

**TRANSCRIPTION OF RECORDED MEETING**

**OF**

**OFFICE OF ADMINISTRATIVE HEARINGS**

**DDS ADVISORY COMMITTEE MEETING**

**MAY 15, 2025**

**Committee Members Present:**

AINI TJAUW

ANTONY CHARLES MARRON

DARLINE DUPREE

FERNANDO GOMEZ

JENNIFER CUMMINGS

JESSE WELLER

MARIA IRIARTE

MICHAEL SANTIAGO

NINA SPIEGELMAN

SHERRY JOHNSON

SYLVIA YEH

TALEEN KHATCHADOURIAN

YULAHLIA HERNANDEZ

**OAH Staff Present:**

ADAM BERG

BOB VARMA

MARYJOSEPHINE NORRINGTON

TZER LOR-SNYDER

ZACKERY MORAZZINI

**DDS Staff Present:**

KATIE HORNBERGER

SANDRA SANCHEZ

**Facilitator:**

KARIN BLOOMER

**ASL Interpreters:**

RICHARD HAFFNER

TRACEY HUGULEY

**Spanish Interpreters:**

ALEJANDRA SERRANO

MARC GUTIERREZ

**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.

MAY 15, 2025

## **FACILITATOR BLOOMER:**

Good afternoon. My name is Karin Bloomer. And I'm going to turn things over to Marc, one of our Spanish interpreters, to explain how to access language interpretation during this meeting. Next slide, please.

## **SPANISH INTERPRETER GUTIERREZ:**

Very nice, thank you Karin. We'll start off with some language access instructions in Spanish for the benefit of those listening in Spanish to our program today. (In Spanish).

And please note, of course, for those listening in English, we do have interpretation services available for today's service -- for today's session, excuse me, that to listen to any comments or questions given in Spanish please select the globe icon at the bottom of your screen that says interpretation. And then select your language, English. And you will then be able to hear live rendering of that comment into English.

You can also access the interpretation feature if using a tablet or a smart phone. Instead of looking for the globe icon, please find the three dot menu that says more. And you will then see language interpretation listed as one of your available options. And you can proceed to select your language preference there.

Thank you very much. Karin, back to you.

## **FACILITATOR BLOOMER:**

Thank you, Marc. All right, please select your language channel now. And now I'll review other ways to participate in today's meeting.

We have ASL interpreters who have been spotlighted and live closed-captioning is active. If you're speaking, please speak slowly.

This meeting is being recorded. And all of the Advisory Committee meetings are available on the OAH website. Next slide, please.

Okay. Advisory Committee members, please keep in mind that due to the Bagley-Keene Public Meeting Law, you'll need to keep your cameras on during the entire meeting. If you're having any technological difficulties and you're not able to have your camera on, please let us know. You'll click on start video to have your cameras on.

If you'd like to comment during our meeting, Advisory Committee members, please use the raise hand feature. And I'll call on you in order. State your name when you unmute, please, so that everyone involved knows who's speaking and we also have a clear record for the transcript.

Chat is reserved only for those who have requested it in an accommodation among the Advisory Committee members. So, if you have an accommodation and you use the chat, your comment will be read aloud.

Okay. Next slide, please.

Members of the public, welcome to today's meeting. Your features on how to access your participation will vary based on the version of Zoom you have. Some Zoom features are not available for the telephone only participants.

If you are a telephone only participant, you can raise and lower your hand by pressing star 9 (\*9) on your phone keypad. And you can unmute yourself during

verbal public comments after you've been called on by pressing star 6 (\*6) on your phone keypad.

When we move to public comment today, we ask that each individual limit their comments to two minutes. Whether it's you're speaking or it's in writing.

Please use the raise hand feature to indicate when you would like to provide public comment, either verbally when it's time for that. We will also allow for the accommodation of using the chat during public comment as well.

All right, next slide, please.

Okay. A little more detail on providing written public comment. During the meeting today, you can provide written public comment in one of two ways. You can email your comments to [oahacomment@dgsc.ca.gov](mailto:oahacomment@dgsc.ca.gov).

And if you email them during the meeting, the comments will be read aloud during the public comment period. Again, keeping to a two minute limit.

Next slide, please.

As we began doing in recent meetings, we're also going to be offering chat as an accommodation during public comment as well.

And so, when public comment period comes around you'll be given instruction, asking that if you need chat as an accommodation to provide public comment you'll be asked to use the raise hand feature.

And Judge Adam Berg will lead you through calling on names and provide more specific instruction at that time in terms of being promoted so that you can access the chat feature and providing your chat at that time.

Again, we'll be looking to the two minute limit there, unless an additional accommodation is needed.

Okay. I think that is it for the Zoom housekeeping. We'll now conduct roll call. And just as a reminder, we'll need a quorum of 11 or more Committee members if the Committee desires to take a vote for recommendations.

Okay, when I call your name aloud, if you could please unmute and let us know you're here, please.

All right, Lilian Ansari? All right, I believe Lilian Ansari is absent.

Monica Becerra? I don't see Monica, and I don't hear her. So, we're going to indicate Monica Becerra as absent.

Jennifer Cummings?

**COMMITTEE MEMBER CUMMINGS:**

Here.

