

**TRANSCRIPTION OF RECORDED MEETING**

**OF**

**OFFICE OF ADMINISTRATIVE HEARINGS**

**DDS ADVISORY COMMITTEE MEETING**

**AUGUST 1, 2024**

**Committee Members Present:**

NINA SPIEGELMAN

MARIA IRIARTE

YULAHLIA HERNANDEZ

DARLINE DUPREE

JENNIFER CUMMINGS

JESSE WELLER

OTTO LANA

ANTONY CHARLES MARRON

SILVIA YEH

AINI TJAUW

SHERRY JOHNSON

FERNANDO GOMEZ

**OAH Staff Present:**

BOB VARMA

SUSAN FORMAKER

TZER LOR-SNYDER

MARYJOSEPHINE NORRINGTON

HEATHER ROWAN

SEAN GAVIN

**DDS Staff Present:**

PETE CERVINKA

DENISE THORNQUEST

SANDRA SANCHEZ

**Facilitator**

KARIN BLOOMER

**ASL Interpreters:**

CHRISTINE CHALLESEN

RICHARD HAFFNER

**Spanish Interpreters:**

ALEJANDRA SERRANO

ANAELVIA SANCHEZ

**Transcribed by:**

SHERRY MAINUS

NCCR

Sacramento, California

The record reflects all relevant statements and conversations occurring during the course of the meeting but is not verbatim. For clarity, superfluous words, phrases, verbal pauses and/or inaudible tones have been eliminated.

AUGUST 1, 2024

**DIVISION CHIEF ALJ FORMAKER:**

And turn on the closed captioning, please.

Good afternoon, and welcome. We are here for our August 1, 2024, Office of Administrative Hearings Advisory Committee meeting.

My name is Susan Formaker. And I am the Division Chief Administrative Law Judge here at Office of Administrative Hearings.

**CATHY SCHULZE:**

Sorry to interrupt. Anaelvia, I believe Alejandra is interpreting this part. And you're just going to interpret the Spanish instructions in a couple of minutes.

**SPANISH INTERPRETER SERRANO:**

Oh, sorry. I thought I was starting the whole thing. Sorry. Thank you.

**DIVISION CHIEF ALJ FORMAKER:**

Before we go further, I'm going to discuss the meeting format and the interpretation feature.

Could one of our interpreters please interpret the first paragraph on this slide?

**SPANISH INTERPRETER SANCHEZ:**

In Spanish

**DIVISION CHIEF ALJ FORMAKER:**

And in English, so you should click on the white globe on the toolbar at the bottom of the screen labelled interpretation.

You should click on that and choose Spanish if you need a Spanish interpretation. We did not receive requests for interpretation in other languages.

Everyone should make sure that they are choosing the language that they want to listen to, either English or Spanish. Unless you are listening to the Spanish you won't hear the Spanish interpretation.

The interpretation is being broadcast into the Spanish channel. And that's where the interpretation can be heard.

Have we confirmed that the interpretation channel is now on? Can someone please confirm that the interpretation channel is on?

**MS. SCHULZE:**

Yes.

**MS. NORRINGTON:**

It's open.

**DIVISION CHIEF ALJ FORMAKER:**

Okay, thank you. We also have ASL interpretation, the American sign language interpreters are spotlighted.

And I would like, at this time, to introduce our interpreters. But before I go further, are there any issues with interpretation at this time?

**MS. NORRINGTON:**

Susan, I understand that the Spanish speaking interpreters are both talking at the same time. So, it's hard to understand.

**MS. SHULZE:**

Thank you for that, Mary. Let's have Alejandra start so that only Alejandra is speaking in the Spanish channel. Thank you.

**DIVISION CHIEF ALJ FORMAKER:**

Are there any other issues with Spanish interpretation at this time? Okay, I am hearing none, thank you.

So, let me introduce our interpreters. Our Spanish interpreters are Alejandra Serrano and Anaelvia Sanchez. Our American sign language interpreters are Rick Haffner and Christine Challesen. And we appreciate your presence and your hard work during this meeting.

I would like to reiterate that this meeting is being recorded. After the meeting is completed, the recording will be transcribed. And it will be posted on the OAH website.

We also have many Advisory Committee meeting materials available on the OAH website. And that website is listed on this slide. And it is <https://www.dgs.ca.gov/OAH/case-types/general-jurisdiction/services/page-content/general-jurisdiction-services-list-folder/access-dds-advisory-committee-meeting-information>.

Now I'm going to provide some instructions for providing comments and engaging in discussion by our Advisory Committee members.

If you wish to speak, please raise -- click on the raise hand on the toolbar. You will be called on in order. Please remember to state your name and have your camera on and unmute yourself when it is your turn to speak.

We have a multimodality communicator. Mr. Lana. And we have enabled the chat as an accommodation for him. The chat should not be used for engaging in communications back and forth by the Committee.

It is going to be used by Mr. Lana. And to the extent that there are any administrative matters that need to be dealt with, for example if there's an issue with interpretation that needs to be called to the attention of those of us who are running the meeting, that might be typed into the chat.

But it's primarily an accommodation for Mr. Lana. So, Mr. Lana should click on the chat and type his comment in the chat. And that comment will be read aloud.

You may need to click on participants and a new window will open where you can raise your hand. It will depend on what version of Zoom you are using.

Now, I'm going to provide some Zoom tips for public comment. When you want to make a public comment, if you're a member of the public, during the public comment periods you should click on your raise hand on the toolbar to speak.

Again, you'll be called on in order. You should unmute your mic when it is your turn to speak during public comment periods.

The features, again, will vary based on the version of Zoom and the device you are using. Some Zoom features are not available for telephone only participants. Telephone only participants can raise and lower their hands by pressing star 9 (\*9) on their phone keypads.

Telephone only participants can unmute themselves after they have been called on by pressing star 6 (\*6) on their phone keypads.

Each person's public comment will be limited to three minutes per agenda item, whether spoken or if written when read aloud. People communicating through interpreters will have extra time.

Members of the public will have an opportunity to comment after each substantive agenda item. And at the end we are setting aside time for general public comment.

If you're a member of the public, and you wish to provide written public comment, you can send written public comment by sending an email to [OAHACcomments@dgs.ca.gov](mailto:OAHACcomments@dgs.ca.gov).

All right, now I'd like to make some introductions. First, I'd like to introduce the people from the Office of Administrative Hearings who are here.

We have Bob Varma, Deputy Director. We have Heather Rowan, who is the Presiding Administrative Law Judge for our Sacramento General Jurisdiction Office.

We have Tzer Lor-Snyder, an Associate Governmental Program Analyst. We have Maryjosephine Norrington, another Program Analyst.



We have Sean Gavin, an Administrative Law Judge in our Sacramento office, and me.

From the Department of Developmental Services we have Pete Cervinka, who is the Chief Deputy Director of Data Analytics and Strategy.

We have Denise Thornquest, Chief of the Office of Community Appeals and Resolutions. And we have Sandra Sanchez, Manager in the Office of Community Appeals and Resolutions for the Lanterman appeals process.

I want to thank everyone from OAH and from DDS for all of their work and assistance during the preparation for this meeting and this meeting. It's a lot of work. And I know that we all work well together.

Next, I want to introduce you to Karin Bloomer, who is going to be facilitating most of our meeting today. DDS and OAH consulted and felt that it would be beneficial to use an independent facilitator for our committee meetings.

Karin, why don't you tell the Committee and the public a bit about yourself.

### **FACILITATOR BLOOMER:**

Thank you, Susan. Good afternoon, everyone. As she said, my name is Karin Bloomer. And I'm so pleased to serve as your facilitator today. I want to thank OAH and DDS for inviting me.

I facilitate lots of meetings of groups in these public settings, in private settings. And it really brings me great joy to try to assist and help surface issues, help people connect and discuss and raise up important ideas and recommendations. And so, it's as privilege to be here today.

I have had the pleasure of facilitating some meetings for DDS. And so, some of you may recognize me.

Once again, thank you so much for having me. And I think with that, I will now move us ahead.

Next in our agenda, a little bit about the Advisory Committee, just to remind ourselves that this Advisory Committee was established in law to provide non-binding recommendations for improvements to fair hearing and mediation operations. And so, that is the work before us.

As a reminder, Susan went over the -- many of the rules related to having these public meetings. But just quickly, we are required to post a list of Committee members no later than 24 hours in advance of each meeting of those who'll be participating remotely.

So, in a moment when we do roll call there were a couple of members who, unfortunately, we did not hear back from in time. So, thank you to those of you who were able to get back to us.

Today you are required, due to Bagley-Keene laws, to have your cameras on throughout the meeting, unless it's technologically unfeasible to do so. So, please do let us know if at some point you're unable to use your camera.

And, as Susan mentioned, Committee members, when you speak, if you could state your name. That will help the members of the public know who's speaking. And it helps us with the meeting transcript, too. And again, thank you for reserving the use of chat for Mr. Lana.

Okay, with that, let's go ahead and do roll call. I'm going to call out each member's name aloud in alphabetical order. And when you hear your name, if you could please unmute and let us know you are here.

All right, I do believe this first Committee member let us know that she would not be able to attend. Just to confirm, Lilian Ansari could not join us today.

Monica Becerra. Monica, are you here and able to unmute? Okay, alright. Well, we'll keep our eyes out for you. Jennifer Cummings?

**COMMITTEE MEMBER CUMMINGS:**

Hello, present.

**FACILITATOR BLOOMER:**

Hello. Darline Dupree?

**COMMITTEE MEMBER DUPREE:**

Hello, present.

**FACILITATOR BLOOMER:**

Fernando Gomez?

**COMMITTEE MEMBER GOMEZ:**

Present.

**FACILITATOR BLOOMER:**

Hello. Yulahlia Hernandez?

**COMMITTEE MEMBER HERNANDEZ:**

Present.

**FACILITATOR BLOOMER:**

Hello. Maria Iriarte?

**COMMITTEE MEMBER IRIARTE:**

Present.

**FACILITATOR BLOOMER:**

Sherry Johnson?

**COMMITTEE MEMBER JOHNSON:**

Present.

**FACILITATOR BLOOMER:**

I understand Taleen Khatchadourian could not attend today. Just confirming.  
Okay. Otto Lana? I'll look for you in the chat. I see your present and using chat to  
acknowledge your attendance. Thank you so much.

**FACILITATOR BLOOMER:**

Carola Camacho Maranon, I think you're in person in LA. Is that right?

**MS. NORRINGTON:**

She is not here.

**FACILITATOR BLOOMER:**

Okay. All right, well Mary let us know if she arrives. Antony Charles Marron?  
Antony, did I see your name in there? No? Yes.

**COMMITTEE MEMBER MARRON:**

Did you say Marron. -- okay Marron.

**FACILITATOR BLOOMER:**

Marron, apologies. No, I --

**COMMITTEE MEMBER MARRON:**

That's okay. I didn't even recognize my own name.

**FACILITATOR BLOOMER:**

All right, and please do help correct me, please.

Ryan Nelson? We did not get an RSVP back prior to the 24-hour notification.  
Mr. Nelson, I hope you're at least able to join us as a member of the public to listen in today.

Jessica Quesada? No Jessica, okay.

**FACILITATOR BLOOMER:**

I understand Benita Shaw could not join us today. Stacy Shaw we did not receive an RSVP 24 hours in advance. Nina Spiegelman?

**COMMITTEE MEMBER SPIEGELMAN:**

Here, present, thanks.

**FACILITATOR BLOOMER:**

Aini Tjauw.

**COMMITTEE MEMBER TJAUW:**

Here, I'm here, thank you.

**FACILITATOR BLOOMER:**

Thank you. Jesse Weller?

**COMMITTEE MEMBER WELLER:**

Present.

**FACILITATOR BLOOMER:**

Sylvia Yeh?

**COMMITTEE MEMBER YEH:**

Present.

**FACILITATOR BLOOMER:**

Hello. Okay. And Susan, I think you might have a follow-up note. First, I just want to note, it looks like we do certainly have a quorum.

And Susan, I think you wanted to just remind individuals about a committee member change.

**DIVISION CHIEF ALJ FORMAKER:**

Yes, first I just wanted to remind Ms. Tjauw that she needs to put her camera on throughout the meeting.

**COMMITTEE MEMBER TJAUW:**

I messaged through the message in the chat. I'm having tech difficulties. So, I'm trying to figure that out. Sorry about that.

**DIVISION CHIEF ALJ FORMAKER:**

Okay.

**FACILITATOR BLOOMER:**

Thank you.

**DIVISION CHIEF ALJ FORMAKER:**

If you're able to turn it on please do so.

Yes, we do have a few announcements. First, a note, Brian Weisel has resigned from the Committee. As he is now an Administrative Law Judge with the Office of Administrative Hearings in our Sacramento office.

We understand that the State Council for Developmental Disabilities is seeking a member to replace Mr. Weisel on the Committee.

A couple other things that we just wanted to note. OAH is working on an improved search engine for its decisions in DDS cases. It will be using West km search capabilities. And we hope to have that up and running soon.

Also, as a reminder, our next Advisory Committee meeting will be on November 12th in the afternoon. Thank you.

## **FACILITATOR BLOOMER:**

Thank you, Susan. Okay. So, just as a reminder in terms of process. Before each Committee meeting, Committee members are invited to submit agenda items for discussion.

Two items were submitted for this meeting, which are in your agenda. I'll just preview those briefly.

The first is whether the Advisory Committee has recommendations for improving hearing and mediation operations in terms of the roles of the Regional Centers in the hearing process. Including a discussion of how Regional Centers are accommodating fair hearing reform.

And the second agenda item that was submitted is whether the Advisory Committee has recommendations for improving hearing and mediation operations in



terms of appropriate documents to be considered in the fair hearing process. Including a discussion of whether documents like ARCA guidelines should be considered.

Before we explore those topics together, I do want to note that OAH posted its responses to the recommendations the Committee made at the last meeting on April 3rd. The responses are posted on OAH's website where the agenda and the other materials get posted. The link to the responses is also in today's agenda.

I just wanted to pause and invite Committee members, if you have any questions or aspects of that agenda item you want to discuss, feel free to raise your hand or unmute.

And I also just want to note that for any item that you want more discussion about you are always welcome to submit it as a requested agenda item for the next meeting or a future meeting.

So, we'll move into the first substantive agenda item. But again, just want to pause. Any questions or items for discussion amongst the Committee members regarding the last responses?

Okay. Again, feel free to look through those and suggest any aspect for a future agenda item. That's always your right and ability to do.

Okay. So, let's get started on the first agenda item. So, again, this was whether the Advisory Committee has recommendations for improving hearing and mediation operations in terms of the roles of the Regional Centers in the hearing process. Including discussion in how Regional Centers are accommodating fair hearing reform.

And what I'd like to do as sort of a structure for each of these items. If we could spend a bit of time, first, just surfacing. For example, the Committee member that may have submitted this item. Maybe that person could speak a bit more to why they did and what's on their mind.

I'd like to invite members of the Committee to share their experiences around the roles of Regional Centers in the hearing process. And how Regional Centers accommodate fair hearing reform.

So, let's hear from each other in level set and get a good understanding. Once we feel -- once you feel comfortable with that, I suggest then perhaps some brainstorming around possible ways to address those issues that you shared.

And then we can sort of go from that brainstorming to asking if there are any formal motions or recommendations.

Okay. So, again in terms of the roles of the Regional Centers in the hearing process, who might be able to start us off with your experience around this? What's on your mind as an issue?

And I see Fernando Gomez. Please go ahead.

### **COMMITTEE MEMBER GOMEZ:**

Yes, thank you. So, as it pertains to the role that a Regional Center plays, when you look at the fair hearing process and look at the key stakeholders who are involved. I think we've done a pretty good job of addressing the community and their experience.

And I know that's a continuing conversation. I think we've put a lot of focus on the Judge and the actual process itself within the Judge.

But I don't think we've done an adequate enough job to look at the role the Regional Center plays. And I'm thinking of how is it that we as a committee can look at that.

Maybe improve on that so that it really kind of brings to the level of the other areas that we've been looking at of that engagement and interaction.

