

Senate Budget and Fiscal Review—Nancy Skinner, Chair

SUBCOMMITTEE NO. 3

Agenda

Senator Susan Talamantes Eggman, Ph.D., Chair
Senator Melissa Melendez
Senator Richard Pan, M.D.



Thursday, May 20, 2021
10 a.m. or Upon Adjournment of Floor Session
State Capitol - Room 4203

Part A Agenda

Consultant: Renita Polk

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ISSUES FOR DISCUSSION

4300 DEPARTMENT OF DEVELOPMENTAL SERVICES

Issue 1: Spring BCP – Deaf Community

Spring Finance Request. The DDS requests \$2.4 million (\$1.6 million General Fund) for 21 regional center coordinators to support the expansion of deaf service resources, provide training and expertise to regional center staff, and coordinate with the department on statewide efforts. The DDS also requests \$197,000 (\$158,000 General Fund) for one Career Executive Assignment level position to provide statewide leadership and subject matter expertise on the provision of services and supports for individuals who are deaf and have intellectual or developmental disabilities.

Background. For several years, the department has been addressing service equity issues that exist within the developmental services system, with a focus on learning how to serve diverse populations within the service system with cultural and linguistic sensitivity. To that end, the department recognizes the need to evaluate supports for individuals who are deaf and have developmental disabilities and work with regional centers to identify and develop resources to provide improved services and supports. Approximately 14,300 individuals served within the system have moderate to profound hearing loss with about 510 of those individuals reportedly using American Sign Language (ASL) as their primary means of communication.

The current service delivery system is not nimble at identifying the unique cultural needs of individuals who are deaf. Factors that must be considered when serving this population include the availability of deaf service coordinators, adequate training of service coordinators, availability of ASL interpreters with experience in developmental disabilities, effective assessment of the need for individual service planning, and availability of providers with experience working with individuals who have developmental disabilities and who are deaf. The proposed position will be responsible for the department's statewide efforts to provide culturally and linguistically sensitive services and supports to individuals who are deaf and have developmental disabilities. The specialist will also consult on innovative methods of service delivery and recommend solutions to improve services and supports for the targeted population, including those with the most challenging service needs. Additionally, the specialist will provide subject matter expertise, technical assistance, participate on external panels and committees, and interface with the regional center coordinators included in this request.

The proposed regional center coordinators will serve as a regional center's point person and subject matter expert on the provision of services to the deaf and hard of hearing community. Proposed duties of the regional center coordinator will include: liaising and partnering with generic agencies that provide services for individuals who are deaf and hard of hearing to expand the regional center's resource pool; and serving as the resource person for regional center staff who provide service coordination to individuals who are deaf and hard of hearing, among other duties.

Staff Recommendation. Hold open.

4300 DEPARTMENT OF DEVELOPMENTAL SERVICES (DDS)
5160 DEPARTMENT OF REHABILITATION (DOR)**Issue 2: May Revision BCP – Disability Employment Grant**

May Revision. The DOR and DDS jointly request \$20 million General Fund (\$10 million for each department) one time, to be spent over three years, to create a grant program to incentivize private entities to develop internship programs for individuals with physical disabilities. Provisional language is also requested to extend the encumbrance period and expedite contracts to establish the new program.

Background. DOR works in partnership with its constituents, community, other state departments, and federal entities, to provide services and advocacy resulting in employment, independent living, and equality for individuals with disabilities. The department administers the largest Vocational Rehabilitation and Independent Living programs in the country with over 100,000 Californians served per year. DDS provides services and supports to more than 350,000 individuals with intellectual and developmental disabilities (I/DD) and their families through a statewide system of 21 regional centers (RCs) under contract with the department. In 2013, California established an Employment First Policy, making opportunities for competitive integrated employment the highest priority for working-age individuals with I/DD.

The COVID-19 pandemic has caused a rise in unemployment, particularly among people with disabilities. According to the Society for Human Resources Management, close to one million workers with disabilities in the United States have lost their jobs since the COVID outbreak was declared a pandemic by the World Health Organization in March 2020. In 2020, only 13.51% of RC consumers received wages, according to the RC data dashboard available on the DDS website. The proposed grant program would help to address these inequities and increase the employment of Californians with disabilities.