**FACILITATOR BLOOMER:**

Hi, Jennifer. Jennifer Cummings is here.

Darline Dupree?

**COMMITTEE MEMBER DUPREE:**

Here.

**FACILITATOR BLOOMER:**

Darline, thank you, she's here.

Fernando Gomez?

**COMMITTEE MEMBER GOMEZ:**

Here.

**FACILITATOR BLOOMER:**

Mr. Gomez, thank you.

Julia Hernandez?

**COMMITTEE MEMBER HERNANDEZ:**

Here.

**FACILITATOR BLOOMER:**

Yulahlia, excuse me. Good to hear that you're here.

Maria Iriarte?

**COMMITTEE MEMBER IRIARTE:**

Present.

**FACILITATOR BLOOMER:**

Maria, thank you.

Sherry Johnson?

**COMMITTEE MEMBER JOHNSON:**

Present.

**FACILITATOR BLOOMER:**

Thank you. Sherry Johnson is present.

Taleen Khatchadourian?

**COMMITTEE MEMBER KHATCHADOURIAN:**

Also present.

**FACILITATOR BLOOMER:**

Taleen, thank you.

Otto Lana? Okay, don't see Otto Lana here, we'll note him as absent.

Carola Camacho Maranon? Okay, I'm not hearing Carola. So, we will note her as absent.

Antony Charles Marron?

**COMMITTEE MEMBER MARRON:**

Present.

**FACILITATOR BLOOMER:**

Antony, thank you.

Ryan Nelson? I believe Ryan Nelson is absent. We'll note that.

Jessica Quesada? Okay, I'm not hearing Jessica Quesada, we'll note her as absent.

Michael Santiago?

**COMMITTEE MEMBER SANTIAGO:**

Yes, here.

**FACILITATOR BLOOMER:**

Michael Santiago, thank you.

Benita Shaw? Okay, I'm not hearing Benita Shaw, we'll note her as absent.

Stacy Shaw? Okay, not hearing Stacy. We'll note Stacy Shaw as absent.

Nina Spiegelman?

**COMMITTEE MEMBER SPIEGELMAN:**

Here.

**FACILITATOR BLOOMER:**

Nina, thank you, welcome.

Aini Tjauw? Aini, I see you there. There you are.

**COMMITTEE MEMBER TJAUW:**

Here.

**FACILITATOR BLOOMER:**

Wonderful, thank you. Aini Tjauw is here.

Jesse Weller?

**COMMITTEE MEMBER WELLER:**

Here.

**FACILITATOR BLOOMER:**

Jesse, welcome, thank you.

And Sylvia Yeh?

**COMMITTEE MEMBER YEH:**

Here.

**FACILITATOR BLOOMER:**

Sylvia, wonderful. Sylvia is here.

Okay, so plenty. Certainly, a quorum and more, so that's wonderful.

Okay, so we are going to now -- I just want to introduce some members here from the Office of Administrative Hearings and then also from DDS.

I believe we have Zackery Morazzini, Director and Chief Administrative Law Judge.

**DIRECTOR MORAZZINI:**

Yes

**DEPUTY DIRECTOR VARMA:**

Yes, he's here.

**FACILITATOR BLOOMER:**

Hello, welcome.

Bob Varma, Deputy Director.

**DEPUTY DIRECTOR VARMA:**

Good afternoon.

**FACILITATOR BLOOMER:**

Hello. Adam Berg, Presiding Administrative Law Judge, San Diego, General Jurisdiction Division.

**PRESIDING ALJ BERG:**

Good afternoon.

**FACILITATOR BLOOMER:**

Thank you.

Maryjosephine Norrington, Associate Governmental Program Analyst in the General Jurisdiction Division.

**MS. NORRINGTON:**

Good afternoon.

**FACILITATOR BLOOMER:**

Thank you.

And Tzer Lor-Snyder, Associate Governmental Program Analyst, General Jurisdiction Division.

**FACILITATOR BLOOMER:**

Sorry, I know --

**MS. LOR-SNYDER:**

Good afternoon.

**FACILITATOR BLOOMER:**

-- I was going to say, I know you're here.

Wonderful. And from DDS we have Katie Hornberger, Acting Deputy Director for the Division of Community Assistance and Resolutions.

**MS. HORNBERGER:**

Here.

**FACILITATOR BLOOMER:**

Hi, Katie.

And Sandra Sanchez, Manager in the Office of Community Appeals and Resolutions.

**MS. SANCHEZ:**

Afternoon.

**FACILITATOR BLOOMER:**

Thank you, Sandra. All right, I believe I'll turn it to Bob Varma now for some OAH announcements.

**DEPUTY DIRECTOR VARMA:**

Thank you. So, one of the announcements we have was the upcoming Advisory Committee membership changes based on the Advisory Committee members terms that are expiring May 31st, 2025.

The terms of 10 of our members are expiring May 31st, 2025. OAH and DDS are working together on finalizing the appointment of new Committee members and the re-appointment of some returning members.

The newly appointed and re-appointed Committee members will be notified soon regarding the appointments. And the appointments will be posted on the OAH website.

The next agenda item is written public comments that were unable to be read out loud at February 2025 Advisory Committee meeting.