So, I think, you know, from my perspective this is a positive. You know, the Regional Center plays a big roll in this. But I really haven't heard much of what they're doing and how they're making the changes to accommodate this reform.

**FACILITATOR BLOOMER:**

Thank you, Mr. Gomez, that's helpful. So, I think to your question, and perhaps if there are Regional Center Advisory Committee members who are Regional Center representatives, others, could someone sort of lay out like your sense of what that current role is? And perhaps how it's shifted or evolved under the Fair Hearing Reform?

**COMMITTEE MEMBER WELLER:**

Sure, I can take a part of this at least. Jesse Weller speaking here. I think the direction and some of the areas that need to be looked at is the continued work on demystifying the process and making sure that we're doing a good job as a Regional Center in making sure that the hearing appeals and resolution process is not seen as a negative encounter.

I think we put a lot of work on the interpersonal and the components that can feel very overwhelming, I think for some individuals and families.

There's been terms and examples used of the process feeling adversarial. And I think the more continued work we can do to build those relationships to see the mutual collaboration in the process and to truly see the process for what it is.

Which is an opportunity to have an objective lens and objective person weigh in to make some of those decisions. I think that's where the work is, in my opinion, for Regional Centers is those relationships. How friendly the approach is. How sensitive situations are encountered. Being mindful of cultural sensitivity.

I think we have our work cut out there, too, in terms of making sure that we're getting, and we've done a lot of work, and shout out to the Department for putting work into having information and resources available in different languages and, you know, working on those areas, too.

So, just some initial thoughts I have when I think about the roles and responsibilities for Regional Centers.

And lastly, I'll say, is making sure whatever the strategy is, that every individual served and their families know where to go. Know that they can access it. And where to go if that's not coming through or happening in the way for the knowledge in the information.

So, just some kind of initial thoughts as I'm listening to the conversation and questions that came up.

**FACILITATOR BLOOMER:**

Thank you. And that was for Jesse Weller. Thank you so much.

Yes, Nina Spiegelman.

**COMMITTEE MEMBER SPIEGELMAN:**

Hi, yeah, this is -- I'm so glad we're starting with this. You know, I'm so glad for this topic. Thank you, Fernando.

And I'm so glad to have a level setting. Because as I was looking at the topic as it was, you know, stated in the agenda, the roles of the Regional Center in the hearing process.

One of the things I'm just very interested, and I feel like from, you know, that I hear from both families in my own kind of very imperfect understanding is literally the role in the hearing itself.

And, you know, I hear a kind of both nervousness and, you know, just a lot of confusion when, you know, an ALJ may turned to the Regional Center as almost -- as almost like, you know, they're both witness and the expert that they rely on.

Or, you know, the sense, you know, how much deference is owed. And it's kind of -- it feels like sometimes a dual role. And for families, you know, inside the hearing, somebody who they've worked with, you know, for many years, who feels like more of an advocate for them suddenly is testifying, you know, sort of seems like against their interests.

So, I'm really happy to hear about, like, efforts to demystify. And I think that's super important.

But I would love to get, somewhere along the way, you know, and maybe it's even for the next time, a sense of sort of the, you know, the literally. The role inside the hearing itself. And, you know, the extent of the Judge's reliance. Because I think that's been an issue, you know, there's -- and presents in many different ways. But thank you.

### **FACILITATOR BLOOMER:**

Thanks, Nina. Yeah, so in addition to just other experiences you want to share on this, I'm hearing also the interest in better understanding the role in the hearing itself of the RC, of the Regional Center.

So, would love help with that in addition to any other experiences you want to describe here as the role of Regional Centers in the hearing process.

Fernando, please. And then Jennifer Cummings.

### **COMMITTEE MEMBER GOMEZ:**

Thank you. I know I wanted to wait to see if somebody else chimed in. Because I think it's important to hear from the diverse voices that are composing this Committee.

But, you know, Dr. Weller, thank you, for -- as an Executive Director of a Regional Center I really, truly appreciate what you shared as a perception.

I mean, because what you said is really crucial to many of the factors that are also an overlay to the experience we as family members of individuals, serve by the system experience.

And that is, we have to be able to trust the system. We have to be able to feel respected. We have to be able to feel embraced to the point where we're doing the right thing.

But my question comes, and there's a question and a comment. The first question is how do we take the items similar to what you shared and put those into a structured process, if you will? That we, as a committee can look at.

And Karin, I understand that, as you said at the beginning of the meeting, that what we do here as a committee is non-binding legally. But I believe that as a committee we can create process. We can look at best practices of the issues and the challenges that we see within this navigation.

To expand a little bit about why this is so important is that we see across the board. And it's not just in one Regional Center but really across the board in the 21 centers, where it really is a legal mindset of, we have to win at all costs from the Regional Center.

There really is not that -- when you talk about demystifying, we need to. Because it's not about obliterating the family member who's in this process. It's about trying to do the right thing.

And how we do the right thing is really something that needs to be addressed. And that's why I believe that we need to define that process so that it is fair and that it

really embraces the spirit of what this Committee is trying to do in reforming that process.

So, I'd like to do that. And Nina, thanks for your comment. Because you also brought into another dynamic that I believe can be a stand-alone agenda item. And maybe for the following meeting it is in that to have the unbiased balance between a Judge and the Regional Center.

There still is a lot of familiarity. There's still a lot of dependence between the Judge and the Regional Center that we believe it still comes across as very biased.

So, but that I think should be a stand-alone agenda item at some point. Thank you.

**FACILITATOR BLOOMER:**

Thank you. Jennifer Cummings, please weigh in.

**COMMITTEE MEMBER CUMMINGS:**

Well, just to provide people with a little background about myself. I am a Program Manager in the Regional Center. And I oversee our appeals team, as well as some other functions within my unit.

So, in this role, I've been the Program Manager over the appeals unit for about 12 years. And it has always been our approach to serve as facilitators during the appeals process in many ways. Even pre-reform.



As our individual, we have individual fair hearing representatives who work with families on a one-to-one basis when it comes to working with them throughout the appeal process.

Once we have that informal meeting, we are meeting with them, explaining the procedures, letting them know what their options are. Asking if they have questions.

We want to make sure that they are understanding the appeals process as they're going through it. And we are acting as a support for them. It's not adversarial.

Our goal and a win for me would be -- and for my team would be a resolution, not a hearing decision in IRC's favor.

But we do seek to resolve the appeals as they're filed. To find out what the disagreement is and what was the reason for the Regional Center decision. What information may have been missed when that decision was being made. And what can we do to meet the needs of the individual consumer.

Because that is what we are all here for. And the fair hearing representatives have all been Service Coordinators or have worked within the Regional Center for some time in some capacity.

And, you know, we come from that social worker perspective and work with the families and IRC staff to come to that resolution.

Ultimately, if we're not able to reach a decision, and it proceeds to hearing then, you know, they take that role as providing IRC's position on the case.

But there's nothing to gain in those hearing decisions for IRC to, you know, seek a win for that individual fair hearing rep.

If a hearing decision is in IRC's favor, then, you know, in that particular incident -- or instance, the Regional Center made the right decision. But in many cases, we do resolve prior to going to hearing. Because there's so much information that can be gathered and so many different ways to solve a problem or to solve a disagreement.

So, that's the approach that we take, that we've always taken. I think with the new reform, it has definitely given parents more options. Some are really hesitant to just want to proceed to hearing. So, they like having the idea of just having an informal first.

And we do have very positive feedback from the families about how they appreciate the assistance that we've provided as they go through that process.

One of the other things that we do, to give an example of that facilitation, is at the informal meeting we do review their rights. We explain the different parts of the appeal process as has been provided in the appeal packet. We talk about what's next, what are the next steps in the process.

When we send a letter summarizing the informal meeting, we also include information in the decision letter about what the next steps are.

We do touch base with families prior to going to hearing to see if they have any questions. Help them with uploading documents to the OAH platform to prepare for hearing. We do assist them in filing their continuance requests if they're initiating a continuance request and communicate that to OAH on their behalf.

So, there's many things that the Regional Center does do to assist with facilitating the process.

**FACILITATOR BLOOMER:**

And Jennifer, I'm going to plead my ignorance on these topics. So, I cannot -- I'm looking to you as you're all looking to each other for understanding this.

It sounds like you're describing some best practices going on at your Regional Center. Is that universally sort of laid out for Regional Centers across the state?

Is that sort of based on the leaders like you at your Regional Center that have decided to approach, you know, the pre-hearing informal process that way?

**COMMITTEE MEMBER CUMMINGS:**

A lot of it is laid out in statute as far as the information we need to share with families, what needs to be inside the informal meeting letters. And information provided to families in that way.

And we also do consult with other Regional Centers and their appeals departments, too, kind of just compare notes about approaches and maybe common appeal issues and things like that.

So, from my experience and with talking with other departments and other Regional Centers, the approach is pretty consistent with the other Regional Centers that I've consulted with.

**FACILITATOR BLOOMER:**

Thank you for that. Are there other experiences among Committee members where you or your loved one have gone through the hearing process where you can

Speak to your experience of the role of the Regional Center? Just again help sort of round out experiences here?

And Mr. Gomez, I do see your hand. I'm just sort of seeing if someone else who wants to offer their experience?

Actually, thank you, so from Mr. Lana. "Do we all realize exactly how long this process takes and how time is a non-renewable resource? And how disparities between the Regional Centers are documented and exist? And how traumatic the wait is?"

So, I'm hearing certainly a theme here from Mr. Lana about the amount of time that goes into this.

Mr. Gomez, do you mind if I turn to Mr. Marron?

**COMMITTEE MEMBER GOMEZ:**

Please do so, absolutely.

**FACILITATOR BLOOMER:**

Mr. Marron.

**COMMITTEE MEMBER MARRON:**

Hi there.

**FACILITATOR BLOOMER:**

Hello.

## **COMMITTEE MEMBER MARRON:**

I have the experience since 2012. My wonderful daughter, Jennifer, is autistic. And when she turned 18 there was a deception regarding, at first, support for her, that she would remain in an autistic certified program in our local high school up here in Solano County. It was specifically Benicia School District.

And then they decided, and this was all after Jennifer turned 18. There was, you know, discussion about this and that and this and that. There was never where -- I'm sorry, there was statements saying she's in a great program.

But then in October of that year, about four months into discussions, all of a sudden a decision was made. And it wasn't made to me that my daughter was going to be put into a group home and going into a different program for her education.

So, that was very negative. And I've been uphill ever since. So, you don't need to hear all the details. But that's how it started, very negative.

I want to believe that the other Regional Centers are, shall we say, more communicative than the one I went through back in 2012.

So, that's -- it's -- anyways, also to make the ending short, I just became my daughter's conservator. I've been fighting, not fighting, but contending, if you will, with her needs regarding the county and northly40:30 our Regional Center.

Anyway, I became her conservator earlier this year. And she's been living with me for five years. And it's been much, much better.

But it can be -- I have great concerns that it can be a very trying process for parents and so forth. Especially when you know certain things are said about the abilities of your child that are just not accurate.

And they put them in generic programs. And one of the things that she's still doing is having trouble with a day program. Because it's -- there's nothing about it that's autistic regarding services or training materials or anything like that.

The staff are very nice. It's just not appropriate for my daughter, though, it just isn't.

**FACILITATOR BLOOMER:**

Thank you. Thanks for sharing that.

**COMMITTEE MEMBER MARRON:**

Sure.

**FACILITATOR BLOOMER:**

Appreciate it. And it's spurred a lot of hands up. Fernando Gomez?

**COMMITTEE MEMBER MARRON:**

I didn't mean to start anything.

**FACILITATOR BLOOMER:**

No, no, that's a good sign. That's a very good sign.

Mr. Gomez, to you, and then I see other fellow Committee members. You defer?

## **COMMITTEE MEMBER GOMEZ:**

And I'll be very brief, because I definitely would love to hear from the fellow committee members here.

But to Ms. Cummings comments, and I appreciate her sharing on the process. But, you know, Otto wrote something really interesting in the chat. He not only referred to about the time and the process that it takes, an extended time.

But he used the word traumatic. And it is really the right word to use. This whole process for us, and I'm saying the members of the community who are in this process, it's very traumatic. And it's drawn out.

What was described was the process. But what I'm saying, and the reason we're having this as a discussion today, is that there has to be a better way to make this more person centered, more interactive engagement in a positive way so that it doesn't have to be some legalistic as it is today.

And the reason I share this is that ICC, the organization that I help fund is involved in a multitude of hearings across the state. And there is the consistency level.

I agree that it is important that Regional Centers speak with each other and talking on improving on that. But they should include the community as well and to keep the stakeholders on those discussions on how we can improve.

And that's why I appreciate what Dr. Weller shared as an option of process. So, I just wanted to expand on that because I just wanted there to be no doubt for anybody in this Committee the process needs to be improved. It's too overwhelming, too intimidating, too complex, and too legalistic as it is today. Thank you.

## **FACILITATOR BLOOMER:**

Thank you. And before I turn to Amy Tjauw, I just wanted to mention for Mr. Lana in the chat, he's asked to restate the email for questions and comments. So, that's OAHAC and comments C-O-M-M-E-N-T-S at [dgs.ca.gov](https://dgs.ca.gov).

All right, Amy Tjauw, what would you like to share?

## **COMMITTEE MEMBER TJAUW:**

Yes, hi. I belong to several resource groups in the local area. So, I hear a lot of parents are finding difficulties with challenges with Regional Center.

I think Ms. Cummings mentioned that they work with the parents. It's great if like we belong to that Regional Center. But I don't think it's kind of across the board. At least specifically to my Regional Center.

So, if there is some, I don't know, ideas or options that it could be kind of across the board through all Regional Centers instead of -- because I hear a lot of various Regional Centers have different services, having different resources, and different ideas and different how to work with parents and consumers.

It's just not very standardized. And some Regional Centers, like Ms. Cummings' Regional Center is very helpful. Others may not be so much. That's one input.

I know, like, we're all talking about Regional Center now. We also have, you know, on a sideline, I think, kind of mention that we -- the same issue kind of also goes with the special education department with school districts.



I know it's a different -- that's not our agenda. But we -- there's so many challenges, difficulties, yearly, monthly challenges with the special education department with just school districts in general. Thank you.

**FACILITATOR BLOOMER:**

Thank you. So, I'm hearing some ideas brewing around, sort of again how to make sort of common these best practices, these relationship building.

So, we can begin to think about that as we turn to Darline Dupree. Please go ahead.

**COMMITTEE MEMBER DUPREE:**

Yes, thank you. I think Jesse and Jennifer did a great job of highlighting some of the things that Regional Centers do, specifically their Regional Centers have done to make adjustments to the changes in the appeal process.

I do want to highlight that one of the things that did take place somewhat immediately after these changes were implemented, as ARCA did host a training for the 21 Regional Centers to highlight all of the changes and discussed ways to be consistent in Regional Centers efforts as they engage in this process.

With that, there was discussions from development of templates of good faith letters. And then conversations about what should be included in position statements and the exchange of evidence. I think that's one of the things that had come up regarding the materials and documents that may be given.

So, with those things, I know Regional Centers have been committed to the process. And as a couple of individuals on this call had mentioned, there is this desire to have that open communication.

In my experience I haven't seen any Regional Centers that have gone in the appeal process seeking a win. Kind of like Jennifer said, it's really about wanting to make sure that the individual's needs are met.

And then sometimes there may be opportunities to identify how best to meet those needs. Or if Regional Centers are unable to meet a need then you'll see that fair hearing process take place.

But in my experience there hasn't been a desire for Regional Centers to just, you know, go through the process in order to get a win.

I do think that with the changes in the appeal process there has been a greater opportunity to have that open dialogue about the services and what Regional Centers are able to provide. And if they're not able to provide it, what other resources are available.

So, I do think that the changes have been beneficial. And Regional Centers have a structured way of going about the process. And all Regional Centers have been trained on it and committed to it.

That being said, I do appreciate the opportunity to hear some of the things that or experiences that some of the panelists may have or even community members have had since the implementation of the appeals process. Because Regional Centers are always looking for opportunities to grow and get better. And, you know, no one's perfect. So, there may be some missteps.