This proposal will consist of three parts:

1. \$2 million for DOR to initiate a targeted marketing campaign through general and social media to encourage the recruitment and employment of individuals with disabilities. The campaign would increase awareness of the talent pool represented by individuals with disabilities. Funds would also be awarded to chambers of commerce or trade organizations to establish a business champions campaign to formally recognize and promote employers who lead in providing internships and hiring individuals with disabilities.
2. \$8 million for DOR to incentivize employers to hire individuals with disabilities through technical assistance and one-time grants to make workplaces accessible, develop industry-recognized work-based learning opportunities, and support training for managers and human resources professionals. The DOR proposes to work with the Society for Human Resource Management and community colleges to create training on strategies to recruit, screen, and hire individuals with disabilities, as well as establish a learning and training program for individuals with disabilities leading to employment.

3. \$10 million for DDS to expand current efforts to achieve increased competitive integrated employment opportunities, to include targeted technical assistance, local collaboration with community colleges, small business associations and chambers of commerce, and other targeted pathways leading to meeting established targets set through input and discussions with the Developmental Services Task Force.

Questions.

1. Please provide an overview of the May Revision proposal.
2. How do the efforts described in this proposal differ from current efforts to increase employment opportunities at both the DOR and DDS?

Staff Recommendation. Hold open.

4300 DEPARTMENT OF DEVELOPMENTAL SERVICES (DDS)

Issue 3: Overview of May Revision

May Revision. The DDS requests the following budget adjustments in the May Revision, not discussed in other agenda items:

- COVID-19 Response. An increase of \$257 million (\$152.2 million General Fund) for ongoing response to COVID-19. Costs reflect the projected impacts on Regional Center (RC) services and surge sites at Fairview and Porterville Developmental Centers to serve consumers diagnosed with, exposed to, or at high risk of COVID-19.
- Self-Determination Supports (Issue 055-MR). An increase of \$10.3 million (\$6.8 million General Fund) to improve consumer onboarding into the Self-Determination Program, to include: participant choice specialists, intensive transition support services, and regional center training. Beginning in 2024-25, ongoing costs decrease to \$3.1 million. The Administration has indicated that trailer bill language will accompany this proposal. The language was not available at the time this agenda was written.
- Implicit Bias Training (Issue 058-MR). An increase of \$700,000 (\$553,000 General Fund) to support implicit bias training for regional center personnel and contractors involved in Lanterman Act eligibility determinations. Trailer bill language is associated with this proposal.
- Lanterman Act Provisional Eligibility (Issue 060-MR). An increase of \$23.8 million General Fund ongoing to support regional center operations and purchase of services to provide provisional eligibility for children ages three and four to reduce the likelihood of children experiencing delays in receiving services, which can lead to long-term impacts

and a need for more intensive services and supports. Trailer bill language is associated with this proposal.

