
OUTCOMES

**May 19, 2015
10:30 a.m.
John L. Burton Hearing Room 4203**

PART A

Staff: Peggy Collins

PROPOSED VOTE ONLY ISSUES

Developmental Centers

Issue 1: Foster Grandparent and Senior Companion Program Transfer from Developmental Centers Program to the Community Services Program – May Revision Adjustment

Staff recommendation: Approve May Revision.

Vote: 3-0

Issue 2: Lanterman Developmental Center Community State Staff Program – Issue 509-MR, 609-MR

Staff Recommendation: Approve May Revision.

Vote: 3-0

Issue 3: DC Population Staffing Adjustments - Issue 507-MR, 508 MR, 608-MR

Staff Recommendations: Approve May Revision.

Vote: 3-0

Issue 5: Sonoma Creek Pump Station Project – January Budget Proposal

Staff Recommendation: Reject the January proposal.

Vote: 3-0

Community Services**Issue 1: Sick Leave – Governor’s Proposal – Issues 515-MR, 616-MR**

Staff Recommendation: Approve May Revision and proposed trailer bill language. Adopt LAO recommendation for supplemental report language to require DDS to provide the actual general fund costs for these proposals.

Vote: 3-0

Issue 2: Minimum Wage Increase – Issues 511-MR, 611-MR

Staff recommendation: Approve May Revision. Adopt LAO recommended supplemental report language.

Vote: 3-0

Issue 3: Early Start Program – Restoration of Eligibility Criteria; GF Backfill for Reduced Federal Grant – Issues 520-MR, 516-MR, 525-MR

Staff Recommendation: Approve May Revision.

Vote: 3-0

Issue 4: Behavioral Health Treatment – Issues 517-MR, 617-MR

Staff recommendation: Approve May Revision. The subcommittee took action yesterday in the Department of Health Care Services budget to modify the proposed provision language in order to ensure that the departments to provide more information about the transfer amount.

Vote: 3-0

PROPOSED DISCUSSION ISSUES**Proposed Developmental Center Closures****Issue 1: May Revision Overview**

Staff Recommendation: Adopt the LAO recommendations as supplemental reporting language.

Vote: 3-0

Issue 2: Community Placement Plan (CPP) Funding – Headquarters –Issue 521-MR; BCP MR 1

Staff Recommendation: Approve May Revision.

Vote: 3-0

Issue 3: Additional Community Placement Plan (CPP) Funding for the Closure of Sonoma Developmental Center – Issues 519-MR, 619-MR

Staff Recommendation: Approve May Revision. Approve a technical correction to schedule \$46.7 million GF in the purchase-of-services budget and \$1.3 million in the regional center operations budget.

Vote: 3-0

Issue 4: Extension of Lanterman Developmental Center (LDC) Positions-Governor's January Proposal

Staff Recommendation: Approve as budgeted.

Vote: 3-0

Issue 5: Developmental Center Closures: May Revision Trailer Bill Proposal

Staff Recommendation: Adopt proposed May Revision language, with additions described in staff comments, at placeholder trailer bill language.

Vote: 3-0

Issue 6: Enhanced Behavioral Supports Homes – May Revision Trailer Bill Proposal

Staff recommendation: Approve May Revision as placeholder trailer bill.

Vote: 3-0

Issue 7: Delayed Egress/Secured Perimeter Homes – May Revision Trailer Bill Proposal

Staff Recommendation: Adopt placeholder trailer bill language and direct subcommittee staff to work with the Administration, policy committee staff and advocates on additional language, as described in staff comments.

Vote: 2-0 (Stone not voting)

Issue 8: Statewide Self-Determination Program – Governor's January Proposal and Legislative Proposal

Staff Recommendation: Approve the Administration's proposed provisional language, modified to require notice to the Joint Legislative Budget Committee 30 days prior to the transfer of funds. Approve placeholder trailer bill language to require the Administration, upon approval

of the self-determination program waiver, to seek an amendment to the waiver to expand participant slots for up to 250 additional slots so that up to half of the total slots are reserved for persons moving to the community.

Vote: 3-0

DEVELOPMENTAL CENTERS

Issue 1: Expansion of Secured Treatment Program (STP) at Porterville Developmental Center (PDC) – Issue 503-MR

Staff Recommendation: Staff recommends the subcommittee approve half of the requested funding and positions for the budget year - \$9 million GF and 92.3 positions, as a placeholder amount; and direct subcommittee staff to work with the Administration, stakeholders and policy committee staff to make recommendations for the appropriate number of beds in the secure treatment program and transitional beds in the general treatment program, and other statutory changes that would reduce the demand on STP and transitional beds, including but not limited to alternative locations for the provision of IST services, improving the delivery of services in the STP and transitional beds, and other strategies for reducing placements and the length of stay in the STP and transitional beds.

