



# Valley Mountain Regional Center Legislative Committee Meeting

12/12/19, 12:00 PM

VMRC Stockton Office, Video Conference Room 124

702 N. Aurora Street

Stockton, CA, 95202

Dial-in Number: 1-866-299-7945, Conference Passcode: 7793177#



## Meeting Book - Legislative Committee Meeting

Valley Mountain Regional Center, Legislative Committee Meeting Agenda

A. Review and Approval of Meeting Agenda  
Lynda Mendoza

Committee Action

B. Review and Approval of Legislative Committee Meeting Minutes of  
11/04/19  
Lynda Mendoza

Committee Action

Leg. Comm. Minutes 11 04 19.pdf

Page 3

C. Review Presentation PowerPoint

2019 New laws\_Presentation Version.pptx

Page 4

D. Discuss Presentation Logistics

E. Next Meeting

F. Meeting Adjournment

## **Valley Mountain Regional Center Legislative Committee Meeting Minutes**

**11/04/19 – 12:00 PM**

**Valley Mountain Regional Center Stockton Office, Video Conference Room 124**

There was no formal agenda or meeting minutes for this meeting. General Discussion took place and assignments were handed out for the Legislative Public Presentation on 01/06/20.

### **Assignments**

Describing bills - Lynda  
The process - Candice (Tony)  
Community safety - Dena  
Safety net and DC - Candice  
Children - Liz  
Civil Rights and Recognitions - Robert  
Transparency - Tony  
Diversity - Damie  
Education - Lynda  
Employment - Mo  
Health - Emily  
Mental Health - Emily  
Housing - Robert  
Board Governance - Mo  
Community access - Candice  
Systemic improvement - Liz  
DDS and the legislature - Tony  
End it - Lynda

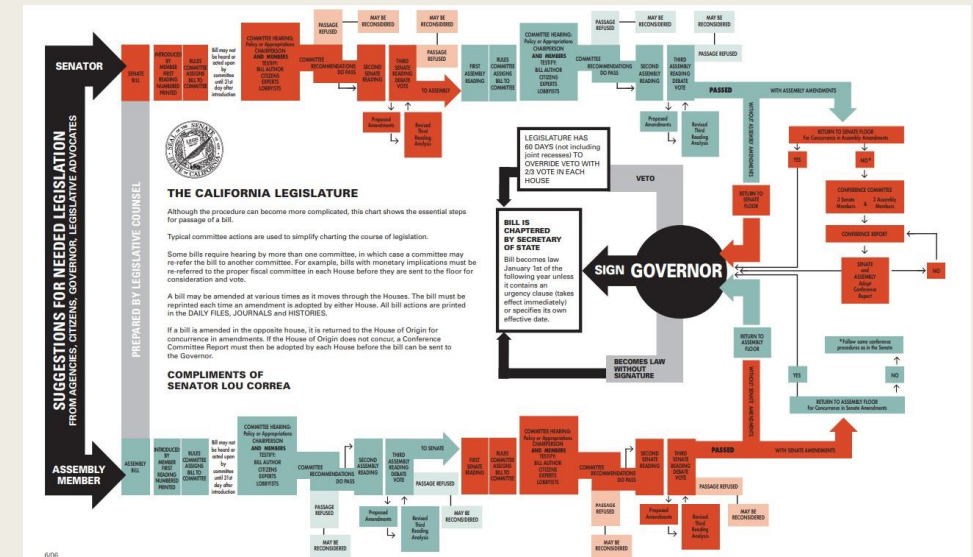
Decision on what we want to do - public presentation 1/6 and CEU approval.



# 2019 NEW LAWS IMPACTING THE IDD COMMUNITY

Valley Mountain Regional Center  
Board Legislative Committee  
Lynda Mendoza, Chair  
NOVEMBER 2019

# Developmental Services Trailer Bill (TBL) AB 81 (Committee on Budget)



- **TBL:** “Trailer Bill.”
- **CHAPTERED BILLS** - After a bill has been signed by the Governor
- **VETOED BILLS** - The formal action of the Governor disapproving a measure by returning it to its House of origin.

