2nd Saturday of the month
 - Tribal Engagement event at School of Arts and Culture
 - Deaf + Symposium in June with Evette Ybarra
 - LACC (Language Access & Cultural Competency) Grant currently working hiring for new positions

DIRECTOR OF CONSUMER SERVICES REPORT: Mike Keeley
NEW AND CLOSING PROGRAMS – Mia Garza

1 New (March)

- Transportation Service
- Early Start Service
- Interpretation/Translation service

1 Closed.

- Speech Therapy
- Occupational Therapy
- ILS Support

1 New (April)

- Specialized Therapeutic service
- Personal Assistance

1 Closed.

- Residential facility

Conservatorship Policy

Mr. Keeley discussed the Conservatorship policy:

- Individual must be 18 years old
- It is a limited conservatorship, and it may include these powers:
 1. The ability to decide where the individual will live (other than a locked facility)
 2. The ability to make decisions in regard to the state of the individual (make decisions in regard to his or her money)
 3. The ability to contract on behalf of the individual
 4. The ability to give or withhold consent for medical treatment (except sterilization and other specified medical procedures)
 5. The ability to make decisions for the individual concerning his or her education and vocational training
 6. The ability to give or withhold consent to marriage
 7. The ability to make decisions regarding his or her social and sexual contacts and relationships.
- The Board discussed specific examples of conservatorships and its process

Self Determination Update:

- Mr. Keeley presented the SDP Report, which is an alternative way to secure services and gives more flexibility to families.
 - 155 participants
 - The average age is 20-21 years
 - Participating races:
 - 46 White
 - 12 Vietnamese

- 16 Spanish
- 10 French
- 10 Korean
- 1 Japanese
- 13 Asian
- 0 African American
- Participating languages:
 - 114 English
 - 7 Spanish
 - 9 Vietnamese
 - 7 Mandaring
- Where they live:
 - 139 at home
 - 16 other.
- FMS (Financial Management Services) systems and individuals being tracked:
 - 77 Aveana
 - 44 GT Independent
 - 6 Acumen
 - 2 Essential Pay
 - Mains'l

COMMITTEE REPORTS

FISCAL

Ms. Einaudi the Board Treasurer gave the report.

1. Purchase of Services (Non-CPP only)

The Purchase of Service expense for the month of March 2023 was \$46.3M and the year to date was \$414.9M. The current allocation is \$655.5M.

2. Individuals Served

The number of individuals served as of March 2023 was 16,767. This is a decrease of 387 since March 2022.

3. Operations (OPS)

Expenses for the month of April were \$4.3M and the year to date was \$40.1M. The Fiscal Year Projection is \$53.2M and the estimated allocation is \$53.4M. This leaves us with a surplus of approximately \$135.3K.

4. Cash Position

The cash position through the end of April was \$130.6M. This is a decrease of \$2.7M since March.

5. Donation Fund

The balance in the Donation Fund through the end of April was \$362K. This is an increase of \$60. This change was due to miscellaneous contributions and/or disbursement requests received during the month.

The Board approved nine contracts recommended by the committee.

- 1. M/S/C Moved to approve the Access Community Resources Transportation Contract FY 2023-2024, 2024-2025, & 2025-2026 totaling \$1,758,672.00 (Pitre/Lopez) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 2. M/S/C Moved to approve the Apollo Adult Day Program Transportation Contract FY 2023-2024, 2024-2025, & 2025-2026 totaling \$ 2,616,024.60 (Drennan/Pitre) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 3. M/S/C Moved to approve the Bayside Adult Day Program Transportation Contract FY 2023-2024, 2024-2025, & 2025-2026 totaling \$\$1,533,952.80 (Contreras/Lopez) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 4. M/S/C Moved to approve the Amendment to Bay Area Housing Corporation (BAHC) start up Contract FY 2019-2020, 2020-2021, totaling \$1,134,264.00 (Pitre/Drennan) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 5. M/S/C Moved to approve the Amendment to Bay Area Housing Corporation (BAHC) start up Contract FY 2023-2024, totaling \$750,000.00 (Le/Drennan) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 6. M/S/C Moved to approve the Amendment to Bay Area Housing Corporation (BAHC) start up Contract FY 2023-2024, totaling \$875,000.00 (Pitre/Contreras) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 7. M/S/C Moved to approve the STARS Bay Area, Inc. Early Start Contract FY 2023-2024, totaling \$3,873,282.80 (Pitre/Lopez) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**
- 8. M/S/C Moved to approve the STARS Bay Area, Inc. Early Start Contract FY 2022-2023, totaling \$2,321,326.76 (Lopez/Pitre) No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**

9. **M/S/C Moved to approve Via Services Inc. Early Start Contract FY 2022-2023, totaling \$1,125,454.24 (Le/Pitre). No further discussions. All in favor. One Abstention - Erika Gonzalez. Motion carries.**

BOARD DEVELOPMENT

- The minutes are in the packet.

Ms. Pitre recommended Ms. Barraza to be voted into the Board

M/S/C Moved to approve the election of Ms. Paloma Barraza to her first two-year term on the Board. (Contreras/Lopez). No further discussions. All in favor. Motion carries.

QUALITY ASSURANCE ADVISORY COMMITTEE

- The minutes are in the packet.

SERVICE PROVIDER ADVISORY COMMITTEE (SPAC)

- The minutes are in the packet.