There were some comments that were received before the end of the meeting that could not be read aloud because the time -- of the time running out during the meeting.

OAH has posted these comments on its Advisory Committee webpage under the February 2025 meeting material.

During the last Advisory Committee meeting in February, subcommittee members -- this is the next item, sorry, Dr. Jesse Weller and Fernando Gomez presented a document regarding the Regional Center's role in the appeals process.

After the meeting, Dr. Weller and Mr. Gomez provided to OAH a document they prepared entitled "Regional Center's Role in Appeals Process - March 13, 2025."

That document has been posted on the OAH Advisory Committee webpage under the February 2025 meeting materials.

And with that, I'll turn it back over to Karin.

## **FACILITATOR BLOOMER:**

Thank you, Bob. And Committee members, thank you for being here. Thank you members of the public for attending.

As you know, this Advisory Committee was established in law to provide non-binding recommendations about mediation and hearing operations under the Lanterman Act for people with developmental disabilities in California.

Let's review the rest of our agenda today. As you'll recall, the Advisory Committee previously established a subcommittee comprised of Advisory Committee members Fernando Gomez and Jesse Weller.

This subcommittee was tasked with providing the Advisory Committee with a summary of the roles of the Regional Centers in the hearing process as set forth in statute, regulations, or any other authority.

At the February meeting, the subcommittee shared their report to date. And I also recall Committee Member Jennifer Cummings was gracious to offer that she, perhaps, may be able to take a look at the report as well to draw some lines as to the statutory basis for processes and roles.

So, in agenda item 4 today, the next item, the subcommittee has asked to provide an update to the Advisory Committee.

In agenda item 5, I'll ask if the Advisory Committee has any proposed recommendations based on that update that are specifically within the charge of making recommendations to improve hearing and mediation operations.

And then we have two additional items that were submitted for the agenda today. Agenda item 6 is a discussion of the impact of potential Medicaid cuts on the appeals process in hearing and mediation operations.

And agenda item 7 is a discussion of OAH's role when a Regional Center contractor fails to account for SSI payments that are to be forwarded to the bank account of a caregiver for Regional Center's client.

Now, agenda items that we don't have time to discuss today, those will be automatically placed on the next agenda for the next meeting.

I want to note, we'll take two 10 minute breaks today. The first break we'll take at 2:00 p.m., so from 2:00 to 2:10.

And then we'll take a second break from 3:10 to 3:20. That second break is going to be immediately followed by a full 40 minutes of general public comment. We wanted to make sure there's ample time for public comment today.

So, once we hit that second break at 3:10, it'll go break, and then 40 minutes of general comment.

In addition to that public comment period at the end of the meeting, if the Advisory Committee entertains any recommendations that will be taken to a vote, we'll invite public comment prior to each vote as well. And we will be adjourning today at 4:00 p.m.

Okay, Committee member thank you for your patience during all of that up-front material.

Let's go ahead and move into agenda item 4. So, again, this is update by subcommittee comprised of Advisory Committee members Fernando Gomez and Jesse Weller, which is charged with providing to the Advisory Committee a summary of the roles of the Regional Centers in the hearing process as set forth in statute, regulations, or any other authority. And which was established by vote at the Advisory Committee on October 8th, 2024.

Mr. Gomez and Dr. Weller, I will turn it to you for your update.

**COMMITTEE MEMBER GOMEZ:**

Thank you. And Dr. Weller, if you'd like I could take the first stab. And then you can kind of help bring in the areas that, you know, we need to expand on.

And thank you, Karin. As you mentioned, you know, as a Committee, these are non-binding recommendations. However, these are recommendations that we firmly believe can make a significant impact on the appeals process.

And if we remember, before we used to refer to it as the appeals process it was the informal hearing process. And that informal word is -- it really plays a key role in - - when we looked at the analysis based on specifically the Regional Center's role, we kept that in the forefront being the fact that we wanted to arrive to the right outcome but address the -- really, the significant issues that a lot of individuals were experiencing in navigations.

In the recommendation that we submitted to this Committee, one of the key things that we did was address elements that can be in place before we go into appeals process. Some thinking and elements that can be considered during, and then elements that can be looked at and considered post-appeals process for the individuals.

Some of the key things were a -- incorporating a meeting that included senior staff, if need be the Director, prior to issuing an NOA.

And this will be to -- I know we -- there is a, you know, you have the three key meetings and so forth. But this will be one to qualify situation to make sure that the appeals process is the correct process to go.

We find a lot of times there's miscommunication, misinterpretation, or whatever the elements that create that NOA, so we're trying to create a buffer prior to that.

The other key finding was that in most Regional Centers there is no requirement for the Director to be briefed, if you will, on the NOAs and the specifics to it.

And that would be to include a briefing so that there's more participation and accountability at that level. Hopefully, trying to reach a resolution prior to going into it.

Once you're in the process, we looked at some of the key elements. Unfortunately, what we're still seeing and experiencing, and when I say we, specifically ICC and some of the grassroots organizations that are a part of the advocacy support for individuals as they go through the process.

We still see that the Regional Center still has, and here again, in general, because there are some exceptions, some amazing exceptions by the way, where we see that they still kind of dig in. And there is not really a, what we believe to be more of a balance to find a solution.