**ASSEMBLY  
MEMBER**



**COMPLIMENTS OF  
SENATOR LOU CORREA**

# Community Safety

## CHAPTERED BILLS

- AB 189 (Kamlager-Dove D) Child abuse or neglect: mandated reporters: autism service personnel. Support
- AB 439 (Stone, Mark D) Juveniles: competency. Support
- AB 640 (Frazier D) Sex crimes: investigation and prosecution. Support
- SB 338 (Hueso D) Senior and disability victimization: law enforcement policies. Support
- SB 735 (Leyva D) Public social services: accommodation: notification. Support





AB 189 (Kamlager-Dove D) Child abuse or neglect: mandated reporters: autism service personnel. Support

## CHAPTERED BILLS

- Adds as mandated reporters.
- qualified autism service providers
- qualified autism service professionals, and
- qualified autism service paraprofessionals





# AB 439 (Stone, Mark D) Juveniles: competency. Support

## CHAPTERED BILLS

- Clean up bill to remove developmental centers as an option for courts to consider.



# AB 640 (Frazier D) Sex crimes: investigation and prosecution. Support

- Training now **includes** the investigation and prosecution of sexual abuse cases involving victims with developmental disabilities.



# SB 338 (Hueso D) Senior and disability victimization: law enforcement policies. Support

- long-term care ombudsman don't have to update the policy manuals because law enforcement agencies authorized to adopt a policy regarding senior and disability victimization.



# SB 735 (Leyva D) Public social services: accommodation: notification. Support

## CHAPTERED BILLS

- In public services applications this adds questions that permit the applicant or recipient to disclose a disability, the need for accommodation due to disability, and any experience of domestic violence.



# Safety Net and Developmental Centers

## TBL

- Restraints will be limited in Community Crisis Homes.
- The EBSH sunset has been changed from 2020 to 2021.
- DDS will update its safety net plan by January 10, 2020.
- Certain consumers must be on caseloads of 1:25.
- Individuals may be placed in IMDs for up to 13 months in certain cases.
- RCs to notify Clients' Rights Advocate of psychiatric hold or LPS conservatorship.
- Expands time-limited usage of PDC and Canyon Springs for crisis for RC-served individuals and clarifies RC role. Includes funding for PDC acute crisis homes.



# Children



## Chaptered Bills

- AB 781 (Maienschein D) Medi-Cal: family respite care.
- AB 1004 (McCarty D) Developmental screening services.

## TBL

- Time limits for placement of foster children will apply to EBSHs.
- Expands Community Crisis Homes to include children.

# AB 781 (Maienschein D) Medi-Cal: family respite care. Support

- pediatric day health care services may be provided at any time of the day and on any day of the week,
- The bill would also authorize pediatric day health care services to be covered for up to 23 hours per calendar day.





# AB 1004 (McCarty D) Developmental screening services. Support

- Requires screening services provided as an Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) for 0-3.
- Follows the recommended administration established by AAP Bright Futures Guidelines.
- MCMC plan's ongoing ability and readiness.
- DHCS may create improved incentives for outcomes.
- DHCS must perform an evaluation of the MCMC
- The external quality review organization (EQRO).



# Civil Rights and Recognitions

## Chaptered Bills

- ACR 1 (Bonta D) Immigration: public charges.
- ACR 53 (Grayson D) California Down Syndrome Awareness Week and Day.
- ACR 58 (Grayson D) Special Olympics Day.
- AJR 14 (Lackey R) Special Olympics.
- HR 21 (Frazier D) Relative to Developmental Disabilities Awareness Month.
- SCR 57 (Hueso D) 50th anniversary of the Special Olympics.

## Recognition and Awareness Bills

# ACR 1 (Bonta D) Immigration: public charges. Support

Condemns proposed federal Department of Homeland Security regulatory changes related to a “public charge” decision.

**Recognition  
and  
Awareness Bills**

# ACR 53 (Grayson D) California Down Syndrome Awareness Week and Day. Support

- This measure would proclaim March 17, 2019, to March 24, 2019, as California Down Syndrome Awareness Week and March 21, 2019, as California Down Syndrome Day,

**Recognition  
and  
Awareness Bills**

# Assembly Concurrent Resolution 58 (Grayson D) Special Olympics Day. Support

This measure would proclaim April 8, 2019, as Special Olympics Day in California.

**Recognition  
and  
Awareness Bills**

# Assembly Joint Resolution 14 (Lackey R) Special Olympics. Support

- This measure would call for continued support and recognition of the many benefits provided by Special Olympics.