Ms. Gonzalez recommended that Mr. Moss be voted into SPAC.

M/S/C Moved to approve the election of Mr. Wesley Moss to his first two-year term on SPAC. (Baurmeister/Lopez). No further discussions. All in favor. Motion carries.

PROGRAM POLICY COMMITTEE

None

PEOPLE'S ADVISORY COMMITTEE (PAC)

- Mr. Cole Baurmeister shared his experience at the Supported Life Conference.
- Mr. Valenzuela shared that they are working on creating a group to be self-advocates.

ARCA

No meeting but great training for the members on 4/29/2023.

PUBLIC COMMENT

None

BOARD COMMENT

None

ANNOUNCEMENTS

Mr. Francisco Valenzuela thanked the Board for attending and helping at the Legislative Luncheon and shared the upcoming events:

- 6/16/2023 Hope Concert
- 7/15/2023 Shared Adventures
- 7/22/2023 Superhero Festival Santa Cruz
- 7/29/2023 Superhero Festival & 5K Run San Jose
- 8/5/2023 Superhero Festival Salinas
- 10/28/2023 25th Annual Service Above Self Awards Dinner
- 11/18/2023 Holiday Craft Fair

ADJOURNMENT

The meeting was adjourned at 7:01 p.m.

Recording Secretary, Mr. Lourdes Gonzalez

Submitted by,

Mr. Gus Maldonado

**San Andreas Regional Center
Board of Directors
Fiscal Committee - Meeting Minutes
Via Zoom
May 15, 2023**

Committee Members Present: Jon Drennan Elisabeth Einaudi
Gus Maldonado Alicia Mesa
Rajesh Patel

Committee Member Absent: Nefte Couttolenc Daniel Stickney

Staff Present: Karla Cruz Mia Garza
Darby Gibson Lourdes Gonzalez
Gina Jennings Javier Zaldivar

Meeting called to order at 3:35 pm. by Elisabeth Einaudi Committee Chair.

Fiscal Packet

Ms. Karla Cruz, Controller, reported on the Monthly Fiscal Summary.

1. Purchase of Services (Non-CPP only)

The Purchase of Service expense for the month of March 2023 was \$46.3M and the year to date was \$414.9M. The current allocation is \$655.5M.

2. Individuals Served

The number of individuals served as of March 2023 was 16,767. This is a decrease of 387 since March 2022.

3. Operations (OPS)

Expenses for the month of April were \$4.3M and the year to date was \$40.1M. The Fiscal Year Projection is \$53.2M and the estimated allocation is \$53.4M. This leaves us with a surplus of approximately \$135.3K.

4. Cash Position

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5. Donation Fund

The balance in the Donation Fund through the end of April was \$362K. This is an increase of \$60. This change was due to miscellaneous contributions and/or disbursement requests received during the month.

6. Contract Review

The committee reviewed nine contracts to recommend to the full Board for approval.

- 1. M/S/C Moved to recommend to the full Board approval of the Access Community Resources Transportation Contract FY 2023-2024, 2024-2025, & 2025-2026 totaling \$1,758,672.00 (Maldonado/Patel) No further discussions. All in favor. Motion carries**
- 2. M/S/C Moved to recommend to the full Board approval of the Apollo Adult Day Program Transportation Contract FY 2023-2024, 2024-2025, & 2025-2026 totaling \$ 2,616,024.60 (Drennan/Maldonado) No further discussions. All in favor. Motion carries**
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- 5. M/S/C Moved to recommend to the full Board approval of the New Bay Area Housing Corporation (BAHC) start up Contract FY 2023-2024, totaling \$750,000.00 (Drennan/Maldonado) No further discussions. All in favor. Motion carries**
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Some typos were found, and the committee requested to see the final approved forms to verify that corrections were made.

7. Other

The committee requested more training and information on the contracts prior to having to review them. SARC will send information

8. Next Meeting Date

June 19, 2023, at 4:30 p.m. in the Watsonville office.

9. Adjournment

With no further discussion the meeting was adjourned at 4:30 p.m.

Recorded by Lourdes Gonzalez

**San Andreas Regional Center Board of Directors
SERVICE PROVIDER ADVISORY COMMITTEE (SPAC)
Meeting Minutes (via zoom)
May 24, 2023**

Members Present	Tade Akintade Erika Gonzalez (chair) Wesley Moss	Melanie Gonzales Desiree Luong Beth Prentiss
Members absent	Sylvia Yeh	
Staff Present	Karla Cruz Darby Gibson Lourdes Gonzalez Michelle Livoni Francisca Valenzuela	Mia Garza Ann Sieber Mike Keeley Gerald Osuna Javier Zaldivar
Community Present	Bryan Nader Huyen Tran Sarah Verity	Dylan Alto Kai Reade Vivian Chung

Ms. Erika Gonzalez Committee Chair led the meeting via zoom starting at 10:03 a.m.

Committee Updates

Ms. Erika Gonzalez SPAC Chair shared that they continue to meet with the provider community on the 3rd Wednesday of the month, the conversations are going well. Ms. Gonzalez told the audience that they can email her with ideas and topics that they wish to discuss.

- Work on Vendor Fair continues
- Mr. Wesley Moss was welcomed to the committee

New and Closing Programs

Ms. Ann Sieber gave the report.