It's more of, you know, we're going to beat this, and we're going to win it, and -  
- whether it makes sense or not type of thing.

So, that in itself is a dynamic that we believe that this Committee, in a recommendation as the whole Committee, needs to kind of expand more on. So, we're hoping that in future reports we can look at that dynamic and see, you know, give you some specific examples and expand on the recommendations.

Because we believe that, or at least I believe that that's one of the key contributing factors in regards to some of the concerns to satisfaction or intimidation, if you will, of individuals, that they experience that.

And the last aspect of it that also has to be looked at and addressed is outcome. So, there are still cases, situations if you will, where individuals reach some

type of agreement. But that agreement does not get implemented, or that implementation still considers a lengthy process of implementation.

When we believe that in good spirits, you know, individuals need that support as soon as possible. And that urgency does not transcend in some cases.

So, those are the key areas. I'll stop there and let Dr. Weller also weigh in.

### **COMMITTEE MEMBER WELLER:**

Thank you, Fernando. Good afternoon, everybody.

You covered a good intro. I guess what I'm really interested in, I don't know if this is the space today or if we're going to -- if it's going to be built upon, but hearing feedback.

Fernando and I had the opportunity to lead a very small subcommittee. And so, we did a lot of work to try to engage as many people as we could.

But one of the areas in our conversation that we were really interested in is around practical implementation.

So, like what does that look like with these ideas in mind, really thinking about transparency, consistency across Regional Centers, thinking about how do we improve on areas that we need to look at and areas that are already being done. And how can we learn from each other in areas that are working really well.

So, I'm really interested in hearing conversation from the Committee, from the public, on experiences, reflections on this process, and areas that we can do to kind of take into consideration. Work that's already being done in this area and how we can enhance and fine-tune that as well.

So, an evolving process. So, we appreciate the opportunity as a subcommittee. And we hope that this was informative and helpful, some initial steps of what we were able to gather from some of the things that are coming up that you may be familiar with or areas that you might have different perspectives on as well.

So, whatever we can do to increase that collaboration amongst each other. I think the kind of reflecting today on the amount of different perspectives in subject matter expertise, if I may say, from everybody here.

I think we can really look at how do we keep improving wherever we can. So, I just want to add that to the conversation today.

### **COMMITTEE MEMBER GOMEZ:**

Thank you,  
Dr. Weller. One of the things that I would like to add is that, you know, we are still adding additional elements and thoughts, if you will, to the plan.

And once we're in a position to, we will submit to OAH, the updated if you will, plan so that it continues to, you know, bring to light a lot of the elements that we're experiencing, especially as  
Dr. Weller mentioned, you know, we connect with individuals in different groups, if you will.

On the kind of positive and really brighter note, from my personal perspective, in the appeals process that I've been involved with, and some of our individuals from the ICC, you know, we really have seen a change with the Judges.

You know, we've really seen, I think that the trainings, a lot of the conversations and so forth, we're starting to see how it's really taking effect and really impacting that experience, if you will, in a positive way.

So, kudos to that advancement from our perspective. And, you know, there's still some work to do here and there if you will. But nevertheless, it's significant if -- what we've seen in advancing.

So, that's, I think unless Dr. Weller you have something else. I mean, can we field any questions, any comments, or?

**FACILITATOR BLOOMER:**

Yeah, wonderful. Yeah, please. Questions, comments from the Committee?

Yeah, so I see Nina's hand and then Darline's. So, Nina, please go ahead.

**COMMITTEE MEMBER SPIEGELMAN:**

I just wanted to say this, I think these are -- this is really thoughtful and good. And I love the focus on trying to, you know, sort of -- I know it's not spelled out in, you know, in, you know, specifically in a reg or anything.

But in the -- in the -- focusing on that prior to an NOA coming. Anything, I think, to alleviate the stress of getting one of those and the, like, you know that I'll just get random questions about what does this mean. And, you know, sort of panic. I think that the focus there is really a good thing.

And, you know, anything that enhances the ability to get questions answered before that comes. And then if there still has to, you know, there still that presents another resolution opportunity.

But even after it comes, like, again alleviating, like, all right what can happen now? There's still a lot of opportunity to -- opportunities to resolve this.

And I was wondering if you guys had discussions with DDS or gave some thought to how can -- is there a way -- a role for the DDS ombuds person's office to, you know, be involved here?

### **COMMITTEE MEMBER GOMEZ:**

Uh-huh, great points. And I'll take a quick shot at it Dr. Weller, because I have a couple things. And I know you may as well.

Nina, you, as always, just hit the bullseye. You're absolutely right in your perspective from my opinion in the sense of if we can avoid going into an appeals process everybody is so much better for it.

But what I found surprising were some of the reasons, if you will, in just this -- in established culture that immediately went to an NOA process.

You know, there weren't enough safeguards in place to try to deter that. And I think that that's -- in our report that's an area that I want to put much more focus on to really specifically, you know, like that one meeting that we talked about in bringing others to the table who may be able to look at alternatives or solutions so that, you know, here again it's not about not -- overcommitting or overproviding. But it's to really meet the actual need.

And then even if when it's not met, that the people are understanding of the reasons why, instead of going into this really, you know, just challenging, if you will, process.