So, I appreciate the opportunity to be able to hear some of the feedback from the panelists. Thank you.

**FACILITATOR BLOOMER:**

Thank you, Ms. Dupree. Jesse Weller?

**COMMITTEE MEMBER WELLER:**

Yes, I think -- I have a process comment. Just I was taking some notes reflecting on the different points that have been brought up.

And I think it's important that I communicate the willingness. I am a part of statewide conversations. And I know I'm focusing on San Gabriel Pomona Regional Center, Jennifer is with Inland. So, we're kind of a smaller voice in the collective other 20 centers.

But there is a shared willingness between me and my peers to want to do the right thing. There are statewide conversations around best practices. How do we learn from the feedback.

The Department of Developmental Services has made it really clear in a really positive way that this is a priority to our community to really understand the feedback, understand the barriers, the challenges.

And then it leads into what Darline was mentioning around just consistency. Which I think we're all thriving for across the 21 Centers on the templates and the forms.

So, really invested in making sure regardless of your zip code, whatever catchment area you reside in or move to, that things look pretty similar and feel similar and have that experience for individuals.

So, I just want to kind of give that presence on behalf of the other Centers and that commitment that's there. Still recognizing challenges. Still recognizing opportunities to make improvements for sure.

But I also want to come back to a comment I mentioned earlier of I'm very proud of my appeals and resolutions team. I got two individuals in there that are stellar interpersonal skills. And I think that's where there needs to be emphasis.

Because if you have individuals who have the compassion. Which I want to speak for everybody working at Centers have that passion or personal connection to the work and that sensitivity and mindfulness. It really makes a difference.

Because while these positions are very public facing, and they're to guide parents, families, advocates, on getting through all the steps, there's also an internal focus that these individuals need to be available to the work force.

And we have a lot of staff at Regional Centers. Our Regional Center has over 526 authorized positions. So, when you have people in these positions that are approachable and got the technical skills and the interpersonal skills, that's also a really important factor for conversation.

That means people will get consultation, will bring difficult conversations and get feedback in all of those areas. And so, that's another element I think we really have to pay attention to just from my experience.

And then lastly, adding in the other elements, which is successfully guiding families through the process in an empathic and sensitive way. And also not stopping there.

Something important to me, and I will speak for my counterparts, is looking at different themes. What are we noticing? What are the trends? What's being resolved earlier on? What could we have learned from this?

And then being proactive in internally trainings. Are there certain trainings that need to be done as refreshers or for different things that we can learn from?

So, just wanted to expand a little bit on some of the talking points. And also provide a little bit of perspective that I think about. Which is community facing, doing the right thing for individuals and families that we serve. And also some of the administrative considerations trying to run a Regional Center.

So, I wanted to share that with everybody today as well.

## **FACILITATOR BLOOMER:**

Thank you. I do want to read aloud Mr. Lana's comment. And Sylvia Yeh then I'll turn to you.

And just a note, Sherry Johnson, in a moment if I could call on you just to share your comment aloud. And we'll reserve the chat for Mr. Lana. But I really want to make sure that it is heard.

So, if you're willing, in a moment after Ms. Yeh, I'd love to turn to you.

So, for Mr. Lana, "Transparency and consistency between Regional Centers. When services are available at one Regional Center and not another or vendorization needs seem subjective. And they absolutely are not."

And then next for Mr. Lana, To be pretty similar" or "look similar" absolutely not, they should be equal. Equite despite zip code. So, thank you for that.

Sylvia Yeh -- I'm sorry, Heather did you?

**ADMINISTRATIVE LAW JUDGE ROWAN:**

Theres one more comment from Otto that kinda gotten passed by, and it starts "can you write that address".

**FACILITATOR BLOOMER:**

Can you say that one more time?

**ADMINISTRATIVE LAW JUDGE ROWAN:**

There's a comment right above Sherry Johnson's that I don't believe has been read out loud.

**FACILITATOR BLOOMER:**

Okay. "Can you write that address in the chat? I think the public can see the chat even if it is disabled, is that correct?"

**COMMITTEE MEMBER GOMEZ:**

Yeah, we can -- it's in the chat. We can see -- clearly see it, Sherry Johnson.  
Can't you see it Karin?

**FACILITATOR BLOOMER:**

Yes, I was referring to Mr. Lana's, I think, other chat that he.

**COMMITTEE MEMBER GOMEZ:**

Oh, I apologize.

**FACILITATOR BLOOMER:**

No, no worries, It's okay. So, I'll look to others on the support team to help with that request.

I want to turn to Ms. Yeh and then see if Sherry Johnson would share her comment.

**COMMITTEE MEMBER YEH:**

This is Sylvia Yeh. I first want to thank the Committee members. Sherry, although very sad, very painful and traumatic experience that you've been through with the hearings.

I really think before we go to the hearing process, if we have consistency between Regional Centers that we probably can avoid a lot of hearings.

And I really want to advocate for those parents, the committees, that are voiceless, and especially the minority group that -- and also the culture, you know, things that for example as Asian I am, a lot of times whatever you give us we just take it. We don't fight.

And those people actually don't even have a chance to go to hearing. Because they just don't know their rights on that. And that's what I think consistent between Regional Centers and that's coming from DDS, that would be great.

And second thing, I like what Jesse said about the trends. And if we can have the hearing records, that we can maybe, you know, by categories.

And if somebody goes through the same thing, hey we can take a look at that. If I'm asking for this what has been done. And what has been the result authorized.

So, the family don't need to go through those very painful things and also knows the rights, what's been done in the past.

And that's what I want to advocate, especially for those minority community. Either they don't have the ability -- the language ability, the social econ ability. They cannot go to -- go through a hearing because they have to, you know, put food on their -- on the table, that have to go to work and don't have that kind of power to go to the hearing.

And I want to advocate for them. Thank you.

## **FACILITATOR BLOOMER:**

Thank you. Ms. Johnson do you feel comfortable sharing verbally so folks can hear your -- the input you gave?



## **COMMITTEE MEMBER JOHNSON:**

Well, it's in the chat for everyone to read. Just hearing Regional Center staff speak about their processes and structures it's just -- it's amazing.

I'm just, loss of words. Because that's not -- that is not what's happening on the frontline. That's not what is happening to families that are in certain zip codes. And it's so unfair that it's presented in that light. It's just really, it's sad. Because if it was that way you wouldn't have such a high disparity.

And you wouldn't have families, like Sylvia said, you know, having to make the decision to either, you know, put food on the table, miss work to attend a hearing, send emails back and forth to these Regional Center staff members who are completely disconnected from what our -- my experience is as a parent.

It's a little disheartening and kind of insulting sometimes when I hear Regional Center staff speak about, you know, just make it look really good. I mean, the icing is just -- I really wish my experience was that as, you know, was just spoken about with staff.

But it's not happening on the frontline. It's still a lot of barriers. It's still systemic issues. It's an unfair process.

Like Ms. Elizabeth Gomez, she always says it's an unfair hearing. That's what she called it. And it's so, it's just true. And it's just unbelievable to hear it. It made me feel like I'm not experiencing what I'm going through. Which is not okay.

## **FACILITATOR BLOOMER:**

We appreciate you sharing that. I wonder, so we're -- I'm seeing -- understanding this issue on disparity of experience, hearing from some Regional Center representatives and what -- all the efforts they're putting in. And yet others are experiencing something very different.

And I did see, it sounds like, Ms. Johnson that in the hearing itself, this came up earlier a little bit in our conversation. I do wonder about this looking at sort of in the hearing itself -- the hearing process itself about the Regional Center and sort of how to ensure there is sufficient voice and evidence coming from all parties.

So, I do wonder if there's a theme there to look at.

I'm going to turn to Mr. Marron. And then I also want to preview -- we wanted to make sure people are able to take a break.

So, I wonder if at about 2:05, in about five minutes, if we could take a 10 minute break. And during that time, if you could give some thought to whether there is somewhere here with a recommendation related to the mediation and hearing process to operations. That might be something worth talking about.

So, Mr. Marron, please go ahead.

## **COMMITTEE MEMBER MARRON:**

I just noticed I was not muted. I hope that all of you were not disturbed by my daughter Jennifer singing away her song. So, if you did I apologize.

One of the things about the different counties that we have -- we all have a common goal here. But counties are all different. They have different sizes, different budgets. So, we have to be cognizant of that.

Not that we should accept anything that's unfair. But it's difficult, I think for every Regional Center to not combat, but work out the numbers, right? Every year they've got to have only so much money to do what they want to do and so forth.

The next thing I just want to say very quickly is I've never had a hearing with my Regional Center because there was a lot of instances where I could tell things were rehearsed or worked out ahead of time.

So, when I bring my thoughts to a certain meeting that we have, I'm dazed. Because wait a minute, where did that come from? And well, when was that decided on? That type of thing.

There was things that were worked out before we had certain meetings. Perhaps I should've had a hearing. But like I said a few minutes ago, things have worked out now where I'm her conservator. And I have much more control over her educational services, so.

And thank you, I just wanted to say that. We need to be careful that if a county is successful in one there may be money issues in another. And it's just an unfortunate fact that we have to deal with. Thank you.

**FACILITATOR BLOOMER:**

Thank you. Fernando Gomez, please.

**COMMITTEE MEMBER GOMEZ:**

Yes, thank you. And I just wanted to thank Sherry for verbalizing what I wasn't able to adequately, but to the right perspective. Because what she said resonates across many, many of our community members, especially people of color.

But I know that we're about to take a break. But if you're able to, I would highly recommend for Committee members to search -- do a Google search on SB 1092 Hurtado. This was a bill that was -- that really brought the reform into the reason even this Committee exists.

And it was co-sponsored not only by an integrated community cooperative, by Disability Voices United, Disability Rights California, and the State Council, as well as Public Council.

Because it really truly captures the spirit of what we're trying to say as a Committee, saying yes there may be trainings. There may be some kind of process internally. But there's still a huge gap in between what's being done internally at the Regional Center and what's actually being experienced within the actual process.

And I know we keep talking about -- saying hearing. But it really starts at -- when the NOA is issued to the family all the way down if it gets to a hearing process.

But I do highly recommend SB 1092 Hurtado. Thank you.

**FACILITATOR BLOOMER:**

Thank you. Okay. So, in just a minute here we'll take a break. And again, so if I can invite Committee members to be thinking about, you know, as it pertains to

hearing and mediation operations and the role of Regional Centers with the experiences you've shared.

To perhaps bring back after break or for us to go next to. See if we can zero in, are there -- are there operational recommendations that this Committee might consider making as it relates to the role of the Regional Center.

Or is it something else, you know, perhaps it doesn't formulate into a recommendation. But just to give some thought to that.

Let's go ahead and take a break and resume, why don't we just say promptly at 2:15. So, in 11 minutes. So, see you back here, if you could. We'll stop recording for the break. And then we'll pick back up. We'll see you at 2:15. Thank you.

### **(Off the Record)**

#### **FACILITATOR BLOOMER:**

Just take a moment here. We'll be looking for your cameras to be turned on so we know you're back. Thank you.

I see cameras coming back on. Thank you so much. Sylvia, are you having camera problems again? And Jennifer Cummings, yep, see you, wonderful.

Okay. All right, Sylvia, let us know when you're back. When you turn your camera on we'll know you're here.

I do want to just make a couple of notes that -- forgive us, it took us a minute. But we did now, I think, successfully put in the chat for the public to see as well, the email address.

And it was a chat at 2:00 p.m. sharp. So, if you look for 2:00 p.m. from Tzer Lor-Snyder to everyone.

And then, I also wanted to read aloud a comment from Mr. Lana that he sent at 2:03 p.m. And my apologies, I didn't see it before the break. So, I just -- I do want to read it.

Mr. Lana, you wrote, "It is not the individual client's problem if the Regional Center can't get their budget in order. Each client should have the same opportunities regardless of zip code. Each person's needs should not be met based on zip code."

So, obviously lots of experience. Efforts underway by some Regional Centers, individuals receiving services and their family members who are, nonetheless, experiencing challenging situations, traumatic situations as it relates to the hearing process.

I know we didn't have much time during the break. But does anyone have sort of the essence of a recommendation around improving the hearing and mediation process that you feel could in some way address improving this experience with Regional Centers?

Or is this challenging situation maybe not specific to this process yet or we're not sure what that answer is yet. In which case we discuss more. We explore more. Maybe what thoughts to bring back next time. Any ideas?

Mr. Marron, please, go ahead.

**COMMITTEE MEMBER MARRON:**

One of the things that might assist Regional Centers. Okay, I know I just mentioned the budget, a budget for each county. But there may indeed not be specific services that match a client. They may not be available.

But they should admit that, not try to put -- okay, I don't mean to say this for all Regional Centers, just the one I have to deal with up there in Solano County. They want to put my daughter in somewhere. And that somewhere is inappropriate. But she's got to go somewhere. I've been told this over and over and over.

So, is that part of a process? I think so. But how do you define that? The client should have as closely diagnostic needs rather than just at a distance.

Well, Jennifer, my daughter, doesn't talk very much. So, therefore, she's not very intelligent. Therefore, generic services. Day programs and such that are more, unfortunately for her are more of a person sitting experience rather than a processing of improving herself.

So, there should be somewhere where the North Bay Regional Center, I'm sorry, the Regional Centers should make recommendations. But if they're not matching the needs don't just -- don't insist that she goes somewhere because she needs to go somewhere.

That's where I've been very frustrated with. So, anyways, that's -- how can that be part of a process, I don't know. But part of a checklist. I'm not sure.

## **FACILITATOR BLOOMER:**

Thank you, I appreciate that thought. And then I think also sort of taking that -- those thoughts like that and thinking about. So, now imagine you're -- you've gotten to the hearing and mediation process. How can we -- what improvements could be recommended sort of when a situation like that gets to that point.

Fernando Gomez, I see your hand.

## **COMMITTEE MEMBER GOMEZ:**

You know, Karin, I think there are a lot of different recommendations that could be made. I think what I'd like for this Committee to consider is how do we capture them.

I mean, to Mr. Marron's point, you know, at what point do we stop identifying our children in order for them to align with services? And where is that line, if you will, that's crossed?

Because every single time, every single hearing, and it's not even in the hearing, it starts in the informal and continues to the mediation. And, of course, it's accentuated in the hearing if it gets that far.

In addition to that, you know, the way the system is set today, that things can't get resolved, when they could like in the informal or mediation. Because you don't have the decision makers there. You have people who don't have the ability to make a decision to resolve the issues.



And when it goes off to somewhere other, you know, secret committees that most of us don't know anything about, those decisions are made without really understanding the real dynamics of what is being discussed.

So, there's a lot more to this. I'm on the master planning committee, as you all know, Karin. And I know that this is something we'll be discussing at that level.

But as a committee, based on what we're doing here, I think it's something that we should look at, how to put process, structure, and execution.

I'm a firm believer on trainings. And I see the value of trainings. But honestly, trainings only give you, in my perspective, 20 percent of the opportunity. Because trainings are information. The implementation in the process is where we really need to get down to.

So, I'm right open to see, you know, and I think that there is a great cross-representation of all stakeholders here all the way from DDS, Regional Centers, family members, to directors and so forth.

How can we discuss and put that structure around it so that we can see, and I'm thinking an immediate response. Not something maybe in a year from now.

## **FACILITATOR BLOOMER:**

Thank you. And Ms. Iriarte, I may have seen a hand up for just a minute. And then I see Heather's hand. I was just about to read Mr. Lana's input. But Heather, is that what you're flagging?

**COMMITTEE MEMBER IRIARTE:**

This is Maria, I'll go ahead and speak.

**FACILITATOR BLOOMER:**

Maria, could I --

**COMMITTEE MEMBER IRIARTE:**

This is --

**FACILITATOR BLOOMER:**

Maria I'm so sorry.

**COMMITTEE MEMBER IRIARTE:**

yeah.

**FACILITATOR BLOOMER:**

Just because it's my responsibility to -- let me just read, if I could, Mr. Lana's comment in the chat. And again, please take up any aspect of his comment and/or just hold onto your thought, if you would, for just a moment.