Vote: 3-0

Issue 2: Sonoma Developmental Center Four Intermediate Care Facilities (ICF) Units - General Fund Backfill – Issues 505-MR, 605-MR

Staff Recommendation: Adopt placeholder budget bill language to require the department to provide the Joint Legislative Budget Committee, and the appropriate legislative budget and policy committees, within 5 days of receipt, a copy of any communication from CMS regarding federal Medicaid funding for the developmental center relative to the eligibility status of developmental center residents or certification status of any housing unit. This notice shall include the amount of federal Medicaid funding that must be repaid as a result of decertification. Approve supplemental report language that requires DDS to provide, within 90 days of a determination that federal funding will not be continued for ICF units in state developmental centers, a discussion of any PIP components that may be discontinued without risk to resident care or safety, in order to reduce the General Fund impact; and how the loss of federal funding will impact the crisis homes at Sonoma and Fairview developmental centers.

Vote: 2-1 (Stone voting no)

Issue 3: Staffing Adjustments for Acute Crisis Units – Issue 607-MR

Staff Recommendation: Approve May Revision. The previous action includes a requirement that DDS report to the Legislature regarding the potential discontinuation of federal funding.

Vote: 2-0 (Stone not voting)

Issue 4: Program Improvement Plans for Fairview and Porterville Developmental Centers – Issues 506-MR, 606-MR

Staff Recommendations: Approve May Revision. The previous action includes a requirement that DDS report to the Legislature regarding the potential discontinuation of federal funding.

Vote: 2-1 (Stone voting no)

Issue 5: Lanterman Developmental Center Land Transfer – Legislative Proposal

Staff Recommendations: Staff recommends that the subcommittee communicate to Senate Budget Subcommittee No. 4 that the transfer should require a minimum of 20 percent of any housing developed by the CSU or one of its affiliates, auxiliaries, or other party through transfer, lease or sale, shall be available and affordable to individuals with developmental disabilities served by a regional center pursuant to WIC 4500 et al.

Vote: 3-0

Issue 6: Fire Alarm System Upgrade at Porterville Developmental Center - Capital Outlay Project – January Budget Proposal

Staff Recommendation: Given the announced intent of the Administration to close the general treatment area of Porterville Developmental Center, staff recommends the subcommittee approve this request but limit the project to the Secure Treatment Program and the administration building.

Vote: 3-0

Issue 7: Deferred Maintenance Projects – January Budget Proposal

Staff Recommendation: Staff recommends the subcommittee make a recommendation to Senate Budget Subcommittee No. 4 and the Joint Legislative Budget Committee, that the boiler retrofit not be approved.

Vote: 3-0

Issue 4: Fairview Developmental Center – Shannon’s Mountain Development – May Revision Proposed Trailer Bill

Staff Recommendation: Approve May Revision, as modified, as placeholder language.

Vote: 3-0

COMMUNITY SERVICES**Issue 1: Current Year Deficiency and Budget Year Increase – May Revision – Issues 510 MR, 610-MR**

Staff Recommendation: Approve May Revision, adjusted for any actions adopted elsewhere in the agenda. Request that DDS and LAO report back to the subcommittee next year on the issue of the federal matching funds estimate methodology.

Vote: 3-0

Issue 2: Continuation Costs for Residents Transitioning from a Developmental Center into the Community - Issues 512-MR, I612-MR

Staff Recommendation: Approve May Revision.

Vote: 3-0

Issue 3: General Fund Offset Due to Reduction in Revenues from the Program Development Fund (PDF) – Issue 513-MR

Staff Recommendation: Approve the May Revision. Ask DDS to report back at 2016 budget hearings on the status of its implementation of the State Auditor’s recommendations.

Vote: 3-0

Issue 4: Federal Overtime Changes – Issues 514-MR, 614-MR

Staff Recommendation: Adopt trailer bill language that, in the event the FLSA regulation is implemented in California, DDS shall work with legislative staff, providers and advocate organizations, and the Association of Regional Centers to establish and implement a strategy for monitoring the impact of the regulation on consumers and providers and present the findings of the monitoring during the 2016 budget subcommittee process.

Vote: 2-1 (Stone voting no)

Issue 5: Prior Years General Fund Shortfall – Issue 518-MR

Staff Recommendations: Approve May Revision.

Vote: 2-0 (Stone not voting)

Issue 6: Stability of Community-Based Services and Supports System - Legislative Proposal

Staff Recommendation: Hold open.

Issue 7: Disparities in Service Delivery – Legislative Proposal

Staff Recommendation: Adopt placeholder trailer bill language to accomplish the following:

- Clarify that the written list of agreed upon services that is provided to consumers or families at the end of an IPP meeting, be provided in a language the consumer or family understands.
- Provide a deadline of 45 days, by which a copy of the IPP in the consumer or family member's native language must be provided.
- Specify that consumers and family members be provided a list of services, including information about the appeal and complaint process, in their native language at the start of an IPP meeting.
- Require the Health and Human Services Agency to convene a workgroup to review existing data on service disparities and make recommendations to the Legislature on ways to reduce them.
- Require the department to include in regional center performance contracts, guidelines and measurements to reduce disparity in regional center POS expenditure.

Vote: 3-0