So, that's an area that I believe we need to spend a lot more time in as far as trying to deter that and address some of the kind of crazy stuff that we hear of why it goes into an NOA.

The other question about DDS, absolutely, I think that, you know, Katie, I know is probably -- we've had so many conversations about so many things. But I think we're overdue for a conversation on this within your, you know, and actually who is -- who the point persons would be at DDS to talk about this and include that into the report. Dr. Weller.

**FACILITATOR BLOOMER:**

All right.

**COMMITTEE MEMBER WELLER:**

I would say, yes. And adding to, I think just having additional conversations on where we are with everything I think it's -- I think it's every person involved actually just in terms of the partnership involved and really fine tuning, because I suspect when we go through this process that there might be some of the work already at hand.

I know in statute (inaudible) there's some informal meetings. So, we might be calling it something else that the other Regions might be calling it as well.

So, wanting to acknowledge the areas that are already occurring. So, I think holding on those conversations in leveraging areas that are in place, I believe lessons learned.

And then also paying attention to those areas that need to be additionally fine-tuned. I think we can all agree that we want to foster a culture in any way possible to make things easy on people.

I think we all agree the philosophical content on making sure that experiences are friendly and gentle and kind and responsive in doing everything we can to ensure we can solve problems at the lowest level and troubleshoot where we can.

So, I just think keeping that philosophy in mind. I know there's multiple pathways to get there. So, I'm really curious.

I know we didn't have the space in our last meeting, one of the Committee members made a recommendation about looking at the statutes involved and looking at timelines, looking at what's already in place. I think that's going to be a really critical piece to our conversation to take a look at that.

And then from there, once we see the big picture on how it's unfolding across the state in those ways, knowing what we already know, being open to learning about what else is out there so we can really take a look at the steps involved and see, you know, we're already -- we're already doing that or we're doing a version of this. Or, you know, that's a really good idea.

So, that's kind of where I'm coming into the space today. Trying to figure out how we can take it to the next level, this conversation. Which was the goal of our subcommittee work, which is to get some preliminary talking points, conversations going, some findings, and to expand it with all of your expertise to land in the best place possible.

## **FACILITATOR BLOOMER:**

Thank you. Darline, your hand is next. Please go ahead.

## **COMMITTEE MEMBER DUPREE:**

Yes, thank you, Dr. Weller and Fernando for giving us that additional context. Very helpful. I appreciate the opening. And Jesse, your follow out that this is just a starter to the conversation.

Like to having this draft opens up the floor for us to have conversations about some of the concerns that were brought forth. And then think through how we could address it and also identify areas in statute that already exist that people may not be as familiar with.

One of the things that I was going to make a motion about is that the subcommittee revisit and revise the current draft. Which is sounds like the thought processing to begin with is, and I appreciate having just the (inaudible). So, this being more of a working document that the subcommittee expects to build off of.

I think one of the things that I think is important is -- and the opportunity here is to develop something, a resource that not only identifies the areas for needed improvement, but also provide some of the practical, accessible information to help families navigate that appeal process more effectively.

Doing that would identify some of the areas that already exist earlier to have this conversation about the having a process that before you even get to the NOAs the family can talk through it and existing statute for the Welfare and Institution Code 4646 and 4648 does already require early and meaningful family involvement.

And it also has that 15 day timeframe. So, if the planning team is unable to come to an agreement, you have that 15 day, or by request, even longer, to revisit the issue and resolve it.

And then also the NOA process for the Welfare and Institution Code 4701 and 4710 establish the format for the content for the NOAs.

But it also has that 60 day period from receipt of an NOA that families have to file an appeal. And that timeframe, again, could be used to advance conversations with Resource Centers to talk through resolutions before that appeal process gets started.

One of the things that I think is important is to have the document have more constructive language. I think that it includes some insertions that are not currently supported by empirical data.

So, kind of, Fernando, to your point, more anecdotal but not concrete information. I think having concrete data is important to see where the issue is.

Again, it emits reference to existing statutory framework that governs the appeal process. And I think that is going to be extremely important to include in a report such as this. Especially as a tool for families who are trying to navigate -- to navigate the process.

I think certain statements in the document are framed in a way that could be perceived as inflammatory or dismissive of all of the collaborative work that has gone into changes in the appeal process from Regional Centers to DDS and other stakeholders that were involved in some of the change in legislation that happened in 2022. So, I think we want to be mindful and considerate of that.

And as a Committee, I believe we have a responsibility to ensure that the tone of any document that this Committee has put forth is respectful and that content is factually grounded. And the recommendations, of course, are constructive.

So, definitely look forward to ongoing conversations regarding this. And if there is any assistance that I could provide with highlighting some statutes, where you can go, also will be sending a formal comment on different areas that I think could help advance this and make the document more of a functional tool for families to use. Thank you.

**FACILITATOR BLOOMER:**

Thanks, Darline

**COMMITTEE MEMBER GOMEZ:**

Thank you, Darline. And just quickly, you know, you said a lot. And, you know, I am here again speaking as Fernando, I understand where you're coming from in regards to some of the elements.

The initial report that was submitted as we shared earlier is a working document that's evolving based on the feedback and the -- as we access the information.