2 New

- Residential Facility
- Personal Assistant

1 Closed

- Residential facility

Community Services Update

Ms. Mia Garza Community Services Associate Director discussed these topics:

- Directive on PERCENTAGE OF RATE ADJUSTMENT USED FOR WAGES AND BENEFITS FOR DIRECT CARE STAFF
 - Vendors can use rate model table to do calculations
 - Benefits Chart was shared

- Question that will be taken back to the Department “Can DDS explain how the rate model was derived at? Ms. Garza explained that was through the Burns & Associates Study

Electronic Visit Verification (EVV) Update

- Reminder to sign up and comply

Electronic Visit Verification Phase II

Electronic Visit Verification (EVV) is a telephone and computer-based solution that electronically verifies in-home service visits.

EVV solutions must verify the following six data elements:

- *Type of service performed*
- *Individual receiving the service*
- *Date of the service*
- *Location of service delivery*
- *Individual providing the service*
- *Time the service begins and ends*

Background

The 21st Century CURES Act, signed into law in 2016, requires that states set up an EVV system to verify that services for all Medicaid-funded personal care and home health care services occurred. Pursuant to Subsection (l) of Section 1903 of the Social Security Act (SSA) (42 U.S.C. 1396b), all states must implement EVV for Medicaid-funded personal care services (PCS) by January 2020 and home health care services (HHCS) by January 2023. On October 22, 2019, CMS approved the State's Good Faith Effort (GFE) request for PCS and will not apply Federal Medical Assistance Percentage (FMAP) reductions in calendar year 2020. California's GFE approval letter from CMS is available on the [EVV CMS GFE Webpage](#).

PCS was implemented on January 1, 2022, and providers of Medi-Cal home and community based personal care services must be registered, trained, and using either the CalEVV system or an alternate EVV system. HHCS is anticipated to be implemented by January 1, 2023. Stakeholder meetings will continue and will provide the opportunity to discuss the State's approach to EVV, the steps providers will need to take, and the EVV training that will be offered.

- Coordinated Family Supports (CFS) pilot program update:
 - Interested vendors are being trained on the program
 - Doing outreach for interested providers and an RFP (Request for Proposal) is out
 - The Department provided the rates table
- DSP Workforce Survey is live now and it pays \$8K to those that complete it
https://caddspod.servicenowservices.com/wsvp?sys_id=cf1b1daddb9221107a51a8b8139619be

Health and Safety Waiver Awareness Strategy

Ms. Michelle Livoni HCBS specialist gave the report:

- Ms. Livoni continues to work on identifying individuals that need referrals to access the program

HCBS (Home & Community Based Services)

Ms. Michelle Livoni HCBS specialist gave the report:

- Training on basic information
- Collaborating with providers to provide training
- Person Centered Thinking (PCT) trainings have been scheduled
- Focusing on the State Transition Plan for now
- Site visits will be scheduled soon

Employment

Ms. Mia Garza Community Services Associate Director gave the report:

- Next roundtable is 6/20/23
- New incentive forms are available and will be sent

Emergency Preparedness

Mr. Gerald Osuna Emergency Coordinator gave the report:

- Gave a brief summary of his background working in the Emergency sector
- Expect high concern for fires this summer
- Check for old trees near you to be ahead of the game and prevent fires
- Working on DDS Initiatives:
 - Individuals trained on Emergency Preparedness receive the To-Go Kits
 - Reaching out to those qualified for the Battery back-ups
- Alert Media will be used to notify of emergencies
- Contact Mr. Osuna if you need any help

Director Update

Mr. Javier Zaldivar discussed the following topics:

- Peer Leadership Team for individuals served
- Working with ARCA on succinct and easy to understand picture graphics that explain our services
- Mr. Zaldivar is part of the subgroup working on “How to deal with difficult to serve individuals”
- Working on the 100% compliance of HCBS
- All Financial Management Services (FMS) have wait lists
- Be ready for the end of fiscal year and adjust POs appropriately, reach out to service coordinators if you need help
- Service videos will be on the website soon
- Legislative Hearings are wrapping up
 - Keeping a keen eye on Bill 1147, which aims to make our system into a government-like program, it is chipping away at independence and what the Lanterman Act means.

Announcements:

Mr. Francisco Valenzuela urged the group to continue to educate legislators and shared these upcoming events:

- 6/16/2023 Hope Concert
- 7/15/2023 Shared Adventures
- 7/22/2023 Summer Festival in Santa Cruz
- 7/29/2023 Summer Festival in San Jose
- 8/3/2023 Summer Festival in Salinas
- 10/28/2023 25th Annual Service Above Self Awards Dinner
- 11/18/2023 Holiday Craft Fair
- Peer Mentor Program requirements:
 - 12 individuals served
 - To raise awareness of HCBS and Final Rule

- 18 years or older
- Small stipend is offered
- Must be available for 10 hours a month

SCDD Central Coast

None

Next SPAC Committee Meeting:

June 28, via zoom at 10:00 a.m.

Adjournment

The meeting was adjourned at 11:01 a.m.