- **Competitive Integrated Employment and Paid Internship Program.** A proposed change in statute to increase the number of incentive payments for longer-term employment and provide additional incentives to help with COVID-19 recovery and funding to support paid internship development. No increased costs are associated with this proposal. The language was not available at the time this agenda was written.
- **Enhanced Caseload Ratios for Consumers with Low to No Purchase of Services (Issue 056).** An increase of \$12.8 million (\$10 million General Fund) ongoing to enhance case management for consumers with low or no purchase of services, improving access to and utilization of needed supports.
- **Emergency Preparedness Resources (Issue 059-MR).** An increase of \$4.3 million General Fund in 2021-22 and \$200,000 ongoing to update emergency preparedness materials and to distribute batteries, generators, and emergency go-bags to consumers living independently. The ongoing funding is to support regional center emergency preparedness training and community outreach.
- **Bilingual Staff Differential (Issue 061-MR).** An increase of \$3.6 million (\$2.2 million General Fund) for the establishment of a verification process for bilingual competency and provides a differential to increase the availability of staff who are bi/multi-lingual. Trailer bill language is associated with this proposal.
- **Systemic, Therapeutic, Assessment, Resources, and Treatment (START) Teams (Issue 071-MR).** An increase of \$5.7 million (\$4 million General Fund) for five additional START teams. The January Governor's Budget proposed an additional four teams. Approval of both proposals would increase the number of START teams in the budget year to nine.
- **One-Time Deferred Maintenance (Issue 072-MR).** A one-time increase of \$5 million General Fund to support deferred maintenance projects at the state-operated Porterville Developmental Center and Fairview Developmental Center. The DDS also requests provisional language to extend the encumbrance and expenditure period to June 30, 2022.
- **Home and Community-Based Services (HCBS).** Language is requested to change the date for provider compliance with HCBS regulations from March 17, 2022, to March 17, 2023.
- **Supplemental Individuals with Disabilities Education Act Funding (Issue 076-BBA).** An increase of \$24.5 million from the federal American Rescue Plan Act funding. The DDS also requests provisional language to authorize transfers between programs.
- **Elimination of Supplemental Provider Rate Increase Suspension and Uniform Holiday Schedule (Issue 064 and 065-MR).** Provisional language is requested to reflect the

elimination of program funding suspensions proposed in the Governor's budget. The subcommittee took action at its May 11, 2021 hearing to eliminate these suspensions.

- Early Start Outreach to Tribal Communities (Issue 054-MR). An increase of \$500,000 General Fund ongoing to conduct outreach to tribal communities to improve awareness of early intervention programs, including Early Start.

Questions.

1. Please provide a brief overview of the department's major May Revision proposals.
2. Please provide more detail on the proposed Self-Determination supports. Will the proposed funding help to provide consistency across RCs in program implementation?
3. The May Revision includes funding for provisional Lanterman Act eligibility for children ages 3 and 4 that previously received Early Start services. What is the estimated number of children who may benefit from this proposal?

Staff Recommendation. Hold open.

Issue 4: May Revision BCP and TBL – Performance Incentive Program (Issue 074-MR)

May Revision. The DDS requests \$5.6 million (\$4 million General Fund) in 2021-22 to establish a performance-based incentives funding program. Beginning in 2022-23, ongoing costs increase to \$89.3 million (\$61 million General Fund). DDS also requests trailer bill language to implement this proposal.

Costs in 2021-22 will support the initial infrastructure needed to prepare for program implementation in 2022-23. These initial costs could include additional staffing and exploration of new data collection systems/tools.

Background. DDS, with input from the Developmental Services Task Force (DS Task Force), began work on the development and achievement of measurable enhanced performance objectives and outcomes in 2019-20. As with other initiatives, DDS needed to pause in response to the COVID19 pandemic. According to DDS, during the past year, stakeholders have continued to express the need to improve satisfaction with, value, and adaptability of regional center services for individuals with intellectual and developmental disabilities and their families. Through discussions among stakeholders, the DS Task Force, DDS leadership, and regional center representatives, the system is prepared to identify performance indicators and targets that can be consistently applied across all regional centers. In response to the pandemic, data was used to inform decisions and monitor progress during the past year. Going forward, the department and regional centers can continue to demonstrate their capabilities in using data to identify needs and inform changes in policy or operations.

This request would require DDS and regional centers to work with stakeholders on the development of standard performance indicators to incentivize high-quality regional center operations, with the priority of reducing caseload ratios. According to DDS, prioritization will allow service coordinators to improve person-centered planning with consumers and their families, reduce inequity of service delivery, build community partnerships, and improve outcomes for individuals with intellectual and developmental disabilities.

Questions.

1. The department has indicated that its proposed performance incentive program will prioritize the reduction of caseload ratios. How does the department propose to ensure that Regional Centers struggling with high caseloads can achieve the performance incentive marks needed to receive additional caseworker dollars?
2. The Administration has indicated that it will use data to identify performance indicators and targets for the proposed program. What are some of the specific data measures the department will use to identify these targets?

Staff Comment and Recommendation. Hold open.