Mr. Lana is asking, "Is there an ombudsman like for MediCal? Is there a person outside of the individual Regional Center that can assist? The process of fair hearing is so daunting and time consuming. It seems people just quit and needs are not met."

So, let's hold that thought. And we'd be interested to hear from other Committee members. And if there's someone who is aware of an ombudsperson role, in a moment we'd love to get that information so we can get the answer to that.

And with that, excuse me, Maria Iriarte, please go ahead.

### **COMMITTEE MEMBER IRIARTE:**

Thank you. So, thank you all for sharing your stories about your experiences going to Regional Center hearings.

I just -- I feel like there's not, I don't know enough of what goes out there. And Fernando, you are much more involved in the direct representation of clients. I'm not that involved anymore.

But I feel that this is an opening to a greater discussion about what those recommendations are. And I also feel like we need to learn more from more of the community. You know, the people who are living the experience.

I know for a fact, because I do a lot of trainings to consumers and family groups about Regional Centers and the changes to the fair hearings.

And one of the comments that I get every now and then is just how much deference or perceived deference the Judges give to the Regional Center while at the hearing. The Judges will turn around and ask the Regional Center for the law.

You know, kind of like the Regional Centers are the experts on this case. And I've heard it enough to believe that it happens. It didn't happen with me when I was representing clients. Because I think there's a different dynamic when you have an attorney in front of an ALJ.

But I feel like I don't know what to recommend now. Because I feel I need more information. And I've gotten some of it from all of you. And Fernando, you probably have a lot more.

And I think it's a discussion that we may not end today. It may go on to the next meeting. I don't know. But that's -- those are my feelings and thoughts.

**FACILITATOR BLOOMER:**

Thank you. Thanks so much. I do see that Pete Cervinka could speak to the ombudsperson question. So, Pete, I'll turn it to you.

**CHIEF DEPUTY DIRECTOR CERVINKA:**

Sorry, apologies. Thanks, Karin. Yeah, Otto, appreciate the question.

The Department does, in fact, have an ombudsperson office. We have somebody for -- actually, we have two of them. One of them is for the Lanterman Act. And the other is for the Self-Determination Program specifically within the Lanterman Act.

OAH is being provided information to drop into the chat for everybody with a link to the website for the ombudsperson. Now, that information, and their phone number as well.

That information can be used, you know, they can't represent people in a hearing, for example. But they can certainly provide advice, information, direction, make connections to people.

So, it is a very useful function and appreciate the opportunity to advertise the fact that there is an ombudsperson available.

Again, they can't represent you in the matter. But they can help you find the forms you need. They can talk to you about the process.

The appeal process on the Department's website also includes a consumer individual and family friendly information packet. And a number of other things that describe the process and what to expect.

So, there are a number of resources available. And that ombudsperson definitely can be contacted for that purpose. So, thanks for the question and the opportunity to share.

#### **FACILITATOR BLOOMER:**

Thank you. And also from Mr. Lana asking if there are any emailed comments or questions. And does that get addressed at the end as public comment.

So, certainly before we move on to the next agenda item we will be inviting public comment, both verbal and written. Which will be read aloud by the support team. So, yes, we will be certainly taking that public comment.

So, back to Maria Iriarte's point, too, of sort of a sense of like wanting to understand more, wanting to understand, perhaps in the hearing the how things work with looking for, you know, referring to those in the hearing for information.

I just wonder aloud, is -- maybe there's an interest by the Committee to identify sort of what you'd like to better understand or learn more about. And then use that to help formulate recommendations maybe at a future meeting.

But I just want to turn it back to the Committee for where you'd like to go from here.

And Mr. Lana asks, "Is the ombudsperson office accessible language and plain language, et cetera?"

Pete Cervinka, would you be --

**CHIEF DEPUTY DIRECTOR CERVINKA:**

The answer is yes, Karin.

**FACILITATOR BLOOMER:**

Thanks.

**CHIEF DEPUTY DIRECTOR CERVINKA:**

Yeah, we have access to immediate translation. We have several Spanish speakers as well. Emails are also a welcome method of contact in the office.

Thanks for that question as well. I probably should've included that in my original response.

**FACILITATOR BLOOMER:**

Thank you. So, Nina Spiegelman, please go ahead.

**COMMITTEE MEMBER SPIEGELMAN:**

Yeah, coming back to Maria's point and -- which is what I was kind of trying to raise at the beginning. Which is inside the hearing how the Regional Centers, you

know, what their role is. You know, how much, sort of deference to them in the process. What is appropriate, what isn't.

Somehow, I mean, and this can be, yes, definitely formulated maybe for a discussion next time or to, you know, have the benefit of some responses and then discussion, you know, a discussion topic for next time.

But I do feel like there's -- I think there's probably a variety of things that happens in those hearings with that -- with regard to that.

But I think that's one of the things that, at least in, you know, my -- what I hear from families is that is -- that is found to be very daunting. You know, where the Regional Center is kind of there as sort of an overarching, you know, expert on what the law is and all that kind of stuff.

And it's, you know, especially if you don't have counsel, it's, you know, that just adds, I think to the, you know, kind of the some of the stuff that Sherry and Sylvia were talking about. That then it kind of almost acts as like, ah, I'm not going to bother. You know, it's too -- it's already -- it's too much.

So, you know, a better understanding of that and what is the, you know, maybe -- there might be different points of view on the -- on what is the appropriate level of deference and, you know, how it should go.

But on a -- just a second, you know, on the overall topic we've been discussing, which has been a great discussion. And since, you know, Pete and DDS have chimed in and it's really helpful.

I do know that just this whole idea of getting at, you know, how Regional Centers are accommodating fair hearing reform, which really gets to the individuals that, you know, self-advocates and family members experience of the hearing process.

I do know that DDS has been trying to at least survey folks and maybe, you know, I don't know if Pete wants to speak to just -- so everybody has a better sense of like those DDS attempts to get at that question of sort of what it's like.

And maybe those -- I don't know if the survey questions get to the kinds of things that we've been hearing from, you know, Sherry, Sylvia, that like it's -- there are certainly in some pockets of all the 21 Regional Centers there are still some pretty bad experiences going on.

So, anyway, just thought I'd throw that in.

## **FACILITATOR BLOOMER:**

Yeah, thank you. And again, don't mean to put DDS on the spot. Maybe need to bring the information back.

But I'm hearing sort of in there a question around, you know, is there currently feedback from the survey process, if I'm understanding you Nina, around to obtain feedback of families and self-advocates experiences of Regional Centers in the hearing process.

So, that -- I'm going to sort of put that out there and see if we -- if there's a response there. But in the meantime, I can turn to Fernando Gomez.



## **COMMITTEE MEMBER GOMEZ:**

Thank you, Karin. I don't know if anyone had enough time to even look up SB 1092. But we spent a lot of time in putting the elements to 1092 to talk to the multitude of issues.

I think we're beyond the point of trying to decide if there is an issue or problem. Because we all know there is.

And if we're lucky enough to get the ombudsperson's office to help us in a situation within the process, the hearing process or the appeals process, it's already too late. You know, the damage is already done.

The reason we brought this to the agenda today was to become proactive. To see if there's a way that we can look at how the Regional Center positions themselves within the process. And look at areas of improvement that aligns with the overall and the arching spirit of a fair hearing and more navigational, if you will, type of experience in this process. Which today we know is not working.

So, and Pete I'm going to throw this at you. Because I don't know if maybe DDS or within your department has the resources.

But I think we need to take a deep dive into this. Bring all of the great things the Regional Centers are doing and see where they're not kind of -- whether there is an extra foot, if you will, that it needs in order to have what it's designed to do. And to start working on some of those issues that we can start fixing.

And here again, it's not that it's all the time. We've seen improvement. But what we're trying to do is this is the time to address that one area where we see that there is a considerable amount of issues and challenges.

So, if working with your team or someone within DDS may be, and a combination of other diverse individuals to bring, you know, kind of feedback into this process, maybe we can put something together, some kind of report. And then the Committee can look at it and see, you know, if it makes sense or not.

**CHIEF DEPUTY DIRECTOR CERVINKA:**

Karin, if it's helpful I'll just respond to that. I think we're always interested, Fernando, interesting idea. Happy to brainstorm it further.

And regarding the survey question. Since the full package of reforms was enacted and became effective March of 2023, we've issued roughly 1500 surveys. And we've gotten about 100 back.

So, not an awesome survey response rate, if you will. I would also offer that over that period of time, when you think that we have 21 Regional Centers, that's about five surveys back for each Regional Center.

It's not a huge sample to work from. So, I think hearing from people in this case and getting some qualitative information maybe be a necessary supplement to what we've heard back on surveys.

I don't know that five per Regional Center, generally speaking, some may have 10, some may have none, I don't have that breakout. But I don't know that that's enough for any kind of decision making purpose.

But happy to brainstorm that concept further outside of the Committee itself. Although it may come back, as he suggested.

### **FACILITATOR BLOOMER:**

Okay. So, hearing that Fernando Gomez, I believe I'm hearing you say, you know, you'd like to see if you can work with DDS and sort of get to -- through the heart of some aspects of this process that we know people are experiencing. And how to maybe zero in around something that you might bring back for the Committee to consider around more specific recommendations to improve the hearing and mediation process.

Have I got that right?

### **COMMITTEE MEMBER GOMEZ:**

Yeah, I think that that's part of it. You know, who would be the participants.

I know that Ms. Dupree talked about ARCA's role and their participation. So, it would be interesting to see what is it that they're doing, you know, across all 21 centers.

And I'm interested in hearing more from Director Weller, you know, in running his Center. Because we hear great things coming out of San Gabriel Pomona.

We're not hearing such great things coming out of Inland. So, why not? Where is the areas that can maybe improved on and looked at and bring challenges?

And, you know, and Karin maybe this is not the right time to bring this up. But, you know, there are some fundamental challenges that impact in this topic and many of the others that I know will be discussed.

And that is, is that all stakeholders should have an equal ability to weigh in and be part of the solution. For us in the community, we're trying extremely hard.

And my phone is blowing up from people saying I can't get in. You want me to answer a question by sending an email? I'm not tech savvy.

Why are you creating more hardships for me to even be able to weigh in on a conversation and make points. We're only a small committee of individuals representing a huge community. We need feedback. Why is our chat closed?

And somebody told me it was because Bagley-Keene. I've been asking attorneys. And everybody's saying where in Bagley-Keene does it respect us as a committee to close the chat. And nobody can give me a straight answer.

So, those are the kind of -- I'm using that as an example of things that -- a twist, a little bit of addressing that I think will make wonders and really put us in a position to really truly have a collaborative environment. Where everybody can contribute equally.

### **FACILITATOR BLOOMER:**

Thank you. And I do wonder if with that -- I just want -- I want to check in with the Committee. But it seems like it would be a good time to be inviting public comment about this topic.

But before we go -- remind people the steps to do that. At this point, I'm hearing there'll be some work outside of this process. And perhaps someone would suggest an agenda item for a future Committee meeting when they feel ready to bring back, again, some solutions specific to this process that, again, we are hearing there is pain being experienced around it.

So, just very much honoring that that there's no -- not having a recommendation today is obviously in no way saying there is no issue here. It's really a matter of like how to get at this in the hearing and mediation operations process.

So, if it's -- if it's okay with the Committee, I suggest we take public comment around this agenda item. Members of the public are welcome to comment on the previous item as well. Which was the responses to the previous recommendations.

So, I believe, if I've got this right, we will -- we will allow attendees to use the raise hand feature.

But before I even go even further, I do see Cathy, who's on our support team, has got her hand up. So, Cathy, please go ahead.

**MS.SCHULTZ:**

I'm so sorry. I was enabling the raise hand function and raised my own hand mistakenly.

**FACILITATOR BLOOMER:**

Oh, okay, no worries. All right. So, if you are a member of the public who would like to --

**DIVISION CHIEF ALJ FORMAKER:**

So, I'm sorry, Karin, this is Susan Formaker.

Mr. Gomez, I recognize that you believe that Bagley-Keene should allow the open chat feature. You just posted a chat to everyone. I have to read this aloud.

And I think this is demonstrating the difficulty of having open chat when we're trying to get people to raise their hands to be called on and have, you know, an orderly process.

So, Mr. Gomez typed into the chat, "From the website of the Attorney General on Bagley-Keene: Modeled after the Brown Act, the Bagley-Keene Open Meeting Act directs that state body meetings are open and public, and all persons are permitted to attend any state body meeting, except as otherwise provided.

Its purpose is to allow the public to attend and participate as fully as possible in a state body's decision making, 103 Ops.Cal.Atty.Gen. 42 (2020).

The public's right to open meetings is not only guaranteed by the act but is enshrined in the California Constitution. Cal Constitution Article 1, Section 3, Subdivision B." Thank you.

**FACILITATOR BLOOMER:**

Okay. So, just in terms of how to provide public comment, I see a few folks have found the raise hand feature.

So, again, please find that if you would like to speak verbally. We'll have Administrative Law Judge Sean Gavin give you a gentle reminder when you're 30

seconds away from your three minute limit. Just so we can ensure we've got enough time for everyone who wants to speak.

We're also going to pause and read aloud the emailed public comments as well.

When you do speak, if you could just state your name. And if you have an affiliation that you want to acknowledge, please do that as well.

Okay. I think I've covered the basics. And so, I think with that we'll go ahead and turn it to Judge Sean Gavin to lead us in the public comment period.

### **ADMINISTRATIVE LAW JUDGE GAVIN:**

Good afternoon. I'll start with the first hand raised, William Del Rosario. Mr. Del Rosario, you can unmute yourself.

And then you'll have three minutes as soon as you begin. I'll remind you when you have 30 seconds remaining. You can begin whenever you're ready.

### **MS. DEL ROSARIO:**

Good afternoon. This is Michelle Del Rosario, William's mother, and communication partner. William is an AAC user like Mr. Lana is.

Regarding accessibility, this meeting, we can't type in the chat right now. So, William would be unable to participate as an AAC user.

It did take me a good, you know, 15 minutes to find the email to let you know that you were not posting to the public the email address. So, just FYI on that.

I absolutely agree with Mr. Gomez on the accessibility. Because he cannot access this meeting with these parameters currently.

But regards to what our concern is. We did email a comment once I found that. My son and I have filed a notice of resolution with our Regional Center that was to be fulfilled by a specific date, March 31st.

And that date came and went. And we filed a delayed implementation to the Office of Community Operations. Which is the process. This was in April. It's now August 1st.

DDS, there's no urgency with them. They have -- or they're supposed to be doing the oversight. We have contacted the ombudsperson's office and several folks at DDS. They can't or won't get involved with that.

And it's super frustrating. We did that in good faith to try and work things out, as you were suggesting earlier. And then the very oversight committees don't have any urgency. Regional Center, it is a constructed denial.

You know, we've been four years without services for William. With DDS, it is, you know, deliberate indifference. They have no urgency to it.

And so, as consumers, all of these things you're talking about are wonderful. When we bring it up to the ombudsperson's office or DDS, they contact Regional Center. And Regional Center gives them their take on the scenario.

However, they don't ever come to us. It's happened to us with the 4731 complaint with this notice of resolution process.



So, just want to point that out. On paper everything looks great. However, the reality for us consumers, we still have a 24-year-old without services. Thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you, Ms. Del Rosario.

The next public comment is Oscar Mercado. Mr. Mercado, you can unmute yourself and begin whenever you're ready.

You'll have three minutes. And I'll remind you when you have 30 seconds remaining.

**MR. MERCADO:**

Thank you very much for taking my comment. My name is Oscar Mercado. I am a self-advocate affiliated with the Integrated Community Collaborative.

And I wish to comment on the agenda item in regards to how Regional Centers and the ARCA guidelines are regarded as experts when it comes to intellectual or developmental disabilities.

And while there certainly is a science and much complexity in the field of psychology, this does not eclipse the individuals lived experience.

There isn't an universal expert that can speak on one's behalf, other than those who have lived it or those who live with the individual with IDD.