**San Andreas Regional Center
Board of Directors
Program Policy Committee Minutes
June 6, 2023**

Committee Members Present:	Maya Bareket Andy Le	Paloma Barraza Lisa Lopez (chair)
Committee Members Absent:		
Staff Present:	Jim Elliott John Hunt Javier Zaldivar	Lourdes González Mike Keeley

The meeting was called to order at: 3:34 p.m. by Ms. Lisa Lopez Committee Chair via Zoom. These policies were reviewed:

1. Therapeutic Services

Revisions:

- *Therapeutic services are therapies generally ~~prescribed~~ recommended by a ~~physician~~ professional to ~~rehabilitate or treat~~ a condition or disability affecting one or more areas of major life activity. Under certain circumstances, the regional center may purchase services for the treatment of disorders or disabilities that are not solely psychiatric, learning disabilities, or physical in nature. ~~related to an individual's developmental disability.~~ Examples include art therapy, dance therapy, and music therapy.*
- II. **Policy:** *Therapeutic services may be purchased when they are necessary to enhance functioning or to prevent deterioration in an area of ~~development~~ major life activity. The need for a therapeutic service must be clinically related to a developmentally disabling condition; in the event a therapeutic service is not currently available from a generic source but is necessary and appropriate to ensure that the individual is integrated in the community and remains in the least restrictive environment, a director's exception for purchase of the service will be considered.*
- III. **Purchase of Service Standard:** *San Andreas Regional Center will purchase only those therapeutic services that are generally recognized by clinical professionals as ~~s~~ clinically valid safe and effective, and which are intended to maximize the individuals' potential. For individuals three years of age and over, generic resources, public insurance, and any existing private insurance must be explored and exhausted prior to regional center funding. Individuals or families requiring assistance with copayments, coinsurance, or deductibles to access a service through their insurance may be able to receive reimbursement from the regional center¹.*
^a Please see the Reimbursement of Health Care Co-Payment & Co-Insurance Cost purchase of service policy.
The regional center may purchase a therapeutic service for individuals if all the following conditions apply:
 - *There is ~~a an order~~ recommendation from a ~~physician~~ treating or assessing professional indicating ~~medical~~ need.*
 - *A qualified professional has provided an assessment with a treatment plan that includes goals, objectives, and measurable outcomes.*
 - *The planning team recognizes the need for treatment, approves the recommended treatment plan and determines the amount and frequency of service.*
 - *There is no generic, private or public services currently available, or they have been denied.*

~~• Generic and private insurance, where applicable, have been denied~~
For individuals 35 months of age and under, assessments must be completed prior to the Individual Family Service Plan (IFSP) meeting, and all service decisions must be made within the context of the IFSP. San Andreas will fund initial therapeutic services while referrals are pursued through generic private or public agencies that have the responsibility to provide such services. The regional center will require the use of a family's private insurance if available.

- IV. **Exception Process:** The executive director has full discretion to authorize purchases of service which are exceptions to the board-adopted purchase of service policies and standards. The executive director has designated ~~certain individuals within the regional center who~~ **that the Director and Associate Directors of Consumer Services** are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.

2. Limited Conservatorship and Supported Decision-Making

Revisions:

- I. **Purpose:** It is the intent of San Andreas Regional Center to work with the person served, the family, ~~the court, and the Department of Developmental Services (DDS), as appropriate~~ **and the individual program plan team to support the person in making appropriate decisions that enable them to live in the community with as much independence as possible.** ~~recognizing~~ **The regional center believes that a limited conservatorship shall should be used only to promote and protect the wellbeing of the person served, in compliance with all state and federal laws, regulations, and court decisions.**

II. Definitions:

- **Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act and mean a person who has been found eligible and receives services from the regional center.**
- **Supported decision-making is an alternative to limited conservatorship that allows individuals to make their own decisions and stay in charge of their lives. With supported decision-making, the individual program plan team helps the person to understand, make, and communicate their own decisions.**
- **A limited conservatorship can be created by the probate court for developmentally disabled adults. It is utilized as necessary used to promote and protect the wellbeing of the developmentally disabled adult and is ordered only to the extent necessary to provide properly for health, food, clothing, or shelter, or to manage their own financial resources. necessitated by the individual's mental and adaptive limitations. Conservatees must permanently reside in California have a permanent address in the state of California for a limited conservatorship to be granted and remain valid. Conservatorships are only valid in the state they are granted in so long as the individual remains a resident of that state. and the conservatorship only applies within California.** The conservatees retain specific powers to care for themselves and manage their financial affairs commensurate with their abilities. ~~If developmentally disabled individuals lack the capacity to perform all the tasks necessary to provide properly for their own personal needs of physical health, food, clothing, or shelter, or to manage their own financial resources,~~ The court can appoint a **limited** conservator of the person, ~~or a conservator of the estate, or both.~~ Powers of **the limited** conservatorship may include:
 1. **The ability to decide where the individual will live (other than a locked facility).**

~~2. The ability to make decisions in regard to the state of the individual (make decisions in regard to his or her money)~~ **The ability to access the individual's confidential records and information.**

3. The ability to contract on behalf of the individual.

4. The ability to give or withhold consent for medical treatment (except sterilization and other specified medical procedures).

5. The ability to make decisions for the individual concerning ~~his or her~~ education and vocational training.

6. The ability to give or withhold consent to marriage.

7. The ability to make decisions regarding his or her social and sexual contacts and relationships.

- A conservator of the person is an individual appointed by the court to ensure that the overall needs and personal affairs of the conservatee are secure.
- A conservator of the estate is an individual appointed by the court to be responsible for managing the conservatee's money and other property.
In some cases, the court may appoint both a conservator of the person and a conservator of the estate. One individual may serve both roles, and two individuals may be appointed, each to serve a specific role.