**Recognition  
and  
Awareness Bills**

# HR 21 (Frazier D) Relative to Developmental Disabilities Awareness Month. Support

*The Assembly recognizes the month of March 2019 as Developmental Disabilities Awareness Month.*

**Recognition  
and  
Awareness Bills**



# SCR 57 (Hueso D) 50th anniversary of the Special Olympics. Support

- This measure would commemorate the 50th anniversary of the Special Olympics.

**Recognition  
and  
Awareness Bills**

# Diversity

## CHAPTERED BILLS

- AB 242 (Kamlager-Dove D) Courts: attorneys: implicit bias: training. Support
- SB 160 (Jackson D) Emergency services: cultural competence. Support



# AB 242 (Kamlager-Dove D) Courts: attorneys: implicit bias: training. Support

- develop training on implicit bias with respect to these characteristics.
- court staff to complete 2 hours of any training developed by the Judicial Council
- State Bar to adopt regulations to require the mandatory CEUs.



# SB 160 (Jackson D) Emergency services: cultural competence. Support

county to integrate cultural competence  
into its emergency plan

And provide a forum for community  
engagement in geographically diverse  
locations

county to establish a community advisory  
board for this





## Community Access: Chaptered Bills

- Guide, signal, and service dogs: injury or death. Support
- In-Home Supportive Services program. Support
- Juveniles: competency. Support
- Deaf and Disabled Telecommunications Program. Support
- Residential care facilities for the elderly: licensing and regulation. Support
- Program of All-Inclusive Care for the Elderly. Support
- Transit operators: paratransit and dial-a-ride services: assessment. Support
- Deaf and Disabled Telecommunications Program. Support
- Autism: sensory-friendly movie screenings. Support
- Public social services: accommodation: notification. Support
- Planning and zoning: California Environmental Quality Act: permanent supportive housing. Support
- California transportation infrastructure. Support



# AB 169 (Lackey R) Guide, signal, and service dogs: injury or death. Support

- It's a crime to harm a guide, signal, or service dog, **or one enrolled in a training school or program for guide, signal, or service dogs, as specified.**
- There is a restitution provision
- Replacement costs is included in restitution



# AB 426 (Maienschein D) In-Home Supportive Services program. Support

- IHSS applicants no longer have to get a certification from a licensed health care professional as a condition of receiving services.





# AB 439 (Stone, Mark D) Juveniles: competency. Support

- Covered in Community Safety Section



# AB 497 (Santiago D) Deaf and Disabled Telecommunications Program. Support

- Extends the sunset date on the California Public Utilities Commission's (CPUC) authority to collect a surcharge on intrastate telecommunications until January 1, 2025.

According to Disability Rights California,

- ***"Over four million Californians have some level of disability that inhibit their ability to use a telephone due to difficulties seeing, hearing, speaking, moving, or learning/remembering..."***



# AB 737 (Eggman D) Residential care facilities for the elderly: licensing and regulation. Support

- The application requirements expanded transparency regarding ownership.
- An accountability and Transparency law for owners can't conceal partial owners from consumers and the public.



# AB 1128 (Petrie-Norris D) Program of All-Inclusive Care for the Elderly. Support

"AB 1128 moves the PACE licensing function from DPH to DHCS to remove redundancy and duplication between the reviews by the two departments and allow new or expanding POs to better coordinate with DHCS."



# AB 1351 (Lackey R) Transit operators: paratransit and dial-a-ride services: assessment. Support

- An assessment of the procedures public transit operators use to provide dial-a-ride and paratransit services
- Then adopt guidelines for the development of a statewide program



# AB 1514 (Patterson R) Deaf and Disabled Telecommunications Program. Support

- ensure that all patients who need to enroll in the Deaf and Disabled Phones Program can do so, and in a timely manner.
- This bill allows a nurse practitioner to certify



# ACR 59 (Grayson D) Autism: sensory-friendly movie screenings. Support

*This measure would declare the support of the Legislature for the expansion of sensory-friendly movie screenings...*





# Community Access

## Chaptered Bills

- SB 735 (Leyva D) Public social services: accommodation: notification. Support
- Covered in Community Safety section



# SB 744 (Caballero D) Planning and zoning: California Environmental Quality Act: permanent supportive housing. Support

- Streamlines process for supportive housing developments
- Creates a California Environmental Quality Act (CEQA) exemption.