The Administration has indicated that this proposal will prioritize the reduction of caseload ratios at RCs. Statute and federal agreements require average service coordinator to consumer ratios to be at 1:62 to 1:66, depending on specified consumers at each regional center. The average statewide ratio is currently 1:75. Staff notes that stakeholders, including SEIU and the Association of Regional Center Agencies (ARCA), have requested funding of \$59 million General Fund to hire service coordinators at RCs to meet statutory caseload ratio targets. This request was heard at the subcommittee's February 23, 2021 hearing. The subcommittee may want to inquire as to why the Administration chose to put forward this new program to address caseload, instead of proposing funding for RCs to hire additional service coordinators to come into alignment with those requirements.

Staff also notes that trailer bill language accompanies this request. While the Administration intends to prioritize the reduction of caseload ratios with this proposal, the trailer bill language makes no mention of that prioritization. If the subcommittee takes action to approve this proposal, staff suggests the subcommittee consider adopting language that identifies the prioritization of reducing caseload ratios in the trailer bill.

Issue 5: May Revision TBL – Direct Service Professional (DSP) Workforce Training and Development (Issue 057-MR)

May Revision. The DDS requests \$4.3 million (\$2.9 million General Fund) to implement a tiered training and certification program for direct service professionals tied to wage differentials. Funding increases to \$51 million in 2023-24 and annually thereafter. Trailer bill language is associated with this proposal.

Background. Direct service professionals (DSPs) are critical to the provision of services and supports to individuals with intellectual and developmental disabilities (I/DD). To stabilize and diversify the workforce and reduce turnover, the May Revision includes funding to establish a training and certification program for direct service professionals tied to wage differentials. The program aims to professionalize and diversify the workforce. The training and certification program would include progressively higher wages for DSPs who complete additional training. The program aims to promote improved consumer access to a more skilled workforce, which will foster improved consumer outcomes while having a positive effect on DSP turnover. The change allows providers to secure quality job-specific training to DSPs across the state through a standardized training curriculum. Supporting employers as well as individual employees to advance their training will increase professionalism and competence.

Questions.

1. What is the expected timeline to implement this program? If funding is provided in the 2021-22 budget, when can the Legislature expect to see the program up and running?
2. Does the department plan to create the training curriculum, or utilize an existing curriculum? Are there existing curriculums that can be used for this training?
3. How does the department envision this program will be rolled out?

Staff Comment and Recommendation. Hold open.

At its May 6, 2021, hearing the subcommittee discussed various budget options it was considering for inclusion in the budget. One of those proposals was the development of a training and certification program for DSPs. While the May Revision aligns with those Senate priorities there are still many questions to be answered around how the program will be set up and designed. Trailer bill language on the proposal includes Legislative findings and declarations but does not provide much detail on program design other than to identify specific topics that the training shall include.

4700 DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT (CSD)

Issue 1: Overview of May Revision

May Revision. The CSD requests the following budget adjustments in the May Revision:

- Low-Income Home Energy Assistance Program (LIHEAP) (Issue 024-MR). \$203.6 million one-time in federal American Rescue Plan Act funds for the LIHEAP. The program assists low-income families in managing costs associated with home energy bills, energy crises, weatherization, and energy-related minor home repairs. The department also requests trailer bill language to allow for full utilization and rapid distribution of the federal funds.

- Low-Income Household Water Assistance Program Grant (Issue 026-MR). \$90 million one-time in federal funds to provide low-income water arrearage assistance. The department also requests trailer bill language allowing for the development and implementation of the program.
- California Arrearage Payment Program (CAPP) (Issue 028-MR). \$1 billion one-time in American Rescue Plan Act funds to cover low-income utility payment arrearages. \$6.5 million will be used for state operations and the remaining \$993.5 million will be used for local assistance.

Background. CSD reduces poverty for Californians by leading the development and coordination of effective and innovative programs for low-income Californians. CSD administers local community services and energy assistance programs through a network of community-based organizations and non-profit regional administrators to deliver services to low-income families, individuals, and communities to help them achieve economic security and a higher quality of life.