III. Policy: It is the policy of the San Andreas Regional Center that the existence of a developmental disability should not be in and of itself sufficient reason for the establishment of a conservatorship. **San Andreas Regional Center believes that individuals with intellectual and developmental disabilities can make their own decisions and direct their own lives. The regional center will provide support, advocacy, information, and guidance to assist the people we serve in making their decisions. This practice is referred to as Supported Decision-Making.**

Conservatorship involves the limitation, restriction, or denial of individual rights and is therefore inherently more restrictive. The establishment of a conservatorship is considered a family responsibility. The regional center will work with the court, individual and family during the conservatorship process.

In the event **limited** conservatorship ~~is needed~~ **may be appropriate and no appropriate private individual family member is available or fit to provide for the person's health and safety, available to institute conservatorship proceedings,** immediate referral will be made to the Public Guardian's Office. In the event the Public Guardian's Office does not accept the ~~case~~ **referral,** the regional center will make ~~the~~ **a** referral to the **Director of the DDS Department of Developmental Services.** ~~The DDS~~ will then determine if it will proceed with a petition for **limited** conservatorship on behalf of the person.

IV. Purchase of Service Standard: San Andreas Regional Center may authorize purchase of services for the assessment of conservatorship in the event a psychologist employed by the regional center is not available to perform an assessment as required by law. San Andreas Regional Center may also authorize purchase of services for specialized administrative services as needed to implement **conservatorship services included in** the individual's IPP (Individual Program Plan) ~~included conservatorship services.~~

V. Exception Process: The executive director has full discretion to authorize purchases of service which are exceptions to the board-adopted purchase of service policies and standards. The executive director has designated ~~certain individuals within the regional center who~~ **that the Director and Associate Directors of Consumer Services** are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.

3. Participant-Directed Services

New Policy:

PARTICIPANT-DIRECTED SERVICES

- I. **Purpose:** *It is the intent of San Andreas Regional Center to provide the individuals and families it serves with choice and flexibility in arranging services received as part of the person's individual program plan, in compliance with all agency policies, state and federal laws, regulations, and court decisions.*
- II. **Definitions:**
 - **Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act and mean a person who has been found eligible and receives services from the regional center.**
 - *Participant-Directed Services are community-based training, respite, day care, independent living skills, nursing, personal assistance, social recreation, and/or transportation services. The person served or a family member picks the worker and becomes the Employer or Co-Employer.*
 - *Community-based training services assist in the development of skills required for community integrated employment and/or volunteer activities, to secure employment or volunteer activities, and/or pursue secondary education.*
 - *Day care services are specialized, regular care of a minor while the parents or guardians are engaged in employment and/or educational activities.*
 - *Independent living skills are a continuum of functional skills that adults need to secure or maintain independence in their home.*
 - *Nursing services are ongoing or intermittent care in-home, or out-of-home skilled nursing services provided by a registered nurse or a licensed vocational nurse. These services are intended for medically fragile individuals living in the family home.*
 - *Personal assistance means support, care, and supervision in the person's home and/or a variety of settings to enable or maintain integration in the community.*
 - *Respite services are intermittent, temporary, non-medical care in-home and/or out-of-home to provide family with relief from constant care and supervision of the person.*
 - *Social recreation services provide appropriate and cost-effective training and opportunities in age-appropriate social skills and inclusion in community settings.*
 - *Transportation services enable a person to travel from one location to another.*
 - *Participant or vendor means the person served or a family member who agrees to act as and assumes the responsibilities of the Employer or Co-Employer. The participant must identify and choose the Financial Management Service they will use as bill-payer or co-employer.*
 - *Financial Management Services (FMS) are used as either a Co-Employer or Fiscal/Employer Agent (F/EA) to manage the funding and payment for services, including payment of employees, assist with hiring employees, make sure employees are qualified to deliver the service(s), and help with obtaining a background check, if needed. Use of an FMS is required by regulation.*
 - i. *Co-Employer means the FMS provider shares employer roles and responsibilities with the person served or their family member. The FMS provider shall be the employer of record, but the person or family helps direct the employee's activities.*
 - ii. *Fiscal/Employer Agent means the FMS provider pays for services provided by the employees and maintains the employer/employee relationship by assuming responsibility for all applicable employment laws and taxes and by obtaining appropriate insurances.*
 - iii. *Neither the person served, nor the family member, may be the FMS provider.*