# Senate Joint Resolution 5 (Beall D) California transportation infrastructure. Support

*"Asks the feds to support the crumbling road and freight infrastructure, respond to growing traffic congestion, and increase investment in public transportation, most particularly, by expanding paratransit services for the elderly and those with special needs..."*



# Education

## CHAPTERED BILLS

- AB 605 (Maienschein D) Special education: assistive technology devices. Support
- AB 1172 (Frazier D) Special education: nonpublic, nonsectarian schools or agencies. Support if Amended
- SJR 8 (Wilk R) Special education funding. Support



# AB 605 (Maienschein D) Special education: assistive technology devices. Support

- The child needs access to school bought AT devices in order to receive a FAPE.
- Continued access to AT even if enrolled in another LEA
- Keeps the AT until alternative arrangements can be made or until 2 months have elapsed.



# AB 1172 (Frazier D) Special education: nonpublic, nonsectarian schools or agencies. Support if Amended

- *Need for the bill.* According to the author, “The recent death of a student at a nearby nonpublic school was a tragedy that should never have happened.
- Ensures LEAs and the state are able to more closely monitor these non-public schools.
- protect students by requiring that staff at nonpublic schools meet higher standards of training



# EducationSJR 8 (Wilk R) Special education funding. Support

- This measure would respectfully memorialize the Congress and the President of the United States to enact legislation, S. 866, known as the IDEA Full Funding Act, during the current session of Congress to fully fund the federal Individuals with Disabilities Education Act.





# AB 365 (Garcia, Cristina D) State civil service: examination and hiring processes. Support

## VETOED BILLS

- Assembly Bill 365 would make permanent, at a significant cost, a pilot program that is still in need of improvement.
- It can be done administratively.
- I am directing officials to ensure that disability policies are included in the newly established Diversity Taskforce, to ensure we achieve a state workforce that reflects the Californians we serve.



# Health



## CHAPTERED BILLS

- AB 744 (Aguiar-Curry D) Health care coverage: telehealth. Support
- AB 1128 (Petrie-Norris D) Program of All-Inclusive Care for the Elderly. Support

## VETOED BILLS

- SB 154 (Pan D) Medi-Cal: restorative dental services. Support
- Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 154 without my signature This bill would allow Medi-Cal dental providers to provide and be reimbursed for the application of silver diamine fluoride when used as an arresting agent for cavities on a per-tooth basis to prevent further decay, and under specified conditions. Expanding the options available for treating dental decay is a worthwhile policy goal, but this bill would require significant General Fund spending not included in the state budget. As such, this change should be considered in the annual budget process. Sincerely, Gavin Newsom

# AB 744 (Aguiar-Curry D) Health care coverage: telehealth. Support

- Specifies that face-to-face contact between a health care provider and a patient is not required under the Medi-Cal program for any health care services provided by store and forward.



# AB 1128 (Petrie-Norris D) Program of All-Inclusive Care for the Elderly. Support

## CHAPTERED BILLS

Covered in the Community Access Section...



# SB 154 (Pan D) Medi-Cal: restorative dental services. Support

## VETOED BILLS

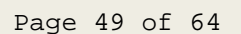
- Would provide silver diamine fluoride in Medi-Cal.
- It expands the options available for treating dental decay but costs more money than budgeted.
- Should be discussed in the budget process.



## CHAPTERED BILLS

- ## VETOED BILLS

- SB 10 (Beall D) Mental health services: peer support specialist certification. Support
- SB 163 (Portantino D) Health care coverage: pervasive developmental disorder or autism. Concerns



# SB 389 (Hertzberg D) Mental Health Services Support

## CHAPTERED BILLS

- This bill amends the Mental Health Services Act to authorize the counties to provide services to persons who are participating in a presentencing or postsentencing diversion program or
- who are on parole, probation, postrelease community supervision, or mandatory supervision.





# SB 10 (Beall D) Mental health services: peer support specialist certification. Support

## VETOED BILLS

- Governor wants to take a “more comprehensive” approach on to peer support services in the transformation plans in the budget process and future legislation.