In any means, with it designed to be dismissive or inflammatory by design, it is the complete opposite. We're looking at it from the lenses of collaboration. We're looking at the basis of building bridges for outcomes.

The fact being that however which way you slice and dice it, at the end of the day what the families are experiencing is still not acceptable.

And yes, there is statute, and thank you for quoting quite a few of them, and that's important. What we were trying to capture is the dynamic of a culture that's

entranced and established on how it's executed. And that's not very easy to do because it comes from a multitude of perspectives, depending on which side of the ledger you're standing on.

So, from my perspective, it was trying to look at all of those and to say who are the key stakeholders who are involved, who are the participants who have some kind of role that play in these, and how can we manage those expectations so that it's fair and is unbiased as possible.

And I would be interested to hear more specifics from whether it's your perspective or that of ARCA's, where you would find that some of the areas that need to be readdressed, if you will, within our proposal so that they're not coming across as offensive.

But regardless, thank you for your comments.

**FACILITATOR BLOOMER:**

Okay. I see many more hands. Sylvia, please go ahead.

**COMMITTEE MEMBER YEH:**

Yeah, hi. Thank you, Dr. Weller and also Fernando for these great recommendations.

And I just want to make a comment on the master plan for DDS and Fernando and some of the Committee members here are part of the work group. And we completed in March 2025, and right now it's, you know, going to the legislators.

And I'm hoping with this recommendation that transparency, consistency, and also cultural language respect that put into place that can be across 21 Regional Centers will be in the right place.

And I'm hoping by doing this there will be less confusion or interpretation about what are the regulations, what's the hours, what kind of services the client's request for that.

And I can, you know, really hope that legislation right now is reviewing it, and there is a push to -- for them to make it happen. Because at this moment, once we submit it we don't know what's going to follow up next -- at the next step on that.

I'm hoping that if there's a push on those and then probably from OAH, you know, the Notice of Action, those kind of things can be really reduced a lot because of the consistency and the transparency of Regional Centers. Thank you.

**FACILITATOR BLOOMER:**

Thanks Sylvia. Maria?

**COMMITTEE MEMBER IRIARTE:**

Okay, let me see if I can say it the right way. So, thank you so much for your work, and I appreciate everyone's comments.

In my head I'm trying to see will help, for example, the recommendation to have a meeting with senior staff prior to issuing a Notice of Action is fantastic.

But I'm thinking -- and then when Nina mentioned, well, something about the ombuds people somehow being involved, I'm like oh my goodness, that's a whole other set of eyes. You know, resource-wise, is that something that's even feasible.

And then I thought, well, where does this all happen? It happens at the IPP, right? That's where people are talking about services.

And I thought perhaps maybe having not only, you know, because the IPP Team is made up of the Service Coordinator, perhaps the Program Manager, Parents, maybe some other people, but having, perhaps at the IPP meetings, a -- someone from the Regional Center who's knowledgeable, neutral, a fresh set of eyes to be present at the IPP and have -- be able to voice an opinion as to the merits of the service requests, for example, right?

And be able to say to the Service Coordinator or the people from the Regional Center, hey, wait a minute, maybe they do have a good reason to have the service, right, and let's talk about it. So, maybe it's inserting someone in during the IPP process to be able to decide that.

The other thing I thought about having someone from outside be involved is that, you know, when you're talking about eligibility cases, that's a whole other word, because there's a lot involved in deciding whether someone is eligible for Regional Center. And that could involve a lot of reviewing documentation, evaluations and such, right?

And so, is that -- is that even feasible to have someone from the outside do that versus someone from within the Regional Center who might be more knowledgeable.

I really, so now I'm moving on to the Director being briefed on NOAs. I really don't understand, I don't know what the -- what the Director's current involvement is with Notices of Action.

I mean, do all Regional Center Directors -- do some of them look at Notices of Action that are issued by the Regional Centers? Do others not?

And the other -- so, I don't know, you know, I don't really know what they do with that. Perhaps designating, and I don't know if the Directors would have the bandwidth to deal with that. And if not, then maybe designating a person who could report to the Director on Notice of Action.

And then the third one, which is outcomes that Fernando had mentioned, agreements not being implemented or taking too long to implement. I thought that there was something in the statutes that allow consumers to reach out to DDS when the Regional Centers are not complying with decisions.

And I think there's -- isn't there a 30 day -- 30 day requirement that we wait 30 days before -- consumers wait 30 days before they reach out to DDS?

So, is that happening? And what happens from that point? I mean, I don't know, Fernando, you may have a better sense.

So, you -- so, let's say I'm a consumer where the Regional Center hasn't complied at all or not complied wholly or, yeah, so you report to DDS that this is happening, what happens at that point?

Are things not happening? Is it taking really a long time to get the decision implemented. I don't know. And I'd like to hear from DDS as to what happens at that point when they get a complaint from a consumer about compliance. That's it.

## **FACILITATOR BLOOMER:**

Thanks, Maria. I was going to suggest we move on through the other Advisory Committee members raised hands just to get a complete picture of feedback.

So, Jennifer, I see your hand next.

## **COMMITTEE MEMBER CUMMINGS:**

Hi, thank you. Thank you, everyone, for your input as well.