- III. **Policy:** *The regional center shall offer individuals served and their families flexibility and more control over how and by whom some services are provided. The person or their family may choose who to hire, schedule when the person works, and supervise their work. Participant-directed services are available to individuals who live in their home, their family's home, and in some community living arrangements. Individuals or families who wish to use participant-directed services must obtain a vendor number from the regional center and must use an FMS provider who also has a vendor number with the regional center.*
- IV. **Purchase of Service Standard:** *The amount and appropriateness of the service shall be assessed and authorized in keeping with their governing policy.*
- V. **Exception Process:** *The Executive Director has full discretion to authorize purchases of service which are exceptions to the board-adopted purchase of service policies and standards. The Executive Director has designated that the Director and Associate Directors of Consumer Services are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.*
The first formal discussion of a request for service takes place at the planning team meeting. If the request falls within the service policy, the request is granted.
If the request for service is not consistent with the policy, the service coordinator starts the exception review process by exploring the basis for the request. A timeline for the director's exception review is set by agreement between the individual/family and the service coordinator but the timeline may not exceed fifteen (15) days. Within that time, another planning team meeting will be convened. In the meantime, the coordinator presents the information to the manager to determine whether a director's exception may be warranted. At the scheduled planning team meeting the decision will be made. The director's designee will attend the planning team meeting if necessary. If the exception is granted, the service coordinator amends the person-centered individual program plan, notifies the individual/family, and gives a copy of the amended plan to the individual/family.
- VI. **Notice of Action:** *If the exception is not granted, the service coordinator promptly informs the individual/family that it has not been granted, informs the individuals/family of their appeal rights, and sends a notice of action and a fair hearing form.*
If a decision is made to deny, reduce, or cancel the service without the agreement of the individual or the individual's representative, a Notice of Action will be sent.

4. Appeals Policy (New) (Previously Fair Hearing Process)

New Policy:

APPEALS POLICY

- I. **Purpose:** *It is the intent of San Andreas Regional Center to ensure that all service requests receive proper consideration and to facilitate every avenue for due process, in compliance with all state and federal laws, regulations, and court decisions.*
- II. **Definitions:**
- **Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act and mean a person who has been found eligible and receives services from the regional center.**
 - *Due Process means the steps of appeal guaranteed by law. This includes hearing requests, informal meetings, mediations, and hearings.*
 - *Appeal Requests are submitted using the Lanterman Appeal Request form (DS1821), available from SARC and the Department of Developmental Services. Requests for hearings for Early Start Due Process must use the DS1802 form, also available from SARC or DDS.*

The appeal may request an informal meeting, mediation, and/or a hearing, in-person or by teleconference.

- *Informal meetings are an opportunity for the person and their family, advocates, or representatives to meet with the executive director's designee to discuss the denial of their request and the reasons for the request. The designee can overturn, modify, or affirm the regional center's decision. Informal meetings may be requested on the appeal form or at any point during the process. If the person is not satisfied with the informal meeting, they may request mediation and/or hearing.*
- *Mediation is a process where a neutral third-party acts as a facilitator of resolution of the appeal. Mediation is optional for the person and, if requested, the regional center must attend. Individuals wishing for mediation may make that request on their DS1821 form or at any point after during due process. Early Start mediations must be requested using the DS1808 form. Both forms are available from SARC and DDS. If mediation is not successful, the person may request a hearing.*
- *Hearings are informal judicial proceedings held in front of an impartial finder-of-fact known as an administrative law judge. The person or their representative may represent themselves or may engage an advocate or attorney to represent them. The regional center is represented by a non-attorney advocate known as the director's designee. Both sides will have the opportunity to provide evidence in the form of exhibits, testimony, and cross-examination.*

*III. **Policy:** Anyone aged 3 or older who has applied for regional center services, or who is currently receiving regional center services, can appeal regional center decisions they do not agree with. Regional center staff shall make every reasonable effort to research, evaluate, and consider eligibility and service requests made in keeping with regional center policies, including, if appropriate, the possibility of a director's exception. In the event the request cannot be fulfilled, a Notice of Proposed Action (DS1820) will be issued within five days of the decision being made. This Notice shall be in the applicant, recipient, or authorized representative's preferred language and shall be sent through the person's preference of standard, certified, or electronic mail. Each Notice shall be accompanied by the appropriate appeal request form and information regarding the appeal process sent in the recipient, applicant, or representative's preferred language.*

If the recipient or representative wishes to appeal the decision, the request must be postmarked or received by the regional center within 60 days of receipt. It is the regional center's responsibility to assist the recipient or representative in completing and submitting the form, if requested. If the proposed action would change or end an existing service and the request is received by the regional center within 30 days, no change may be made until the appeal is resolved. The person has 60 days to appeal the proposed action.

The regional center may consult with but will not be represented by an attorney, unless the person requesting the appeal is represented by an attorney and the regional center deems it appropriate to have counsel attend. All persons and their authorized representatives have access to the person's regional center file free of charge for the purpose of their appeal. The regional center shall send the person's file, upon request, within three business days.

If an informal meeting is requested, one will be offered at a mutually agreed upon date and time within 10 working days.

Following an informal meeting, the designee will provide a written decision regarding their decision on each issue appealed, their reasoning, and cite which laws or policies upon which the decisions are based within five days. If mediation is requested, the regional center shall attend. Should a hearing be necessary, the regional center designee shall provide a position statement, list of potential witnesses, and copies of all potential exhibits to the person or their representative at least two days before the hearing. The regional center shall facilitate the

claimant's participation in the hearing as required. Should the final hearing decision be unfavorable to the claimant, the decision shall not be implemented for 15 days unless an application for reconsideration by OAH or DDS is received. Should reconsideration be requested, the decision shall remain in abeyance until the reconsideration is complete. The regional center reserves the right to request reconsideration of a proposed or final decision.

5. Policy Tracking List

Policies to be reviewed next:

- Early Intervention
- Competitive and Integrated Employment
- Medical Equipment

6. Next Committee Meeting Date/Time

Tuesday, August 1, 2023, at 3:30 p.m.

7. Adjournment

There being no further discussion, the meeting was adjourned at 4:18 p.m.