As a self-advocate, I would like to ask this Committee to take into consideration the client's and families lived experience as valid.

Many of the families feel that the hearing process or mediation has a pre-determined disposition that favors the institutions rather than the people with the lived experience.

I would like to change this perspective and emphasize the importance of families input. No situation or condition will be the same. Each person has his or her own individual obstacles. And these need to be addressed. And the families need to be heard.

As a self-advocate, it is very difficult for me to see and hear how much disparity families are still experiencing. Families should come in with more confidence and more support. Not with the idea that the Judge is going to lean in favor of Regional Centers or other institutions

Thank you very much.

## **ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you very much, Mr. Mercado.

The next public comment will be from Ruby Seldanya (phonetic). You can unmute yourself and begin whenever you're ready.

I will say, please try to keep your pace at a level that our ASL interpreter and Spanish language interpreter can keep up.

With that said, you can begin whenever you're ready.

**MS. SELDANYA:**

Thank you very much. Ruby Seldanya. I'm a mother of three clients of Regional Center. And thank you for giving me the opportunity to speak up.

My son requires an accommodation open the chat for self-advocates who cannot speak but they can write. And how -- I don't know this is fair for them if about them. But they are not allowed to speak, not even write. There is no accommodations.

Please consider this in the next meetings. Thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you, Ms. Seldanya.

The next, it looks like Mercado has his hand raised, perhaps again. Mr. Mercado, we'll come back to you if there's time permitting.

The next on the list is Taralina Orzate. Ms. Orzate, you can begin whenever you're ready. You'll need to unmute yourself.

**MS. ORZATE:**

(Spanish speaking)

**ADMINISTRATIVE LAW JUDGE GAVIN:**

All right, thank you Ms. Orzate.

The next public comment will be from the individual with the screen name Valerio. That individual can unmute and begin whenever you are ready.

## **VALERIO:**

Good afternoon, members of the Board. My name is Valerio Vaca (phonetic).

And I'm here today to let you know that denying the opportunity for the self-advocates to participate fully in this webinar is totally unfair.

This system is built for them. And if they cannot participate, express their needs, their concerns, then what are we doing here?

There's people, like Mr. Mercado mentioned, that can or that say that we are the experts. We know what the client's need. We know how the system is going to help.

But every time the clients or their representatives go about asking, and I mean asking for services through the Regional Centers, they get turned around most of the time and denied and have to go to these cold fair hearings. Which I don't see any fairness in them.

I'm sending an email -- or actually I just sent an email. You are going to be able to see it, read it. Hopefully, that will give you an idea of how much the community is suffering and struggling to get services that are entitled to the Regional Center clients.

By denying the opportunity for these people for self-advocates to participate, it seems to me like a crime actually. Because you are suppressing the voices that should be heard all along.

We can all sit there where you guys are and express how much or how we are working. But we are missing an important part. We are missing the --

**ADMINISTRATIVE LAW JUDGE GAVIN:**

You have 30 seconds remaining.

**VALERIO:**

We are missing the voice from those who are the clients. The system, as I said, was built for them. And the system is not helping them at all.

So, think about it next time when we meet in November again. That chat should, and in my opinion, must be --

**ADMINISTRATIVE LAW JUDGE GAVIN:**

I'm sorry to interrupt, sir. Your three minutes have expired. Thank you very much for your public comment. We appreciate that.

We'll move on next now to the next member of the public, Claudio Rivera. Ms. Rivera, you can unmute and begin. Your three minutes will begin whenever you're ready. Ms. Rivera? It looks like Ms. Rivera may have moved her hand.

We'll move on next to Daniel Antunez.

**ANTUNEZ:**

Yeah, hello.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Go ahead whenever you're ready.

**ANTUNEZ:**

Give me a second. Okay.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Whenever you'd like to begin, sir. Mr. Antunez, I cannot hear you. I will note you are not muted, but I cannot hear. If you are speaking we're not getting it.

All right, Mr. Antunez, we may come back to you if you'd like re-raise your hand to get back in line that will be just fine. We have five public commenters remaining.

We'll move next to Onia Diaz (phonetic). Ms. Diaz, you can unmute and begin whenever you're ready.

**MS. DIAZ:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you, Ms. Diaz.

The next public comment -- the next public comment will be from the person with the screen name Integrated Community Collaboration. I'm sorry, I can't read the full name. But you can go ahead and unmute and begin whenever you're ready.

**MS. GOMEZ:**

Hi, good afternoon. I think that that would be me. My name is Elizabeth Gomez. And I'm not able to change my name on the -- as it appears.

I'm here as a mother of a child that's served by the Regional Center, another one that also just went through a process of mediation.

And I'm here also as a voice to the community. I have navigated the Regional Center in multiple informal meetings, mediations, and fair hearings for families who we support and help.

And I can tell you that today I find myself not knowing where to even start if I want to talk to you about how the process is really an unfair process.

I don't know if I should talk to you about what the solutions that we feel that would be very helpful. I don't know if I should talk to you about the ombudsman office and what we believe that it prevents them from helping us.

There's so many things in my mind today. But I think that for the most important one that I think I need to voice is the chat does need to be open. And the reason is that most of us, English is our second language. And some of them don't speak the language.

And so, for us, writing to you, a comment in the chat is a lot easier than actually voicing, you know, our comments on this platform.

So, I think the chat is very important. And it would also give you information that I think you need to hear.

Sometimes when we hear comments. And I don't want to mention names. But people representing the Regional Center who tell you that they are helping families, we find it to be very difficult. And I'm sorry to say, insulting, because families do not find the support. Families do not find the help.

It is a very difficult journey when families are sent through this informal process -- informal fair hearing or mediation.

Some of the families that we have attended with sometimes have had good outcomes. But they have not been able to implement them.

After the fair -- after the hearing or the mediation there's nowhere to -- for them to go and report that it's been a year and they have not been able to see the service support their families.

And I also want to tell you that I think that the families need a neutral place, somewhere where they can technically report. A survey that comes from the Department is not something that the families will respond to. But it's a neutral place -

#### **ADMINISTRATIVE LAW JUDGE GAVIN:**

You have 30 seconds remaining. I'm sorry to interrupt. Please continue.

#### **MS. GOMEZ:**

-- yeah. Families would feel safe and be able to voice their concerns and be able to send information that would help this committee understand what's happening and how they can best help us.

Again, I could speak for longer. But I know my time is up. I just want to advocate in the name of the families who are, in numbers, trying to connect with you through email or even, obviously the chat's not available. But they're doing the best they can to send emails today. Thank you very much.



**ADMINISTRATIVE LAW JUDGE GAVIN:**

I thank you very much for those comments.

The next person on our list is Patricia Campos (phonetic). Ms. Campos, you can unmute and begin whenever you're ready. Ms. Campos, I don't see you --

**MS. CAMPOS:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

-- oh, there you are. Go ahead.

**MS. CAMPOS:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you Ms. Campos.

The next comment is from Faviola Cruz (phonetic). And individual can unmute and begin whenever you are ready.

**MS. CRUZ:**

Hi, good afternoon. My name is Faviola Cruz. I'm a mother to a child from Regional Center. And also I'm a sibling to the mother that just spoke right now.

And I am here because I do want to say that I personally have been in support of many families where I've gone through informal hearings. And it's very unfair how they've been treated. It's disgusting. It's horrible.

These moms are going in there vulnerable, like explaining what they're going through. Like crying with everything and, you know, trying their best to advocate for the child.

And I've seen instances where a couple, either coordinators, whoever's in charge of the formal hearings and mediations, they've either rolled their eyes. They've either made small, like remarks. It's horrible to have seen this.

So, I agree with what Elizabeth just stated, that we need someone neutral. Someone that can actually hear us and not have to pretend that attitude to us. We already deal with enough in the Regional Center then have to have to deal when we go and be disrespected by people that are there to support us.

So, I am here, again, as stated before, we want fair hearings. Because right now I feel like -- and it's happening time and time again where, yes, they -- either they agree, they accommodate to some services. But the end result it starts happening again when it still hasn't been implemented as stated.

And that is my comment for today. Thank you.

## **ADMINISTRATIVE LAW JUDGE GAVIN:**

All right, thank you very much, Ms. Cruz.

The next comment will be from an individual who is identified simply by the word iPhone.

If your name is iPhone and you have raised your hand you can unmute and begin whenever you're ready.

**IPHONE:**

Yes, hi. I'm a self-advocate with the ICC community. And I just want to say that I am here representing the families here because we've, you know, the Judges are not on the families side. They are on the Regional Centers side. And they're also on ARCA's side when they should be on the sides of the families.

Because the families are (inaudible) a lot of times. And that's not right. And you know, that's called discrimination. And so, we need to -- we -- you guys need to do something about that. And we need to bring that to the table. And we need to have a discussion about that, because, you know, we don't feel right that the Judges do that to people and to the families.

Thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you for those comments.

The next public comment will be from an individual with the name Lordes. That individual can unmute and begin speaking whenever you are ready.

**LORDES:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you for those comments.

The next public comment will be from Brenda Lima. Ms. Lima, you can unmute and begin whenever you are ready.

**MS. LIMA:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you very much for those comments.

The next comments will be from someone with the screen name Sario De Zoom. That individual can unmute and begin whenever you are ready.

**SARIO DE ZOOM:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you for those comments.

The next comment is from an individual named Delfina Reyes. Ms. Reyes, you can unmute and begin whenever you are ready.

**MS. REYES:**

(Spanish speaking). Hello?

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Yes, we can -- yes, we can hear you.

**MS. REYES:**

Okay. (Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you for those comments.

The next commenter will be the individual with the name Daysi, D-A-Y-S-I. You can unmute and begin whenever you are ready.

**DAYSI:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you very much for those comments.

It appears to me that all the remaining raised hands are from individuals who have already commented. And I think that it is almost the time for our afternoon break. Although, pardon me one moment. I think I'm wrong there. There's one more hand that just got raised.

Ms. Bloomer, I'll leave it to your good judgment if you'd like to take one more comment before we have our scheduled break.

**FACILITATOR BLOOMER:**

Okay. I think we should take that comment. And then I believe we also have to determine when to hear aloud the written public comment as well.

So, if we could take -- Judge Gavin, can you just name the person who is verbal, name their name aloud and let them go. And then we can move to emailed comments.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

I believe the final comment will be from Dora Contreras. Ms. Contreras, you can unmute and begin whenever you're ready. It appears Ms. Contreras may have lowered her hand.

**FACILITATOR BLOOMER:**

Okay. Would it be possible for the support staff to let us know how many emails we'll be reading. And then that way maybe we can get a sense of whether we should take a break now.

**MS. NORRINGTON:**

Yes, this is Maryjosephine. We have several written comments. In English and in Spanish. So, we have about 15.

**FACILITATOR BLOOMER:**

Okay. Might I suggest we take a break and come back to read aloud the written comments. If that's all right with the Committee? I mean, it's probably either option or.

But why don't we take a 10 minute break and resume at 3:32, to listen to the written comments aloud. Okay. I'll see you then, thank you.

**(Off the Record)**

**DIVISION CHIEF ALJ FORMAKER:**

Office-of-the-ombudsperson. We also had an informational slide that stated information for the Office of Client's Rights Advocacy is 800-390-7032 for Northern California or 866-833-6712 for Southern California. Thank you.

**FACILITATOR BLOOMER:**

Thank you, Susan. Okay, so now we'll be turning to reading aloud the emailed comments. So, these are the voices of support staff and then an interpreter for the Spanish emails. And so, I'll turn it over to the team.

**MS. NORRINGTON:**

Good afternoon, this is Maryjosephine. First email comment. "Hello, FYI, if it is added to the chat the public does not see the email address to send comments, questions in.

The chat is disabled. And we only have one comment from Ms. Johnson, which that is visible. It took me some time to Google for this address." That came from Michelle Del Rosario.

Next email comment. "I am writing to you in my capacity as representative of my brother's client's from Orange County Regional Center to express my deep concern and disagreement with the procedure for fair hearings by the Regional Centers.

These changes, in my opinion, not only compromise the transparency and fairness of the process but also negatively affect the individuals and families who rely on these services to resolve disputes and obtain justice.

Specifically, I am concerned that why is the chat closed. We can't say anything about the report. And we are unable to express our experiences and raise our voice. Which, in my opinion, is unfair.

Fair hearings are a fundamental pillar to ensure that all parties involved have the opportunity to present their case fairly and receive just treatment. Altering the established procedures risks eroding trust in the system and harming those who most need protection and support.

I understand that these changes may be driven by a desire to improve efficiency or to adapt to new regulations. But I urge you to reconsider these modifications in light of their potential negative consequences.

I propose that a dialogue be opened with all stakeholders to more thoroughly assess the impacts of these changes and to see solutions that maintain the integrity and fairness of fair hearings.

Thank you in advance for your attention to this matter. I am available to discuss concerns in greater detail. And I am confident that by working together we can find a way to ensure that fair hearings continue to serve their essential purpose.



Sincerely," Maria Berumen, B-E-R-U-M-E-N.

Next written comment. "I work with Latino families and have had a fair hearing who state that the circle of support, family members, friends, advocates, they take with them are not allowed to talk or give testimony.

If this is true, it continues to be unfair." Dora L. Contreras, Retired School Administrator.

Next comment. "In good faith, we withdrew our OAH filing and signed a NOR that was to be fulfilled by a specific date. That date came and went. And we filed a delayed implementation to the Office of Community Operations. This was in April.

We rely on DDS for oversight. However, they are indifferent. Not only do we have constructed denial from our Regional Centers, but we have deliberate indifference from DDS. We rely on their oversight.

But there is no process, urgency, or importance placed upon getting consumers services. The ombudsman -- the ombudsperson's office washes their hands of this. They contact RCOC and take their word or records as facts without listening to the consumer.

Thank you." William and Michelle Del Rosario.

Next written comment. "By the way, on top of that, there is many people being left out of the meeting. We have chats, and many families are reporting that they can't get into the meeting. Just for the records." Ruby Saldana, S-A-L-D-A-N-A.

Next written chat -- comment. "Good afternoon, my name is Anna. I am a mother of a client of a Regional Center. My opinion is that any point I believe is fair to

have a webinar and disable the chat for the client's to speak and give their opinions. At the end of the day this discussion involves them.

Also, I want to point that what the Regional Centers are reporting is not true. There is no justice on services and no justice on the hearings. Thank you."

Next written comment. This comment is a duplicate of the one that I just read.

Next written comment. "In the hearings, Regional Center qualified themselves as experts with master's degrees and length of time they have worked, which is usually conveyed expressed in the decisions.

That being said, parent advocate are non-degree and less knowledgeable about the needs of the client. Even when Regional Center is not even trying to fight but ended up in the hearing, the ALJ leans towards the Agency, disregarding the issue at hand that advocate is bringing forward.

Not allowing witnesses who were not listed in advance, a missed opportunity for better advice or making the point.

In mediation, one ALJ put his nametag in front of him and didn't try to help mediate. That same Judge, having friendly and casual conversation with the Regional as all of us Regional Center client and advocate and OAH mediator as a group walking to the conference room.

Positive experience, during one mediation the ALJ stated he is not acting as Judge, is only there to help to resolve the issue at hand." Marie Smith.

Next written comment. "Thank you for calling my name, but at the same time I had problems putting my thoughts together. What you experience is what I did not want to be exposed.

Now everyone know and can see my disability, which was very embarrassing for me. Thank you for give me the opportunity. But I knew this wouldn't work for me. It was very shame for me to be exposed knowing that it would not going to work for many self-advocates like me." Daniel Antunez, A-N-T-U-N-E-Z.

Next written comment. "Good afternoon Board members. My name is Valerio Vaca. I have two children who are clients of Sequoia Valley Regional Center.

This email is to let you know about the experiences we had in a hearing with the Regional Center that took place during the month of July 2023.

During the annual IPP meeting for one of my minor children, we requested a service for when the generic service was not available at the end of the school year. The Regional Center denied services and sent the NOA for us to appeal the decision if we wanted to do so. Which we did, putting our faith in the system.