The COVID-19 pandemic and measures taken to limit its spread resulted in significant job loss, financial downturn, and business interruption. The economic consequences of stay-at-home orders and precautionary quarantine measures instituted not only increased home energy consumption for many California households but impacted many Californians' ability to pay their home energy bills. Consequently, millions of low-income Californians have fallen behind on their energy bills due to financial hardship related to the COVID-19 pandemic. Temporary moratoriums on utility disconnection provided vital short-term protection for customers. However, with moratoriums soon to expire, many low-income Californians will struggle to manage the financial burden of repaying past due balances and risk losing home energy services. Data from the California Public Utilities Commission, through March 2021, indicate 3.14 million customers are in arrears for a total amount of \$1.33 billion. Of that total, over 1.48 million are low-income customers with a total arrearage of \$607 million.

Questions.

1. Please provide an overview of the department's May Revision proposals.
2. The trailer bill language associated with the development of the Low-Income Household Water Assistance Program allows the department develop a state plan, requirements, and guidelines for the program without taking regulatory action. What is the rationale for this exemption from developing regulations?

Staff Comment and Recommendation. Hold open.

The proposed trailer bill language associated with the water assistance program exempts the department from developing regulations to implement the program. The subcommittee may want to consider adopting changes to the language to keep the Legislature notified of the program design plan prior to implementation.

4170 CALIFORNIA DEPARTMENT OF AGING (CDA)**Issue 1: May Revision BCP – Community Based Adult Services Certification Workload (Issue 045-MR)**

May Revision. The CDA requests \$1.9 million (\$773,000 General Fund) in 2021-22 and \$2.4 million (\$946,000 General Fund) ongoing to support ten new positions to address existing certification and recertification backlogs and to increase capacity for growth in the number of CBAS providers.

Background. The CBAS program provides community-based day health services to older and younger adults with chronic medical, cognitive, or behavioral health conditions and/or disabilities who are at risk of needing institutional care. The CBAS program is an alternative to institutional care for Medi-Cal beneficiaries who meet the eligibility criteria and, with the aid of appropriate health, rehabilitative, personal care, and social services, can remain in their homes. The CDA certifies licensed Adult Day Health Care Centers as Medi-Cal CBAS providers.

Approximately half of all CBAS providers must undergo certification renewal and an onsite survey each year. CDA must also monitor provider compliance with the California Medi-Cal 2020 Waiver Requirements, the federal Affordable Care Act, and Home and Community-Based Services requirements, to ensure the state's compliance with these Medicaid waiver requirements. The workload associated with these requirements has proven to be greater than originally estimated and continues to impact CDA's ability to meet requirements for timely CBAS provider recertification. According to CDA, the resources requested will help CDA conduct timely and repeated follow-up monitoring visits to ensure that appropriate corrective actions are taken to keep participants safe while still maintaining its annual recertification scheduled visits. These positions will support (1) increasing the completion of onsite recertification monitoring to the mandated levels; (2) processing new provider applications and conducting on-site CBAS initial certification; (3) and taking appropriate action when providers are out of compliance with program standards and requirements and/or suspected of Medi-Cal fraud.

Questions.

1. Please provide a brief overview of the proposal.

Staff Recommendation. Hold open.

Issue 2: May Revision BCP – CalFresh Expansion Older Adult Outreach (Issue 044-MR)

May Revision. The CDA requests \$2 million (\$1.1 million General Fund) and two positions in 2021-22 and ongoing to support CalFresh expansion outreach.

Background. The CalFresh program provides monthly benefits to low-income households to assist with food purchases. Beginning June 1, 2019, recipients of Supplemental Security Income

(SSI) and State Supplementary Payments (SSP) were made eligible for CalFresh. It is estimated that statewide 213,000 SSI/SSP recipients remain eligible for CalFresh. Of these SSI/SSP recipients, approximately 60 percent, or 127,800, are over 60 years of age and could benefit from outreach and assistance in enrolling in CalFresh to receive food benefits.