**San Andreas Regional Center
Board of Directors
BOARD DEVELOPMENT COMMITTEE MINUTES
June 6, 2023**

Committee Members Present: Maya Bareket (Chair) Paloma Barraza
Andy Le

Committee Members Absent: Cole Baurmeister

Staff Present: Lourdes González John Hunt
Javier Zaldivar

The Board Development Committee Meeting was called to order at 4:33 p.m., by Ms. Maya Bareket, committee chair via zoom.

1. Confirm Board Education

There will be a Board Education on June 19, 2023, in person at the Watsonville office and via zoom. The topic will be “How to Secure Funding for Housing Projects”, Ms. Gina Jennings Community Resource Development Plan Specialist will present.

2. Applicants Update

Have several applications on file for when there is an opening

3. Vacancies

One Vacancy

- 1 San Benito County

4. Member Terms

- All up to date

5. Next Committee Meeting Date/Time

Tuesday, August 1, 2023, at 4:30 p.m.

6. Adjournment:

There being no further discussion, the meeting adjourned at 4:40 p.m.

b. Executive Director's Report: Javier Zaldivar

1. Diversity Outreach Update
2. Employment Programs Update
3. Health and Safety Awareness Strategy
4. Performance Contract & NCI Data

c. Directors of Consumer Services: Mike Keeley

1. New and Closing Programs
2. Self-Determination Update

d. Committee Reports:

Fiscal – There will be a report.

Board Development - There will be a report.

People's Advisory Committee – There will be a report.

Quality Assurance Advisory – There will be a report

Service Provider Advisory – Minutes in the packet.

Program Policy - There will be a report. Action item – Recommendation to Adopt the *Appeals* Policy

ARCA - there will be a report

3. Director's Update

Mr. Javier Zaldivar Executive Director updated the committee on the following topics:

- Individuals that are jailed and going through competency training (where they are evaluated to see if they understand the court procedures). SARC works with the court system when needed.
- Heightened Security Situations facing San Andreas
- DDS Directive for Regional Centers to have DHOH (Deaf and Hard of Hearing) specialist, and provide devices that help them communicate

4731 Complaints and Whistleblowers submitted (New).

4731 is a client's rights violation, SARC then investigates and has 21 days to respond to the complaint, and when the designee responds it goes to the department as well.

Whistle Blower complaints are when anybody can report whatever they want they do not go to the department only to SARC.

- There were four 4731 complaints reported:
 1. Filed by a hospital advocate, that individual is not receiving support. The individual is abusive to staff and family, is always in and out of jail, SARC is not refusing services, but she needs to be accepting of it.

2. An individual has submitted his seventh complaint on Facilitated Communication Issue; Facilitated communication has been debunked.
 3. Individual complained because social security check was not issued, (individual didn't have money); it was a service issue not a rights issue.
 4. Early Start issue where SARC received a correction plan due to bad service coordination; SARC has responded with correction plan that includes:
 - Retraining of service coordinators
 - Answer call within 48 hours
- There was one whistleblower reported:
 1. The Department received a complaint about a SARC agency that was accused of over medicating and threatening the individuals, SARC did an unannounced visit, and the complaint was not substantiated.

Mr. Zaldivar informed the committee that SARC has applied for permits to begin the remodeling of Big Sur. He also said that the security situations and unfortunate incidents is happening across the state.

4. Announcements

Upcoming Events:

- 6/16/2023 Hope Concert
- 7/15/2023 Shared Adventures
- 7/22/2023 Summer Festival in Santa Cruz
- 7/29/2023 Summer Festival in San Jose
- 8/3/2023 Summer Festival in Salinas
- 10/28/2023 25th Annual Service Above Self Awards Dinner
- 11/18/2023 Holiday Craft Fair

5. Other

6. Next committee/meeting date

Tuesday, August 1, 2023, at 5:00 p.m.

7. Adjournment

There being no further discussion, the meeting adjourned at 6:00 p.m.

**San Andreas Regional Center
Quality Assurance Advisory Committee via Zoom
June 13, 2023**

Committee Members Present:	Maya Bareket Rajesh Patel	Veronica Contreras Glendora Pitre – chair
Committee Members Absent:	Lisa Lopez	Alicia Mesa
Staff Present	Mia Garza Mike Keeley Arushie Nugapitiya Cal Smith	Lourdes Gonzalez Julie Lussier Gerald Osuna

The meeting was called to order by Ms. Glendora Pitre, committee Chair at 4:06 p.m. via zoom.

I. Special Incident Reports:

- 617 Total number of incidents.
- 8 Total number of deaths.
- 116 Incidents reportable to DDS.
- 500 Incidents not reportable to DDS.
- 7 Unplanned hospitalizations with consumers remaining hospitalized.
- 2 Planned hospitalizations.
- 5 Consumers reported missing with 0 not yet located.

Breakdown of Incident Reports by Residence type:

RCH - 290 ICF - 13 SNF/NF – 12 ILS - 44 SLS - 87

Family Home- 139 Foster Home- 6 Family Home Agency-13 Psych Treat/Other-13

Highlights: Cal Smith went over details of summaries from this month’s incidents that are true, false, unsubstantiated, and under investigation.