Upon arriving at the initial meeting, the Regional Center gave us a string of baseless excuses, maintaining its position in denial, alleging that the client did not demonstrate a need for the services, since generic services were available. And although the client was told Regional Center that when the District closed for the end of the school year and during holidays, generic services stopped.

However, the staff at this meeting were very rude, asking questions like when are you going to be parents? And they asked the client when they evaluated -- and they asked the client be evaluated to see if he qualified for services.

When we arrived at mediation, staff continued to say that the client does not qualify for services because the client was not evaluated for eligibility for this service.

In my opinion, this is discrimination because the client is already eligible for services from the Regional Center and was not -- and was being asked was the Regional Center" -- I'm sorry -- "and was being asked was that the Regional Center will provide services as a last resort. And we had to go to an unfair hearing in order to obtain the services.

Although the services were granted, the Regional Center staff said next time the client would have to go through an evaluation in order to get the services or he would not get the service again.

The mediator was a Judge who demonstrated in all her actions the bias that she has in favor of the Regional Center. And in addition, Ms. Sedona Bousser," that's B-O-U-S-S-E-R laughed shamelessly throughout the meeting, which demonstrates the lack of professionalism and arrogance of her as an individual in power. And she felt supported by the Judge, who mediated the meeting.

When I got to the Regional Center office, I was held hostage until I signed the paperwork. I was not allowed to leave and bring the paperwork with me to read and sign.

We know that there is a fair hearing reform. But the Judges do not have the empathy or training for the role they play. This leaves us in the same game we were in decades ago. Hearings are still unfair today.

If you have any questions, do not hesitate to contact me through this email chain. Thanks." Valerio, V-A-L-E-R-I-O.

Let's see. The next email comment. "I am 100 percent with the comments of Mr.-Fernando and Ms. Elizabeth Gomez. The ombudsman office is not a solution. They are not neutral. That's why they don't help our community. We need a neutral office that really helps."

Next email comment. "Thank you so much for listening to our needs and our experiences as family members of someone with disabilities. I have been a witness of unjust decisions with a Judge not wearing adequate clothing, where they only ask the Regional Center if they agree and ignored the parent.

He was not empathetic to mother who was there to defend her son's rights and treated her like a lawyer. When in reality she was not. She was only defending her son's rights.

This is why ask for a change, so that Judges are more empathetic to parents who are defending their children with special needs." Sincerely Carmen Silva, S-I-L-V-A.

Next written comment. "Hello, all. Regarding the fair hearing process, individuals receiving services from the Regional Center require assistance with representation throughout the entire process, from obtaining a notice of action to going to court.

It seems that there is limited help from organizations, possibly due to lack of attorneys and other issues. However, individuals need direct support and guidance throughout the entire process.

Another concern is the quality of interpretation for our Latino community, we need this service available. It is also crucial for the system, from service coordinators to

judges, to be neutral and treat us with dignity and respect. Besides other issues, we need transparency from our coordinators and supervisors, provide us with the correct information and stop the lies. And start providing families with quality service.

Regional Center needs accountability and consequences. Dealing with the Regional Center is causing health issues for mothers and affecting the entire family. Yet, they deny additional respite services.

This entire system and the people currently serving need a positive change. Best regards," Lettie Lopez/Angel Hernandez.

Next written comment. "Good afternoon. My name is Selina, and I am a mother of a client of the East LA Regional Center. And I would like to report that there is a cultural of no and will deny service, although it is very much needed.

I believe that this is unfair. And instead of being able to rely on DDS ombudsman, they just wash their hands because it's not a neutral party.

As a mother, it is very frustrating, and I believe that by closing the chats we are not able to express our concerns. If you would like to hear more from me regarding my experiences please let me know. Thank you."

That concludes our written English comments.

## **FACILITATOR BLOOMER:**

Okay. I think we'll be now moving to the emails written in Spanish.

**MS. LOR-SNYDER:**

Yes, thank you, this is Tzer. And those Spanish-written comments have been forwarded to our Spanish interpreter. And she will be reading them out loud in English.

**INTERPRETER SERRANO:**

Fair hearings information. "Hello. This email is an information for you to take in consideration that the reform has done nothing for the hearings. Nothing has changed much.

The Judges continue" -- hold on because the screen is bouncing. "The Judges continue without having any concern or knowledge of the services. The areas, especially the rural areas, are the ones that are a greater loss.

I could actually use Redwood Coast as an example, because they use their power and their connections against families. Redwood is a territory that is intimidating in my experience and also intimidating to the families without having to have somebody to help the clients and their families.

The same director called me to know what day I would be available so that I could support a family after I had tried -- after she had tried to intimidate me through an email. NLACRC is another area that has not changed.

And it's all about intimidation. This intimidation comes with vengeance as well. Please take in account that all the information is my personal perception of what is going on.

As I have said, I have felt that as a mother and as an integrator, I'm trying to also help families. ELARC is a territory that is hostile where ANOA is the first option of each coordinator of services.

The Judges in their great majority" -- be careful because it bounced again pretty bad. Okay. "The Judges should make sure that the centers comply with all -- what the judge ordered." It keeps bouncing.

"The coordinators of services should not be used as a weapon against their own clients. Hearings that are" -- oh gosh. "Hearings that are safe and just should have that name for a reason. It should be just for everyone regardless of the level of education, language, ethnicity, or any other difference.

I hope that this information is useful and that we can restore the process of these hearings to become really fair." This is Ruby Seldanya.

Next written comment. "Clarity in all the hearings and in ARCA. Hello, everyone. These are moments where we are being listened by Zoom where we are trying to -- where there's a lot of lies going on and being said at the hearings.

It is not fair to me that the chats are being closed to us and the cameras to all the families that are trying to listen without being able to defend truth.

Please help us as a community and to our children with disabilities that are really needing your help. May all these things be corrected and with no lies. Thank you." Fabia Escodero (phonetic).

Next written comment. "Experiencing fair hearings. Good afternoon. My name is Maribel Oliver. I am a mother of a client at Redwood Coast Regional Center.



I would like to share my experience with the process that I had to go through with the unfair hearings. In 6/6/23, I had my meeting, my informal meeting.

It was very frustrating because the person assigned took the meeting" -- hold on a second it bounced -- "handled the meeting without knowing what the services that were offered were about in the Regional Center.

When she was asked if they had any knowledge of the services that the client had solicited, he said that he had no knowledge" -- oh boy. Hold on a second, it keeps bouncing up and down on my screen. Once I get to it, it bounces up and down. I'm so sorry.

"So, he said he had no knowledge of the services and that they would send us to generic services. We told him that the services did not exist in the system or the generic system. And he said that he, too, didn't have no knowledge of any generic systems.

It was very frustrating to see that the person that was assigned to us had no knowledge of what was going on. We hope that the things are done in a correct manner and without lies. Thank you." Fabia Escodero.

Next written comment. "Experiencing fair hearings. Good afternoon. My name is Maribel Oliver." I think this is repeated for some reason. Hold on a second.

So, I'm so sorry, but Maribel Oliver continued and said, "I continue being my own experience in mediation in July 19th, '23, services were approved with conditions. The option was a standard service that was conditioned or had conditions.

And that doesn't work for the client. To this date, the client has not received any services because of all the barriers that we've had with RCRC and that they have been placed by them.

Even though we know that there are reforms in hearings that are supposed to be fair, to this day we have not seen anything implemented."

It bounced up again way high. Give me a second, I have to try again.

"So, we already know that there has been reforms in the hearings that are supposed to be fair. To this day, we haven't seen anything implemented. They continue to be unfair. Thank you so much." This is Maribel Oliver.

Next comment. "Training for the Judges. To whom it may concern. This is a communication to inform you of the meeting that was on the 1st of August 2024.

Unfortunately, the community was not able to access the chat, and especially to make any comments written or in public. This is unfair. This meeting reflects the reality that we live with.

Ms. Jenny, unfortunately I don't remember her last name, let us know that they would coordinate and help the families at the Regional Center where she works. But unfortunately this is not what's happening in all the 21 centers.

They should monitor each one of them." It keeps bouncing on me, I'm sorry. "They should monitor each one of the centers and also the cases where they have these hearings that continue to be the same. Including the coordinators have actually said that this families -- that even though they go to hearings they will not change. And the opinion will not change either.

And what I'm saying is that I was present at the meeting where this was said. I am highlighting that the cases continue to be the same.

The community has to be heard. There should be access in the chat. They should be listened as a community so that they can start thinking of the reality."

They should copy -- no, "They should gather all the information, correct information, with the cases that the community has. If not, this will never report any good stats that are real."

Okay, next comment. "It is unfair, and it is a total lie to presume that the Regional Centers present. The reality, it is very, very different."

Next chat -- or next comment. "The chat is closed. Hi, I am as a family and also an advocate of two of the clients at the Regional Center at Orange County.

I am not in agreement with the way that it is being handled or this meeting is being handled, although it's an informative one.

It seems that it's unfair that you have closed the chat, and we cannot express our opinions and experiences with the hearings that we have at the Regional Center. Nothing has changed. Nothing is real. They don't allow us to speak. We are trying to advocate for our rights and for our loved ones.

Please consider opening the chat so that we can give you the information and that the information is fair and with equality. Thank you." Maria Verumen (phonetic).

Next comment. "We are asking that you open the chat so that we can make comments also in Spanish. We have a lot of questions, petitions for the clients at the

Centers. We need to be heard. We need to have our comments heard from the parents.

We're reading" -- I'm trying to catch up again, it bounced. I'm so sorry. "Please consider opening the chat so that the information is fair." This is Maria Verumen, sorry.

"We are asking again that you open the chat so that we can make our comments. We are making -- having a lot of questions, petitions for the clients at the Center. We need to be heard with our comments as parents. We are also reading. And we learn from the rights. And we also from our children." It jumps again.

"And we need to learn about the rights that our children have so that we can prepare for the Lanterman law better at the Regional Centers. Please listen to our voices." CMR.

Next comment. "Lucero. Please open the chat for our comments." And then it goes into English. "Are there any email comments."

"The meeting with the judges." It's another Spanish Comment. "Good afternoon, this is Eddie Casebedon (phonetic). My experience in the mediation was very stressful, very frustrating. And I also felt very discriminated.

I am just a simple mother with a child that has autism. And I didn't know anything about these hearings. And I didn't feel any support from the Judge. Thank you, and hopefully these hearings we can" -- actually it says hearings. "But at these meetings we can get to a point to help and grab services for my child who needs it."

Okay, that's it. I don't see any more Spanish comments. Thank you so much.

## **FACILITATOR BLOOMER:**

Thank you. So, obviously an outpouring of public comments. We thank members of the public for their verbal comments and their written comments.

I just want to do a process check. It's 4:09. The meeting is scheduled to adjourn at 4:30. We will want to take general public comment before we adjourn as well.

We do have one more agenda item. But before we -- my thought is to at least just read that aloud. And if there's just a few minutes for the Committee member who submitted it, to give us a sense of, again, sort of the context around it, the interest around it.

At least so that can percolate between now and the next meeting and we can agendaize, you know, retain this agenda item for the next meeting.

Before I do that, is there a committee member who through this process has come to a motion they do want to make in regard to this agenda item that we have been discussing?

Or otherwise, I think it's still the case that there's an interest in bringing back some more information by a committee member or two around something for a future meeting.

But just want to give that moment. Is there a committee member who does have a motion at this point?

**COMMITTEE MEMBER GOMEZ:**

Fernando here, and are we still talking about the agenda item nine that we were talking about, process?

**FACILITATOR BLOOMER:**

Roles of the Regional Centers in the hearing process and how Regional Centers are accommodating fair hearing reform.

**COMMITTEE MEMBER GOMEZ:**

Yeah.

**FACILITATOR BLOOMER:**

We'll move on just briefly to the next and last agenda item.

**COMMITTEE MEMBER GOMEZ:**

Okay. So, I think I'm hearing the question, you mean, in summarizing the discussion based on why I had proposed that we discuss it as a Committee. It would be the next steps, right. That's where we're at right now.

**FACILITATOR BLOOMER:**

Yeah, I think just asking, really, unless -- just checking if there isn't a motion right now that someone wants to put on the table for this topic we've been discussing this afternoon.

Just confirming that, if that's the case, I'd like to move onto the next agenda item and just briefly ask the Committee member that submitted it for the agenda to, again, give us a little context for the few minutes we have before we turn to general public comment.

So, just confirming there's no motion on the table right now for this item we have been discussing.

### **COMMITTEE MEMBER GOMEZ:**

Being that Committee member who did submit this agenda item. And if I'm hearing the correct word, a motion.

And I'm not sure this is a motion that we would vote on. But I would put a motion. If it's a votable motion then let it be as such, that we would then take this topic, put a structure around it.

I'm tossing it here, again Pete, I'm throwing the football at you, that maybe with you and your team that we can incorporate a diverse group of people like Dr. Weller and maybe Ms. Dupree and others who are interested in helping bring in some ideas and thoughts. Kind of define what that process is. And then share it back to the Committee for feedback.

### **FACILITATOR BLOOMER:**

Okay. So, I'm hearing a draft motion. And we'll just have to follow a couple Bagley-Keene rules there probably, which we can follow up on in terms of the number of Committee members that bring something back.

But I'm hearing maybe the start of a motion, Mr.-Gomez, that a subcommittee bring back a set of proposed recommendations on this agenda topic?

**COMMITTEE MEMBER GOMEZ:**

Yeah, a summary of the process with recommendations on improving that process so that it become more equitable and align with the spirit of the reformat.

**FACILITATOR BLOOMER:**

Okay. So, a motion to bring back a summary of the process and some recommendations for improvements around it.

That processing being, as we described, the role of the Regional Centers in the hearing process. And how Regional Centers are accommodating fair hearing reform.

So, that is your motion, Mr.-Gomez, a summary and --

**COMMITTEE MEMBER GOMEZ:**

It is, Karin, it is, thank you.

**FACILITATOR BLOOMER:**

So, if I'm just following then, do we have a second to that motion of a subcommittee that brings back a summary of the process with recommendations for improvement?

**COMMITTEE MEMBER YEH:**

Second.



**FACILITATOR BLOOMER:**

Maria Iriarte seconds it.

**COMMITTEE MEMBER IRIARTE:**

No, no, I don't second it. I want to add to that.

**FACILITATOR BLOOMER:**

Oh, my apologies. Who was it that just seconded it?

**COMMITTEE MEMBER YEH:**

Sylvia.

**FACILITATOR BLOOMER:**

Sylvia Spiegelman (sic), thank you. And now discussion, please, Ms. Iriarte.

**COMMITTEE MEMBER IRIARTE:**

I just wanted to add to that, that before the subcommittee brings it to us, that the recommendations -- because not all of us will be in that subcommittee.

That those recommendations be circulated before the next meeting so that we all have the opportunity to add to those recommendations.

**FACILITATOR BLOOMER:**

Okay. So, we may need to just kind, again, we'll do a process check on how to do that appropriately for public meetings. I'm certain there is a way to at least share

them out. And at least bring your recommendations then, additional recommendations, to the meeting.

We can sort that out. But in the spirit of being able to contribute to them as a Committee, I think that's a process point that I think we can just note. If that, I mean, again, people who are -- who know more about these rules can let me know. So, I think we can just note that as a process point.

And any other discussion about this seconded motion for a subcommittee to bring back a summary of the process and proposed recommendations. Again, that in this space, of course, Committee members can contribute to and add to.

Any other discussion before we take that to a vote?

Okay. What I'm also wondering is do we need to name -- well, let's go ahead with that vote. And what's on my mind is that we need to name that subcommittee. I don't know that we need to here now.

But let's go ahead and do a rollcall vote. So, when I call your name, if you could say aye if you support it, no if you don't. And say abstain if you don't want to weigh in on this. And I'll move through the rollcall.

## **DIVISION CHIEF ALJ FORMAKER:**

Karin, can we just clarify exactly what the motion is?

**FACILITATOR BLOOMER:**

It's to form a subcommittee that will bring back a summary of the process of the roles of Regional Centers in the hearing process and proposed recommendations for the Committee to consider.