# SB 163 (Portantino D) Health care pervasive developmental disorder Concerns

## VETOED BILLS

- *this bill inadvertently creates conflicting requirements within the Medi-Cal program that could result in unintentional delays in access to care and jeopardizes continued receipt of federal financial participation for behavioral health treatment. Sincerely, Gavin Newsom*



# Housing

## CHAPTERED BILLS

- SB 329 (Mitchell D) Discrimination: housing: source of income. Support
- SB 450 (Umberg D) California Environmental Quality Act exemption: supportive and transitional housing: motel conversion. Support if Amended

## ■ VETOED BILLS

- SB 611 (Caballero D) Housing: elderly and individuals with disabilities. Support if Amended



# SB 329 (Mitchell D) Discrimination: housing: source of income. Support

## CHAPTERED BILLS

- Makes this change:
- *“paid to a housing owner or landlord on behalf of a tenant, including federal, state, or local public assistance and housing subsidies”*
- The law now specifies that a housing owner is not considered a representative of a tenant.



# SB 450 (Umberg D) California Environmental Quality Act exemption: supportive and transitional housing: motel conversion. Support if Amended

## CHAPTERED BILLS

- Now projects related to the conversion of a structure with a certificate of occupancy as a motel, hotel, residential hotel, or hostel to supportive or transitional housing can be exempted under certain conditions.



# SB 611 (Caballero D) Housing: elderly and individuals with disabilities. Support if Amended

## VETOED BILLS

- He already directed the Secretary of the Health and Human Services Agency to work with a broad array of stakeholders to develop a Master Plan for Aging.
- When the Master Plan is completed we can evaluate and implement its recommendations.



# Board Governance



## TBL

- RC boards must include financial and governance or management expertise.
- RC boards not in compliance with composition requirements must submit plan.
- RC board attorneys cannot be regional center staff.
- RC boards must meet with DDS upon request.
- RC boards must annually meet on performance contract, and plan based on input.



# Systemic Improvement

## TBL

- DDS will consult with stakeholders to “discuss system reforms.” DDS will respond to rate study comments and update the models as needed.
- RCs payment of copays, coinsurance, and deductibles for all Early Start services.
- Vendor rates to be increased from 1/1/20-12/31/21; extra year if state surplus.
- Uniform Holiday Schedule suspended until 12/31/21; extra year if state surplus.



# Transparency



## TBL

- DDS to review RC assessment tools; public availability required.
- RCs will meet, post, and report on NCI outcomes and next steps.
- RCs must post individual dashboards and link to the DDS dashboard for all RCs.
- RCs must post transportation, personal assistant, SLS, and ILS assessment tools.
- DDS may issue directives to protect rights, health, safety, or welfare.
- RCs must give DDS copies of vendor corrective action plans and sanctions.
- DDS will develop, and RCs must issue, intake packets for Early Start/Lanterman.
- RCs to provide IPP agreement forms for RC and consumer/representative to sign.

# Regional Center and Provider Operations

## CHAPTERED BILLS

- AB 737 (Eggman D) Residential care facilities for the elderly: licensing and regulation. Support – ***Already covered in the community access section.***
- AB 781 (Maienschein D) Medi-Cal: family respite care. ***Already covered in the children and families section***
- AB 1004 (McCarty D) Developmental screening services. ***Already covered in the children and families section***
- AB 1199 (Petrie-Norris D) State property: Fairview Developmental Center.

## VETOED BILLS

- AB 1227 (Oberholte R) Health and human services: information sharing: administrative actions.
- Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1227 without my signature. This bill would require the Departments of Aging, Health Care Services, Public Health, Social Services and the Emergency Medical Services Authority to share information regarding adverse administrative actions against licensees, facilities or providers. This bill is not needed because these entities are already sharing such information as authorized under current law. Sincerely, Gavin Newsom



# AB 1199 (Petrie-Norris D) State property Fairview Developmental Center

## CHAPTERED BILLS

- The state is now required to conduct a public hearing and receive public input regarding the use of the Fairview Developmental Center land before transferring it to any state agency.



# RAB 1227 (Obernolte R) Health and human services: information sharing: administrative actions

## VETOED BILLS

*It is not needed because the Departments of Aging, Health Care Services, Public Health, Social Services and the Emergency Medical Services Authority to share information already sharing such information as authorized under current law.*



# DDS and the Legislature

**TBL**

- DDS will brief the Legislature quarterly on community topics beginning in 2020.
- DDS will identify key regional center indicators. DDS and regional centers will report or post information about HCBS, complaints, appeals, and advocacy assistance.





# 2019 NEW LAWS IMPACTING THE IDD COMMUNITY QUESTIONS

Valley Mountain Regional Center  
Board Legislative Committee  
Lynda Mendoza, Chair  
NOVEMBER 2019