II. Quality Assurance (QA)

A. QA Facility Monitoring - Residential Care, Level 4I only

- 9 Out of 9 scheduled FMs completed.
- 1 Facilities received recommendations
- 0 Facilities received corrective action plans

B. QA Unannounced Visits - Residential Care, Level 4I only

- 11 Out of 11 scheduled QAs completed.
- 0 Facilities received recommendations

0 Facilities received corrective action plans

C. Adult Residential Facility for Persons with Special Health Care Needs (ARFPSHN) Visits:

13 Out of 13 completed for the year 2023 - back in April 2023

D. Enhanced Behavior Support Homes (EBSH) Monitored

2 Out of 2 completed.

1 home Certified Registered Behavior Technician (RBT) status for 2 staff remain a concern

E. Trainings:

RSO Trainings 05/02/23 - attendees 12

New Employee Facility Monitoring Trainings 05/22/23 - attendees 38

F. Standing QA Meetings:

Let's Talk QA: 05/03/23 and 05/17/23 cancelled

Mortality and Morbidity: 8 number of deaths

1 Infants 1 Children 2 Adults 4 Elderly

G. Highlights:

Ms. Garza updated the committee on the specific details of the deaths, such as gender, age, living arrangement, and cause of death.

III. Health Services:

A. Health-Related Trainings Presented by San Andreas Health Services Unit:

Class (Max attendance)	# Completed	Total Attendees	Test 1 Pass/Fail	Test 2 Pass/Fail
Assisting with Medications (20)	1	18	17/1	0/1
Basics of Nutrition and Obesity (20)				
Difficulty Swallowing and Aspiration (20)	1	6	6/0	---
Fundamentals of Dementia				
Oral Health	1	5	5/0	---
Pressure Sore Prevention (20)				
Psychotropic Medications				
Recognizing Signs of Abuse (20)				
Restricted Health Conditions (20)				
RN Training				

Signs/Symptoms of Illness/Injury (20)				
Special Incident Report (20)	1	23	21/2	1/1
Thinking Ahead (20)				
What is Epilepsy (20)	1	18	18/0	---
Totals	5	71	67/3	1/1

June will have fewer classes offered due to room availability, and vacation impacting Health Services.

B. Current projects/activities:

PPE (Personal Protective Equipment) Donations All Counties:

No PPE was provided / donated to families or Care Providers during this last month.

Covid

During May, Health services was made aware of 2 care homes with staff (2) and consumers (3) with Covid positive results. No hospitalization

C. Highlights:

The San Andreas Regional Center conference for providers offering services to our deaf and hard of hearing (DHOH) individuals or interested in providing services, is happening Tuesday June 20th. This will occur at the San Jose Office, and it is offered to all counties, registration is required. We have 30 providers registered to this day.

IV. Supported Living Services (SLS)

A. SLS QA's: QA evaluations for SLS agencies are not a requirement of Title 17 regulations, however it has previously been a practice at San Andreas. During the current reporting period, two (2) quality assurance monitoring visits were conducted; reports of findings are currently being prepared for discussion with the vendors.

B. SLS Roundtable: Resource Specialists Kai Reade and Gabriela Alvarez presented the following information at the May 10th Roundtable held via Zoom.

- SARC Policy/Procedure: The SLS Program Director Qualifications as per Title 17 and SARC's Best Practices, and the process of changing a program director (SARC notification, interview, and orientation).
- Community Information: Held discussions with attending vendors regarding change of number of individuals served, change of staff recruitment and staff training, change of rate, and additional meeting planning logistics.

Highlights:

The next Roundtable Meeting will be conducted via Zoom on June 14th, 2023. Following that, the July Roundtable Meeting will be held virtually on July 12, 2023.

Supported Living Orientation For Individuals and Families

1 Completed, 1 Total attendee

SLS New Vendor Orientation

1 Completed, 10 Total attendees

V. Community Services:

Residential Service Orientation (RSO) 1 Completed, 12 Total attendees

RSO (mini for FHA) 0 Completed, 0 Total attendees

VI. Emergency Response Plan Report

A. Current projects/activities:

- This is my first 44 days with San Andreas Regional I came in at the end of the atmospheric river events earlier in the year. This weather pattern has settled.
- 3 separate safety/security events took place during this period:
 - 2 separate safety/security incidents occurred at 2 different regional offices.
 - An individual served made a series of threats which lead to our closure of all SARC offices to the public out of an abundance of caution.
 - A message was sent to all SARC personnel with BOLO information which included an image of the individual.
 - An unhoused individual wandered into the Salinas office and was escorted out of the building without incident.
 - A police action took place in Salinas some distance away from the Salinas office and posed no direct threat to employees or the SARC office. However, a shelter in place order was disseminated by Law Enforcement (LE) which did affect some served individuals.
 - SARC employees were advised to avoid this area of town and the service coordinators for those individuals who were affected were notified to reach out to them directly.
- A safety audit was conducted at all 3 offices and some suggestions for improvements have been submitted
- DDS initiatives continue with go-bag kits training and distribution efforts .

Highlights:

Emergency event monitoring continues with:

- 1 fire (Range Fire) in Monterey county resulting in 72 acres burned and fire contained in 1 day in a low population area. No employees or persons served affected.
- 6 small scale (3.0 or lower) earthquakes occurred in the SARC catchment area with no employees or persons served affected

VII. Other:

None

VIII. Next QAAC meeting is scheduled for:

Tuesday, August 8, 2023

IX. Adjournment:

There being no further discussion, the meeting adjourned at 5:04 p.m.