Okay. Darlene, please go ahead before we --

**COMMITTEE MEMBER DUPREE:**

Sorry, I do have a question. In terms of (inaudible), I think, Karin, you're going to check and see what the process would be for that.

And then in terms of the logistics of identifying individuals who would be a part of that subcommittee, that would come after you identify how many people can be in all of that. What does that look like?

**FACILITATOR BLOOMER:**

Well, my thought is first let's see if this vote passes that there would be a subcommittee to do this. And my thought is take that step first.

And then, I don't know, I might -- my understanding is it's two members of a public body can confer as a subcommittee. I don't know if folks in real time can sort that out while we're voting.

I think that would be the -- excellent. We've got ALJ Heather Rowan who may be able to clarify. Heather, please go ahead.

**ADMINISTRATIVE LAW JUDGE ROWAN:**

I want to say that there's a comment from Mr. Lana in the chat.

**FACILITATOR BLOOMER:**

Oh, thank you, okay. So, Mr.-Lana is asking, "How is the subcommittee formed."  
Yes, great question.

So, we're sort of thinking about that. Just my off the top understanding is that we would be safe if there were no more than two members of the Committee working as a subcommittee together.

So, that would just give us the number of individuals. I know Fernando Gomez has volunteered to be one. And I suppose we would ask for another volunteer.

But I wonder first I should just check to see if this vote passes. If that makes sense. But please. Aini Tjauw, you had a comment?

**COMMITTEE MEMBER TJAUW:**

Yeah, I have a question. I guess, you know, before we vote on a lot of yes or no, abstain. It's usually -- we kind of -- it's hard for me to vote because I don't really know the details of the subcommittee.

How many people? Is there a layperson, a Judge, a parent, an advocate? So, we're -- I guess it's kind of doubling the details.

**FACILITATOR BLOOMER:**

Sure, understood.

**COMMITTEE MEMBER TJAUW:**

So, my concern is I don't know what it is. So, it's hard for me to vote.

**FACILITATOR BLOOMER:**

Weigh in, sure. Well --

**DIVISION CHIEF ALJ FORMAKER:**

Can I interject for just a moment? This is Susan Formaker.

You know, in addition to the extent that there is a vote taken, OAH would have to determine whether or not the Act allows this and who would advise on that.

So, I just wanted to --

**FACILITATOR BLOOMER:**

Okay, the Bagley-Keene Act? Susan, the Bagley-Keene Act?

**DIVISION CHIEF ALJ FORMAKER:**

Yes.

**FACILITATOR BLOOMER:**

Okay, all right. Well, what is another way we could think about this that still helps us move it forward? The concept, that is?

I think we could certainly -- would it be possible for OAH to share with us after the meeting the manner in which, you know, subcommittees are allowable? And we could then have that information.

**DIVISION CHIEF ALJ FORMAKER:**

So, what I -- what I would suggest is that the Committee members review the materials that have already been distributed on Bagley-Keene.

Including on our website we've got the link to the most recent Attorney General's document on Bagley-Keene meeting act requirements so that those can be discussed.

OAH can't really provide legal advice to the Committee in terms of what is and is not allowable.

**FACILITATOR BLOOMER:**

Fernando Gomez, your thoughts?

**COMMITTEE MEMBER GOMEZ:**

Yeah, from my perspective, I don't think as a committee member that I would look for legal advice from OAH on this.

I think as a committee that we should be empowered how to improve on the system and address these issues. We just went through a lot of feedback from the community. And there was some consistency on what the message is.

So, let me express some concerns that I have. This Committee meets once a quarter. And it's far and few in between meetings. So, I'm not really understanding, if

we're not able to have subcommittees and be able to look at solutions to improve on the system, then really what is the purpose of the Committee.

I think this Committee needs to be empowered. There are a lot more questions than answers. You know, how many people can participate? How do we participate?

Those are the things that I think need to be defined. But if it's not clear to us that there needs to be something in place to improve the system, then I literally just spent four hours in what I would consider a waste of time if we can't create tangible things to do.

So, you know, I apologize if my passion kind of maybe comes a little bit strong. It's not intended to offend anyone. But, I mean, are we really going to do something? Or are we just going to continue just in conversation? That's my question.

### **FACILITATOR BLOOMER:**

Well, I feel confident there's a path forward for, I mean, subcommittees generally speaking in other venues I'm involved with.

So, I'm just trying to think of a way to provide that and like, you know, feel confident in moving forward.

So, maybe there is, at this point -- well, I hear your point too, Aini Tjauw, of feeling like you're not sure how to weigh in on supporting a subcommittee if you don't know the details yet.

Let's see if we've got some other ideas. Jennifer Cummings, what are your thoughts?

**COMMITTEE MEMBER CUMMINGS:**

Well, I just wanted to clarify the motion. Are we just asking to think about and make suggestions to internal Regional Center process? Is that what this is about?

**FACILITATOR BLOOMER:**

Well, I'll turn to other Committee members. I mean, my sense is that we're -- this Committee's purpose is -- most squarely resides in how the hearing and mediation process can be improved.

So, in my way of thinking, it's under this agenda item, the Regional Center role in that is to look at that and understand the current process certainly in the hearing and perhaps leading up to it to better understand what that looks like today.

And then -- and currently -- meeting currently. And then bring recommendations to improve that.

Is that fair, Mr. Gomez, in how I've characterized that?

**COMMITTEE MEMBER GOMEZ:**

Yeah, it is fair. And I think that we've heard a lot of feedback in this discussion today that I think can be some valuable feedback to improve on the process.

And I think that this is an opportunity to implement something that can hopefully change the process as it is today to become more equitable and not as stressful as we've been hearing.



**DIVISION CHIEF ALJ FORMAKER:**

This is Susan Formaker. I just wanted to note that Otto Lana had a comment. "For all those reasons, I vote no to a subcommittee until we know the details of the subcommittee."

**FACILITATOR BLOOMER:**

Thank you. Okay, well, I'm open to ideas here on how you want to handle this.

I mean, another option would be to agendize having the process shared at the next meeting. Someone could suggest having that process shared. Submit that as a proposed agenda item and really encourage all Committee members to be thinking about specific recommendations to bring back to the next meeting, specifically around this.

**COMMITTEE MEMBER GOMEZ:**

I was under the impression that there was a motion. And we were looking -- and you had actually asked if there was a second.

**FACILITATOR BLOOMER:**

Yeah, that's a good point, thank you.

**COMMITTEE MEMBER GOMEZ:**

And I think people have made it their opinions. But I think it should be open to hear everyone's opinion.

**FACILITATOR BLOOMER:**

Thank you, I appreciate that. It was seconded, that's right. And so, I guess, is there more further discussion before we take the vote? Yes, Sylvia. Nina, excuse me, Nina.

**COMMITTEE MEMBER SPIEGELMAN:**

It's okay, and I get it. Just very quickly. There may be one other option. I know that -- I thought that the number of meetings that we have as a committee is it can be expanded if, you know, if so deemed.

Maybe, one thought, would be to have an additional meeting where the, you know, maybe that could further elaborate on a process. Or we could get in the interim just some general -- some information about the parameters of some kind of subgroup or subcommittee or whatever are.

And then have an additional meeting. You know, something that can work within the confines of, you know, what we've got going here.

But, you know, I wouldn't rule out the possibility of an additional meeting, if necessary, because it seems like we've -- there's a lot of momentum that was gathered here, you know, on this topic. And it's such a fundamental topic.

So, anyway, just throwing that out as a possibility.

**FACILITATOR BLOOMER:**

Right, that also seems like a viable possibility. So, I think -- I think we can get -- we can get legal advice on how, you know, subcommittees can be formed.

Again, I think we -- it can't be provided here now. But it's something that can be provided after this meeting. And so, to Nina's point, we could get some information on that.

I do want to just, I think as a point of order, check in with you, Mr. Gomez, about whether the motion still stands then and we still take a vote and see where it goes. And then see if there's a different motion for something along Nina's suggestion. Or --

**COMMITTEE MEMBER GOMEZ:**

Yeah. Thank you Karin, I know we're trying to figure this out, but yeah, I would like the opportunity to move the motion forward.

And here, again, you know, the reason I would do so is because I believe that, you know, time is of essence. And there are people who need solutions today.

And for us to delay even 90 days may not seem a lot to some people. But for a lot of people it's an eternity. So, I'm just trying to help find solutions and be able to see what we can do as a committee.

So, in saying that, I would ask please that we move forward.

**FACILITATOR BLOOMER:**

Thank you. I see Maria Iriarte's hand.

**COMMITTEE MEMBER IRIARTE:**

I agree with Fernando that time is of the essence. But I -- could we, as an alternative, have another meeting soon.

You know, the next one is scheduled in November. So, because even if we vote on this motion and it goes forward, we don't know if it's going to go forward.

Because you guys may come back and say Bagley-Keene doesn't allow us to have subcommittees.

So, could we address the issue of whether or not we can proceed with a subcommittee soon? Like another meeting. That's what I would propose.

**FACILITATOR BLOOMER:**

Well, again, okay, so I think in terms of point of order, I would just, again, confirm with Mr. Gomez that he wants to proceed with the motion and see how you all feel about it.

And there could be a second motion, a new motion, for a meeting sooner than November to bring this topic back and proceed, if I'm understanding you correctly, Ms. Iriarte.

**COMMITTEE MEMBER IRIARTE:**

Well, sooner than November could be October 31st. So, when I mean sooner, I mean within the next -- we're into -- within the next month.

**FACILITATOR BLOOMER:**

Okay, thank you. I see Sylvia Yeh's hand.

**COMMITTEE MEMBER YEH:**

I think the reason I second it, really, is that three months is just too long. And we hear so much, so many painful statements and how they've been treated unfairly.

And I think we really need to address that. I mean, dragging for three months, it probably doesn't go anywhere. And we might be (inaudible) on that.

So, that's what I think, you know with a subcommittee or what Maria suggested, that we need to meet again. That's what I open for that.

**COMMITTEE MEMBER GOMEZ:**

Thank you. And if I can expand on what Sylvia just shared, that I agree. And I think that, you know, the recommendations to maybe open up an earlier meeting opportunity is a great one.

And it can do one of two things. One, it can give us an opportunity to sure we'd be able to have the subcommittee and then use that time to really just hit the ground running.

And if we're not able to do the subcommittee, then we have -- other option -- but to find another solution to really address these issues.

But either way, it creates a win-win.

**FACILITATOR BLOOMER:**

Okay. So, what I'm hearing thus far is a desire for the person who made the motion, and it was seconded to vote on that of establishing a subcommittee to bring back a summary of the process and recommendations.

And then, we would also -- I would ask then thereafter if someone had a motion to recommend to convene this Committee sooner. Perhaps even as soon as a month out for a seconding discussion and voting. That's what I'm understanding.

So, back to the -- I'm just checking, OAH and others that this is -- that I'm moving through the steps appropriately.

And from Mr. Lana. "We spend a third of our time hearing the exact same stories each time. While they are important they are exactly the same. And we are unable to move forward to make meaningful change."

**DIVISION CHIEF ALJ FORMAKER:**

So, I just wanted to mention that given that we now have a specific motion, I think we may need to open it up to public comment again.

**FACILITATOR BLOOMER:**

Okay. So, if Committee members who are able to stay on can hang in there with us, I realize we're after time.

We'll open up for public comment reactions to this motion to bring back a summary -- have a subcommittee bring back a summary of the process of Regional Centers involved in the hearing process and proposed recommendations.

So, we'll be looking for hands again with a three minute minimum -- maximum, excuse me, so that others can speak.

And I'll turn it over to Administrative Law Judge Sean Gavin.

## **ADMINISTRATIVE LAW JUDGE GAVIN:**

I do note that several attendees have their hands raised from before. The current public comment is limited to the motion that's on the table.

So, I'll call folks individually in order. But please try to limit your comments to the motion that is presently pending.

Start with Dora Contreras. You can unmute and begin whenever you're ready.

## **MS. CONTRERAS:**

I'm very sorry, but my first public comment I couldn't find the unmute. It didn't come out on my phone. I'm very, very sorry.

So, I'm not going to go ahead and -- I'm going to go ahead and address what we're speaking about at this moment.

I wholeheartedly support Fernando Gomez in his proposal to have a subcommittee. There are definite problems in the process, as you've heard from several family members that have experience.

And I can't emphasize enough what Oscar Mercado, our self-advocate said in his statement, that that lived experience is what is most important in making these types of decisions.

If there needs to be a smaller group talking about what needs to happen, then that needs to be on the table.

I really do want to say that there has been some slight improvements in the process. During the -- when I first came in -- onboard, I'm also an ICC (inaudible).

So, we work hand-in-hand with families at the grassroots level. So, we're there. And we're also moms. I'm a grandmother of a 31-year-old person with an intellectual disability.

So, we have lived experience. And I do want to say that that lived experience is very valuable.

The first time that I accompanied a mom, I had just started joining the ICC Organization. And the mom had to face not only a Judge, but a lawyer. A lawyer was present and four or five members of the administration of the Regional Center administration were present.

And I remember the horrifying experience of facing those people. And now, okay, the lawyer's gone. But now we have issues with Judges. When is their training going to start? If it's started, what is their training about? Is it skills? Skills that they already have?

Or is it something in listening to lived experience situations like you heard today and becoming a little bit more empathetic. Empathetic and compassionate about those people that come forward because they don't have the services that they need.

There is a --

## **ADMINISTRATIVE LAW JUDGE GAVIN:**

Sorry to interrupt. You have 30 seconds remaining.



**MS. CONTRERAS:**

-- there is a total lack of respect for the families if they are facing the Regional Center administration or whoever is there (inaudible) manager and not looking at the families to ask them questions. And asking the administration to talk about the Lanterman Act, that's not fair.

So, we need -- changes need to happen. And I realize that this is a change in the system that's probably been in, I'm not sure, but 50 years, as long as the Regional Centers. And whenever you try to paint a picture --

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Sorry to interrupt --

**MS. CONTRERAS:**

-- it's very, very hard.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Your time has expired.

**MS. CONTRERAS:**

Thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Sorry, thank you. Your time has expired.

The next public comment will be from Claudia Velasquez. Ms. Velasquez, you can unmute and begin whenever you are ready. Ms. Velasquez, we don't hear you yet.

All right, in the interest of time we'll move to the next commentor with the name Mari, M-A-R-I. And we'll return to you, Ms. Velasquez, if you'd like.

For Mari, you can unmute and begin whenever you are ready.

**MS. ELMARA:**

Yes, hi, good afternoon. I'm Ms. Mari Elmara (phonetic). And I just want to say thank you for opening the microphones.

But you hear the issues that we encounter in our community. Well, just the minorities in general.

So, what I'm suggesting today is that something has to be done when it comes to training, they're going to do just not a complaint. Because I think you can (inaudible) what's going on in our community.

But I think somebody has to be monitoring the training the Judges are going through. Because our families are encountering a lot of disrespect from the judges. Maybe because they are not familiar with the Regional Center or what families go through.

In the past, I encounter, you know, being a witness with families that go through a lot of disrespect from the Judges the way they talk to families, it's very diminished.

And so, you know, something -- well, I have report, someone to be like a mediator I would say, that monitored these trainings and report exactly what is happening in these trainings to better understand, you know, what is going on with this training.

Because sometimes, you know, training is just minimum. It doesn't really, you know, change anything at the end of the day.

And I think also that our families do not report all the things that are happening with the Regional Centers because the Latino retaliation.

And, you know, the data is not there. So, I really, you know, would suggest that it's time for change. It's time for change, it's like 15 years that we are going through these. And it's a lot of trainings and recommendations.

But at the end of the day nothing has changed. So, I just, you know, wanted to see, you know, that this Committee and these training and these meetings today are open to the public because I think, and I believe that the way that we're going to see change is hearing the community who are suffering.

You know, these, we go through these kind of issues in a lot of meetings with Regional Centers where the microphones are closed. People are commenting, people are, you know, talking about the people they are serving but not --

## **ADMINISTRATIVE LAW JUDGE GAVIN:**

Thirty seconds remaining.

