

# **SUBCOMMITTEE #3: Health & Human Services**

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**Chair, Senator Bill Monning**

**Senator Mark DeSaulnier  
Senator Bill Emmerson**



**May 9, 2013**

**9:30 a.m. or Upon Adjournment of Session**

**Room 4203  
(John L. Burton Hearing Room)**

**Agenda Part I: Human Services**

Staff: Jennifer Troia

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**ISSUES RECOMMENDED FOR VOTE-ONLY**

**A. 4300 Department of Developmental Services (DDS)**

**1. Sonoma Developmental Center (SDC)**

As discussed in the Subcommittee agenda for April 11, 2013, four out of 10 of SDC's Intermediate Care Facility (ICF) units were recently withdrawn from federal certification by DDS in response to a notice that the federal government was moving to decertify the larger group of ICF facilities at SDC. The federal government's concerns, and DDS's resulting actions, came on the heels of findings last year regarding multiple instances of abuse, neglect, and lapses in caregiving at SDC. One of the corrective actions included in the Governor's budget is a \$2.4 million increase (\$1.3 million GF) that would allow SDC to hire approximately 36 additional direct care staff. The addition of these staff members would correspondingly allow staff who serve as shift leads to focus on supervision, without being counted toward required ratios of direct care staff-to-clients.

**Recommendation:** Staff recommends that the Subcommittee take the following actions:

1) Approve the proposed resources and authority for 36 new positions on a two-year, time-limited basis, to be reevaluated consistent with the client census and an updated status regarding staff vacancies at the facility at the end of that period.

2) Staff also recommends that the Subcommittee direct the department to provide quarterly briefings to update legislative staff regarding implementation of corrective actions and the Program Improvement Plan for the facility, as well as its staffing (e.g., the use of overtime and the ratio of licensed-to-unlicensed staff, where relevant) and the collaboration between DDS and regional centers regarding required assessments of residents' needs. These briefings shall begin in July 2013.

**2. Lanterman Developmental Center**

As discussed in the Subcommittee agenda for April 11, 2013, the Lanterman Developmental Center (LDC) is in the process of transitioning its residents into community-based placements as part of a closure process. As part of the Governor's budget for the facility, the Administration assumes continuation of \$8.2 million (\$4.4 million GF) in enhanced funding for 88 staff positions that would otherwise have been eliminated as the number of facility residents declined, pursuant to the standard ratios of staff-to-residents. These positions were approved as enhanced staffing related to closure activities as part of the 2012-13 budget.

**Recommendation:** Staff recommends that the Subcommittee take the following actions:

- 1) Given the anticipated timeline for closure of the facility, approve enhanced funding for the 88 enhanced positions on an 18 month, limited-term basis. It is worth noting that some of these positions may cease to be needed prior to the expiration of that term and that some may require a longer duration. The more specific timing for the expiration of authority for these positions should be refined as part of the 2014-15 budget process.
- 2) Direct the department to provide quarterly briefings to Legislative staff on the meeting of milestones and timelines as previously outlined by the department. These briefings shall begin in July 2013 and may coincide with the briefings mentioned above related to the Sonoma DC.
- 3) Finally, adopt uncodified trailer bill language to reflect the department's anticipated timeframe for closure of the facility of the Fall of 2014 (no later than December 31, 2014).

## **B. 5180 Department of Social Services**

### **1. Continuum of Care Reform (CCR) for Child Welfare Services**

As described in the Subcommittee agenda for April 11, 2013, the 2012-13 budget included trailer bill language (in SB 1013, Chapter 35, Statutes of 2012) requiring the department to develop, in consultation with a stakeholder workgroup, recommended revisions to the current rate-setting system, services, and programs serving children and families in foster care settings, with a particular focus on foster family agencies and group homes. SB 1013 also requires the department to develop performance standards and outcome measures for providers of foster care. The department is authorized to temporarily make some changes through all-county letters and required to report on recommendations that necessitate statutory changes by October 1, 2014. The Governor's budget for 2013-14 proposes \$249,000 (\$166,000 GF) and authorization to make one limited-term position (otherwise scheduled to expire on June 30, 2013) permanent, as well as funding for two years of consultant services, to support the department's CCR work.

**Recommendation:** Staff recommends that the Subcommittee approve the requested resources and position and adopt placeholder trailer bill language to clarify some of the concrete reforms that should take effect in the shorter term, including:

- 1) Limitations on, and/or levels of review needed for, placements in group homes, particularly for children as young as six to twelve years old;
- 2) A requirement for the department to update the Legislature regarding the outcomes of the assessments and planning regarding transitions to family settings for children and youth who have been in group homes for longer than one year; and
- 3) Encouragement for the department to ensure that education, qualification and training requirements for direct care staff in group homes are consistent with the intended role of group homes as short-term placements focused on crisis intervention, and behavioral stabilization, with specific treatment goals.