I guess I'll start at the -- at the end of my notes. I'd like to share some additional information and, you know, to add to Darline's comments and some other comments that have been given -- that has been given so far.

But to answer Maria's question regarding what would happen if a consumer or family is dissatisfied with the Regional Center's implementation of an OAH decision, that is addressed in statute, it's 4713.5 of the Welfare and Institutions Code.

It does allow them to notify the Department in writing within 30 days, or after 30 days of the delayed implementation. And then, at that point, which is Maria's question, what happens next, the Department is required to take appropriate actions to obtain compliance with the decision.

I found several -- there were common themes within the report that was provided by the subcommittee. And it's been mentioned already about the importance of the individual program plan meeting.

And I believe that is where much of the work and discussion needs to take place, as that is set out in statute already, where the Service Coordinator meets with the family. They have the right to actively participate in the meeting.

The Service Coordinator and the team gathers and discusses information and develops outcomes and establishes what the needs are for the individual consumers.

I mean, that's there it happens. That's where the conversations happen with family to discuss alternatives, generic resources, to finalize decisions, to, you know, answer questions and concerns and hopefully address those concerns through IPP decisions.

And as Darline mentioned, if a final decision isn't reached at the IPP regarding all services and supports, the law allows and provides an opportunity for the team to meet again. And they can have additional meetings, so long as it's necessary to finalize that IPP and reach final decisions on services.

So, all of that is set forth in 4646 through 4648, as Darline pointed out.

The law also part -- the report part -- excuse me, the report pointed out the importance of individuals within Regional Center reviewing service decisions and providing guidance to Service Coordinators. And that is also provided for in statutes.

The report talked about requiring discussions with Senior Management before issuing an NOA to explore possible solutions. Require internal discussions with the supervisor and quality review before issuing an NOA. Having a secondary review by a neutral party within the Appeals and Resolutions Team, to ensure the decision is justified and necessary.

So, the Service Coordinators all have support within the Regional Center when the Regional Center is ultimately making a decision on services and supports that will be in the IPP.

And the important statute that drives this is 4646.4A, where Regional Centers -- every Regional Center is required to have an internal process to make sure that they are adhering to policies and procedures and the Lanterman Act, and ensuring that, you know, considerations have been given to all of the options that are available before making a decision.

And so, that mechanism is already in place in statute.

Also, in the report it talked about the importance of NOAs. And Darline touched on this as well, that the statute points out what needs -- what the NOA needs to contain. And there's also information about the appeals process given to the families.

It does require that the language is in the preferred language, that it's clear. DDS has developed standard NOA templates for all Regional Centers to use. And that was part of the revised appeals procedure.

And one of the major changes in this new procedure that happened is -- because the report mentioned having a mediation before an informal -- the new appeals procedure provided more flexibility to families to be able to just seek an informal meeting or to ask for a mediation or to ask for a fair hearing.

And they can opt -- they can opt to have all three of those procedures if they want them. Or they can only ask -- they could just ask for an informal meeting if they just want to have the informal meeting.

And so, if there are things that weren't discussed or considered during an IPP meeting or subsequent IPP meetings, things can still be discussed during the informal meeting.

And families always have that right to ask for additional IPP meetings if they need further discussion.

So, I think that the power of the IPP meeting, if it's utilized, and perhaps it goes to more advocacy and to help individuals and families understand the IPP process itself, could address many of the recommendations that were set out in the -- in the report.

And then also, as stakeholders that were consulted as part of the development of this report, I appreciate, Fernando, that you want to build bridges. But I do want to note that no one from the Regional Centers were considered when this report was developed.

And particularly, individuals that have the expertise that work with appeals and assist families in seeking resolutions for their appeals have a lot to share and to assist with the process.

I would just like to share, just for a perspective, from Inland Regional Center, for the last closed fiscal year, we had a total of 249 appeals, 63-percent were related to eligibility. The number of appeals that were resolved prior to going to hearing was 216.

And I do hear that some people fell, well how many of those withdrew. For our -- for our -- that fiscal year, a total of 16 people withdrew.

Whereas, 144 cases were resolved through that informal meeting process, 32 through mediation, 23 through OAH decisions, 24 decided not to continue in the process. So, they asked for either an informal meeting or a mediation and decided not to proceed to the next level by requesting mediation or hearing.

So, I think that these numbers clearly show that our goal is not to take cases to hearing and to win. We truly want to work with families on that informal level to resolve these appeals. And we celebrate each other within our unit when we're able to reach those appeals as well.

So, I just thought it would be nice to share. Thank you.

**FACILITATOR BLOOMER:**

Thanks, Jennifer.

**COMMITTEE MEMBER GOMEZ:**

Karin, if I can make a couple of quick comments based on what was shared --

**FACILITATOR BLOOMER:**

Okay.

**COMMITTEE MEMBER GOMEZ:**

-- and, you know, as a Parent (inaudible) two individuals in the Regional Center system and gone through a multitude of hearings as part of the appeals process and being involved in -- with other families.

What you shared, Jennifer, you know, I understand. You talked about a process, and you talked about statutes that support that process.

In the spirit of what as a subcommittee we were trying to obtain wasn't necessarily based on what the established process is. It's based on what a multitude of reports, a multitude of individuals in the community have shared. And that is that

the process is still intimidating, overwhelming, and it still has a lot to change in order to -- for it to be more balanced.