**MS. ELMARA:**

-- they are serving. So, one recommendation is these are meetings that it has to be open to the people they are serving. So, thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you for those comments. Ms. Velasquez, it appears you may be unmuted. If you'd like to take your turn you may begin whenever you're ready.

All right, Ms. Velasquez, once again we are not hearing you. All right, once again we will move on. The next commenter is named D-E-V-V-A, Devva. That individual can unmute and begin whenever you are ready.

**DEVVA:**

(Spanish speaking).

**ADMINISTRATIVE LAW JUDGE GAVIN:**

This is in response to the commenter. I don't know if there is an audio distortion or if perhaps --

**DEVVA:**

I have a speech (inaudible) comment in the chat in the comment section.  
(inaudible)

**ADMINISTRATIVE LAW JUDGE GAVIN:**

All right, thank you for those comments.

We'll go to the next commenter, Luz Sandoval. You can unmute and begin whenever you are ready.

**MS. SANDOVAL:**

Thank you. I believe the young lady that was just speaking before me, I don't think she was done. I think she was asking for, very important for the chat to be accessible for everyone. I believe she needs some help with the TTY or electronic assistance that she needed for her.

So, that's very important, because she's one of the advocates. And she's also one of the important ones among us that we're advocating for those type of assistants.

So, we do want to say that not only people who are verbally but nonverbally have the assistive technology in place, like for example, chat. We have to open that for everyone.

With mine, also, I have bad experience with Regional Center. And I had an experience in 2003, my daughter had services when she turned 3 years old. After that, I did not get any services. I did not know which Regional Center was. They didn't guide me with anything.

Services, all they gave my daughter was speech. And after she was 3, and then no more services.

How I found out that Regional Center that they still continue is by another parent. And by that parent, she told me, no you still go to Regional Center. But I didn't know how.

So, my solution or some kind of solution with Regional Center to reach out to those parents. That you don't know the system or the services, how we can prove, you know, the services to be carried on for Regional Center.

My daughter has a rare disease, Camurati Engelmann. It's very rare, it's like 300 people only have it. And she's in a power wheelchair. And I know she has -- she needs the Regional Center.

Right now she doesn't have no services, we're already in 2024. I believe another solution also should be that you guys need to have a system to call those individuals who have fallen through the cracks and why are they not getting services.

For example, my daughter, 2003 she hasn't had any services until now, she hasn't had services. And call those parents, how you doing? Is there anything we could do? Do you still qualify for services? Because my daughter do need the services.

And also, be courteous and respectful to people. I, myself, within the past years, I've been also calling Regional Center to see what's going on. And the thing was that oh they had to transfer your file to --

#### **ADMINISTRATIVE LAW JUDGE GAVIN:**

Sorry to interrupt. You have 30 seconds remaining.

#### **MS. SANDOVAL:**

Thank you. The transfer was very -- not very transparency. Because it took another six months -- six months to get to the Regional Center of Pomona.

And right now, again, we're still waiting. So, there's a lot of problems we need to, and we do need that other group, support group, that Mr. Gomez is asking. So, that way we can come up with solutions.

We're not here just to complain, complain. But we're here also to come up together in the community to come --

**ADMINISTRATIVE LAW JUDGE GAVIN**

Thank you. I'm sorry to interrupt. Your three minutes has expired.

**MS. SANDOVAL:**

Thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you.

**FACILITATOR BLOOMER**

Thank you for the public comment before taking a vote. I'd like to do that now. And we do have interpreters who will need to leave. And so, I'd like to propose we take the vote and wrap up.

And I believe there needs to be general public comment. And I certainly can stay on. But we won't have interpreters.

So, with that, we're taking a vote to form a subcommittee to bring back a summary of the role of the Regional Centers in the hearing process and proposed recommendations for improvement of that process. I'll take a roll call vote now.

Just confirming, Lilian Ansari is not here.

**COMMITTEE MEMBER IRIARTE:**

Karin, I have a question before we vote.

**FACILITATOR BLOOMER:**

Yes.

**COMMITTEE MEMBER IRIARTE:**

Are we also going to vote on having a meeting within the next month to talk about whether we can have the subcommittee? Can we vote on that, too?

**FACILITATOR BLOOMER:**

I'm happy to do that. I know we have a time constraint with interpreters leaving. Because we're after time, but yes.

**COMMITTEE MEMBER IRIARTE:**

Okay.

**FACILITATOR BLOOMER:**

I'll make that motion quickly after we do -- I would look to you, perhaps, to make that motion.

All right, staying on the current vote. I'm going to ask for Monica Becerra, what is your vote? Is Monica not here? Okay, my apologies.

Jennifer Cummings?



**COMMITTEE MEMBER CUMMINGS:**

Aye.

**FACILITATOR BLOOMER:**

Thank you. Darline Dupree?

**COMMITTEE MEMBER DUPREE:**

I would abstain for the moment.

**FACILITATOR BLOOMER:**

Okay. Fernando Gomez?

**COMMITTEE MEMBER GOMEZ:**

Aye.

**FACILITATOR BLOOMER:**

Yulahlia Hernandez?

**COMMITTEE MEMBER HERNANDEZ:**

Yes, aye, I agree.

**FACILITATOR BLOOMER:**

Maria Iriarte?

**COMMITTEE MEMBER IRIARTE:**

Aye.

**FACILITATOR BLOOMER:**

Sherry Johnson?

**COMMITTEE MEMBER JOHNSON:**

Aye.

**FACILITATOR BLOOMER:**

Otto Lana? "No." Carola Camacho Maranon, I believe still not -- did not attend in person. Antony Charles Marron?

**COMMITTEE MEMBER MARRON:**

Aye.

**FACILITATOR BLOOMER:**

Jessica Quesada? Not with us. Nina Spiegelman?

**COMMITTEE MEMBER SPIEGELMAN:**

Aye.

**FACILITATOR BLOOMER:**

Aini Tjauw?

**COMMITTEE MEMBER TJAUW:**

Abstain.

**FACILITATOR BLOOMER:**

Jesse Weller?

**COMMITTEE MEMBER WELLER:**

Aye.

**FACILITATOR BLOOMER:**

Sylvia Yeh?

**COMMITTEE MEMBER YEH:**

Aye.

**FACILITATOR BLOOMER:**

All right, I believe the motion passes. Okay, I'm appreciating that it's 4:47 p.m. And there was an interest for another motion.

**COMMITTEE MEMBER IRIARTE:**

So, I can make the motion that we meet within the next month to discuss whether, in fact, we can have a subcommittee and move forward with the last proposal. I already have a second, there we go.

**DIVISION CHIEF ALJ FORMAKER:**

Okay. I would note that Otto Lana had a comment from the prior discussion. "Did Devva actually get to comment? Or was she explaining she had a speech-related disability?"

Aini Tjauw has also put in a written comment saying, "We're in overtime. Although I still want to participate I have another meeting at 5:00 p.m. I think we should pause on this and request to have it on the next agenda. Thank you."

And Mr. Lana then typed in, "I second."

**COMMITTEE MEMBER IRIARTE:**

I think he was seconding my motion. Thank you.

**FACILITATOR BLOOMER:**

And so, just to confirm the motion, Maria, a motion is to meet -- have this Committee meet within the next month full stop, or?

**COMMITTEE MEMBER IRIARTE:**

Within the next month so that we can discuss -- well, so that we can discuss and have an answer as to whether we can have a subcommittee under the Bagley-Keene Act.

**FACILITATOR BLOOMER:**

Okay.

**COMMITTEE MEMBER IRIARTE:**

As Fernando mentioned earlier, also, then if we can then start talking about it.

**FACILITATOR BLOOMER:**

Okay. So, the motion is to meet within the next month to learn if we can have the subcommittee that was just passed.

And we have a second from Mr. Lana. Discussion, any discussion?

**COMMITTEE MEMBER GOMEZ:**

I just want to expand that the meeting would include a discussion for solution based on whatever the outcome of that meeting is.

That we either find a solution as a subcommittee or as a full committee on addressing the issues and concerns.

**COMMITTEE MEMBER DUPREE:**

And I would actually support that. I think it gives -- it would serve a couple of purposes.

One, it would give us an opportunity to meet quickly to discuss some of the concerns that have them brought forward. For us to identify if it's possible to have a subcommittee.

But also to flush out a little more details of the subcommittee. How many people can participate. What the function of it would be. Would we have people come in and provide their verbal experiences?

Those are some of the details I think would be important to flush out. So, I'm fully in support of having a meeting sooner.

**FACILITATOR BLOOMER:**

Okay. So, a motion for this Committee to reconvene within the next month to learn the outcome of this -- having a subcommittee, the process for doing so. The details and to, again, work through any more details around that subcommittee process.

Okay. And we have a motion. We have a second. Discussion?

Okay. Public comments specific to this motion?

**ADMINISTRATIVE LAW JUDGE GAVIN:**

I see no hands raised for public comment. I don't know if there's any emailed or Spanish language public comment.

**FACILITATOR BLOOMER:**

Okay. We'll read general public comment in just a moment.

**MS. NORRINGTON:**

This is Maryjosephine, there are no email public comments.

**FACILITATOR BLOOMER:**

Okay, thank you. All right, with that we'll take a rollcall vote.

All right, we'll start with, in terms of people who are here. Jennifer Cummings?

**COMMITTEE MEMBER CUMMINGS:**

Aye.

**FACILITATOR BLOOMER:**

Darlene Dupree?

**COMMITTEE MEMBER DUPREE:**

Aye.

**FACILITATOR BLOOMER:**

Fernando Gomez?

**COMMITTEE MEMBER GOMEZ:**

Aye.

**FACILITATOR BLOOMER:**

Yulahlia Hernandez?

**COMMITTEE MEMBER HERNANDEZ:**

Aye.

**FACILITATOR BLOOMER:**

Maria Iriarte?

**COMMITTEE MEMBER IRIARTE:**

Aye.

**FACILITATOR BLOOMER:**

Sherry Johnson?

**COMMITTEE MEMBER JOHNSON:**

Aye.

**FACILITATOR BLOOMER:**

Otto Lana? "Aye." Antony Charles Marron?

**COMMITTEE MEMBER MARRON:**

Aye.

**FACILITATOR BLOOMER:**

Nina Spiegelman?

**COMMITTEE MEMBER SPIEGELMAN:**

Aye.

**FACILITATOR BLOOMER:**

Aini Tjauw?



**COMMITTEE MEMBER TJAUW:**

Aye.

**FACILITATOR BLOOMER:**

Jesse Weller?

**COMMITTEE MEMBER WELLER:**

Aye.

**FACILITATOR BLOOMER:**

And Sylvia Yeh?

**COMMITTEE MEMBER YEH:**

Aye.

**FACILITATOR BLOOMER:**

Thank you. With that the motion passes. We have just a few minutes for general public comment. We will have to adjourn by the strike of 5:00, as we will lose interpreters at that time.

And again, I appreciate everyone staying on for those who can. With that, we'll move to general public comment?

**DIVISION CHIEF ALJ FORMAKER:**

So, this is Susan Formaker. We did receive a -- an email before the meeting yesterday at 11:29 a.m. from info@ssdeaf.com. It indicates it's from support services for the deaf.

And the subject is public comment for Advisory Committee Meeting 8/1/2024. "I am requesting that the following regarding Judge Humberto Flores be entered as public comments at the August 1st, 2024 meeting at the Office of Administrative Hearings Advisory Committee."

And there's a very long link to a blog post. That blog post has internal links. And then we were asked to please confirm receipts of these comments. "Thank you, Carl Arguila" (phonetic).

We do not believe that this is an appropriate public comment. The purpose of an Advisory Committee Meeting is not promote a personal blog post.

However, we would invite Mr. Arguila either orally or in writing to provide public comment at this time.

**FACILITATOR BLOOMER:**

Okay. And in the meantime we'll look to see, is there any general public comment?

**MS. LOR-SNYDER:**

Yeah, so we have two written Spanish general public comments. We will have one of our DDS internal folks read that.

## **INTERPRETER SANCHEZ:**

"Hello, my name is Griselda Estrada, mother of Juan Perez, VRMC client. Our experience or testimony in the hearings was to reach a very exhausting process where the Regional Center used a lawyer against my son and his family.

Later, the Regional Center used a lawyer, but it did use a person who was -- who was an expert in processes and advocacy. What is that against a client who does not have the ability to speak and a family who does not have the training of a lawyer or specialist in handling processes!

Where is justice? Where is the equity? Her possible solutions, one, mandatory training for Judges, neutrality and empathy. Two, mandatory training for officers in hearings. On some occasions the law is followed and due process is protected. But there is no justice.

Three, hand in -- work hand-in-hand so that a family can train and prepare for hearing.

Four, treatment with respect to families, that a Judge or Regional Center humiliates a family at the time of the hearing. That should not be -- that should not be called that and -- unless the family goes through that requesting 10 hours of respite.

What I don't agree with is that the chat is disabled for a public meeting. That's against the law. Mr. Fernando already wrote.

What I do agree with is I 100 percent support the comments of Mr. Fernando Gomez and Ms. Elizabeth. I support all the comments from the Latino families who

told the truth about the treatment they have received after the implementation of the law."

**FACILITATOR BLOOMER:**

Are there any other --

**INTERPRETER SERRANO:**

I'm sorry. The last sentence, "Sincerely, Griselda Estrada, mother of Juan Perez. Blessings."

The second comment, "Hello, good afternoon. I am the mother of a Regional Center client. And I would like to share my experience about the Regional Center.

It's been a barrier for my son to receive services. It's been a very difficult situation. The employees are rude and liars. They put barriers, and they abuse us because we don't have -- we can't speak English, and we're Hispanic. And we need to be heard.

And the rights should be validated for everybody who has a disability." And I'm not sure who that sender was.

**FACILITATOR BLOOMER:**

Anymore to share?

**INTERPRETER SERRANO:**

No.

**FACILITATOR BLOOMER:**

Okay, thank you. Is there any other public comment that staff needed to read aloud?

**ADMINISTRATIVE LAW JUDGE GAVIN:**

You have one hand -- pardon me, we had one hand raised, it is now gone. We have no other -- oh, now it's raised again.

We have -- I'd like to give three minutes, but we don't have that much. Ms. Bergham (phonetic). If you can unmute and just very briefly make your public comment, please.

**MS. BERGHAM:**

Hello, hi. I just wanted to say that is true about the -- like people on -- Hispanic people, like they're very not -- that does happen. It's really sad.

And I just wanted to say I'm hoping that won't happen that much anymore. And I hope we could fix that problem, so.

And I just wanted to say thank you for hosting this meeting. I appreciate it.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you for those --

**MS. BERGHAM:**

And -- yeah, and thank you.

**ADMINISTRATIVE LAW JUDGE GAVIN:**

Thank you. Thank you for those comments. There are no other public comments.

**FACILITATOR BLOOMER:**

All right, thank you for that. Committee Member Gomez, you have 20 seconds, with your hand up.

**COMMITTEE MEMBER GOMEZ:**

I'll take 10 seconds, 154 people in attendance today, impressive numbers. I did want to acknowledge that there was a theme that kept repeating about the chat. And I think as a committee we should address it or see what our options are at some point. Thank you.

**FACILITATOR BLOOMER:**

Thank you. All right, and with that, thank you all so much for your time and commitment. And we will go ahead and adjourn the meeting.

Have a good evening. Thank you so much. Bye-bye.

**COMMITTEE MEMBER GOMEZ:**

Thanks everyone. Great job, Karin.

ADVISORY COMMITTEE MEETING CONCLUDED

## **CERTIFICATE OF TRANSCRIPT**

I, Sherry L. Mainus, hereby certify that this transcript is a true, complete, and accurate transcription of the recording of the DDS Advisory Committee meeting that took place on August 1, 2024, Office of Administrative Hearings, via Zoom videoconference. This is the corrected original transcript and the statements that appear in this transcript were transcribed by me to the best of my ability. Executed under penalty of perjury in Sacramento, California on the 27th day of August, 2024.

Sherry L. Mainus

Transcriber

Northern California Court Reporters