The 2018 Budget Act provided one-time funding to support the implementation of the CalFresh expansion to SSI/SSP recipients across multiple state departments. The CDA received one-time funding of \$2 million in 2019-20 for that purpose. With these funds, 25 Area Agencies on Aging (AAAs) participated in CalFresh outreach and application assistance and six AAAs participated in outreach-only during the 12-month contract period. The AAAs assisted 5,974 older adults to apply for CalFresh and 4,272 older adults now receive CalFresh benefits due to the AAA's involvement in this program.

CDA requests to resume administering the program at the same funding levels as 2019-20 when the program was initially implemented. To effectively administer the program, CDA requests one Health Program Specialist position and one Associate Governmental Program Analyst position to oversee the requirements of the CalFresh Expansion program. Duties of the positions include monitoring grant administrative activities, training, maintaining ongoing communication with the AAAs for guidance and technical assistance, reviewing AAA's monthly data reporting, preparing quarterly reports for CDSS, participating in contractor meetings and stakeholder calls, and fiscal management including review of expenditures, and review and approval of program budgets, closeouts, and equipment requests.

Questions.

1. Please provide an overview of the May Revision proposal.

Staff Comment and Recommendation. Hold open.

This subcommittee has had many discussions about food insecurity, particularly among seniors in California. The above proposal would help more seniors access the CalFresh program and needed food benefits. The proposal also aligns with the Senate's priorities to ensure all Californians have access to food.

Issue 3: May Revision BCP – Older Adults' Recovery and Resilience (Issue 049-MR)

May Revision. The CDA requests \$106 million General Fund one-time to be spent over three years to strengthen older adults' recovery and resilience from the isolation and health impacts from staying at home during the COVID-19 pandemic. The request also includes provisional language to administer the funding and limited-term resources equivalent to 16 positions to oversee and lead programs at the state level. In anticipation of program ramp-up, CDA plans to recruit ten positions in 2021-22 and six positions in 2022-23. These resources represent a 5.7 percent state administrative cost for the total \$106 million in funding.

Background. The pandemic has hit older adults, people with disabilities, their families, and caregivers hard, leaving many of them isolated, home-bound, and with limited resources for the last eighteen months. California’s older adult population was the first demographic to be asked to stay-at-home, due to their high risk of death from COVID-19. Since that population has been home for over a year, the need for services that are specific to isolation, health, and well-being at home has increased. The investments that are proposed in this request target both isolation and health needs which will support older adults’ recovery and resilience as they are vaccinated and begin to reengage with in-person community activities and services. The table below shows the funding breakdown between CDA programs.

Proposed Program Funding
(Millions of Dollars, Onetime over Three Years)

Program	Funding
Senior Nutrition	\$20.7
Senior Legal Services	\$20
Fall Prevention and Home Modification	\$10
Digital Connections	\$17
Senior Employment Opportunities	\$17
Aging and Disability Resource Connections	\$9.4
Behavioral Health Friendship Line	\$2.1
Family Caregiving Support	\$2.8
Elder Abuse Prevention Council	\$1.0
State Operations	\$6.0
TOTAL	\$106

CDA will monitor the utilization of these programs and local needs and may redistribute funding between programs during the three years using the Control Section 26 process when applicable. CDA also requests provisional authority to be able to work with AAAs, local governments, and local non-profit and community-based organizations to effectively administer these programs based on local capacity.

Questions.

1. Please provide a brief overview of the May Revision proposal.
2. What is the expected impact of the proposed funding for digital connections? How many additional California seniors will be able to receive devices and other services with this additional funding?

3. The department proposes to provide \$2.8 million for family caregiving support. Will the department collaborate with Caregiver Resources Centers, funded through the Department of Health Care Services, to provide these supports?

Staff Comment and Recommendation. Hold open.

Staff notes that several proposals in the May Revision align with budget options discussed by the subcommittee at its May 6, 2021 hearing. The importance of providing additional funding for senior nutrition, Aging and Disability Resource Connections, and digital connections were highlighted during that hearing. In addition, the COVID-19 crisis has underlined the need for additional resources for older Californians. With the projected budget surplus the subcommittee may want to consider providing even more resources for the above programs, as the senior population is only projected to grow in coming years and COVID-19 has unmasked overwhelming need among this population.