Now, that's Fernando speaking. I'm not talking for everybody, because I can't. But I can talk as a parent and as an advocate who is looking to build bridges and to look -- find a way, a pathway that can help bring a solution that's workable for all stakeholders.

We've taken into respect the role that Regional Centers play. And specifically, this subcommittee was designed to look at the culture within the Regional Center system and the role that they play to find areas where they're able -- where -- to help create a more, as Dr. Weller had mentioned, inclusive environment of region and outcome.

In saying that, and based on what you're saying, Jennifer, in sense of the process, I can tell you that we've experienced where there are Centers who don't respect the process. Where immediately after the IPP, even though you have the opportunity of another one, you get that NOA.

And sometimes you don't even get the informal or the mediation, you go straight into hearing. And so there's -- you hear a lot. Is that across the board to everybody? Absolutely not. Because there are areas and there are situations that do work.

But for the ones that it don't work, it's something that can definitely still address. So, there's a lot of work to do. And I agree with you in a sense that the perspectives, the feedback, and the information that needs to be gathered has to be from a diverse group, not just a dimensional person like myself, who's looking out as an advocate.

But also, respecting the fact that, you know, Dr. Weller is a Director and represents a Regional Center who's part of the process.

And I can tell you that, if you'd like, offline we can talk a little bit more about some of the experiences we've had within the Regional Centers and be specific to those that -- where the appeals process hasn't been followed, regardless of how, you know, impactful your numbers are.

But that's just me sharing that. I don't know, Dr. Weller, if there's anything you want to expand on that?

### **COMMITTEE MEMBER WELLER:**

I'm processing the process. Because obviously, I'm Regional Center -- I identify as Regional Center, and I have a heart, just like everyone else does, at the Regional Center. And I understand all the concerns coming forward.

And I think I'm kind of being solution focused. I'm just going to speak from my experience. I think we have a lot of work we need to do to put a spotlight and shine all the stuff that's in place. Because those are our processes, those are our statutes. We have to respect that. We know we have cultural divides in there. We know that can be intimidating, the language can be overwhelming for some.

So, I think we're continuing, we've already seen some improvements there. Which I think we can all kind of identify that we can improve areas.

I think the thing that could be helpful in terms of a strategy would be figuring out -- I use the word tangle for a barrier, I like the word tangle, when things get tangled, like having something for families of where they go to. Because I can speak for systems. When systems are in place we have processes, we have systems, we have

things in place. Some of them are well documented. Some of them are in form, some of them are in policies.

And my experience has been when that process kind of goes off track for a moment or that step doesn't occur, then that's where people get stuck, where they lose faith in the process or something happens.

And so, I'm just kind of wondering about how do we expand on the work that's there, and then give people kind of like a roadmap of what's here. I don't feel comfortable speaking for what each 21 -- each of the 21 centers do.

Somebody asked the question, I think it was you, Maria, about the Director's role. And I think that's going to vary by Regional Center. A lot of them have designees. Our jobs are, for myself, very demanding.

We want to be involved in so many things as we can. But we have to really rely and trust on our teams. And a comment that came to Fernando and I was like, well, there's already variants, who are the designees? And what is their experience? And how does that travel when you have over 500 staff or over 1000 staff?

And so, some of these questions are coming in from the community to say, like, what does it look like for me. So, we just have way more work to do on this. But I just want to kind of put a little bit of respect and perspective.

I'm happy on my end to soften some of the language if that is helpful in there. But I do think, to be clear, that there are some people who really feel this way. Who've really had those lived experiences in there. And I'm all about that.

And anybody that works with me knows how to find that balance of treating that for what it's worth for those lived experiences and making sure that we're not

bumping anybody who are doing really amazing in certain areas in those things. We don't want to lose anybody along the journey by any means.

But we wish our subcommittee was larger, but we were told that we can't due to Bagley-Keene. So, I will do my best to trek along on the Regional side with everybody. But we need -- I need, on my end, to Jennifer's point, Darline touched upon it from the Regional Center to be bringing us to -- you have a different lens that I do probably as a Director, because you're in the trenches on the day-to-day stuff.

And so, that's what we need to know. But I think we should be open as a Committee here about thinking future forward and really thinking about what these recommendations could look like in a way that maybe we haven't thought about before. Something that is reasonable. Something that we can support.

What we don't want to do is put recommendations out there that we won't be able to implement. We're going to lose the community on that if we're -- if we come up with this ambitious idea and we don't have staff to do it and it's contradicting here.

So, really mapping, which Fernando I don't know if you agree with this, but taking the starting point of what we were able to gather and then expanding on as we get more information.

And I believe Fernando and I were even comfortable with having the statutes added in there. And I think we were told that we couldn't at that moment because of the process. And we want to be respectful, not having any Bagley-Keene violations.

And so, very fluent, but just want to give some of my thoughts as I'm reflecting on the conversation and as a member of the subcommittee.

## **FACILITATOR BLOOMER:**

Thanks, Dr. Weller. I see the three hands of Committee members, Darline, Nina, and Jennifer. I also appreciate that we're about to hit 2 o'clock, which is our mark for our first 10 minute break.

So, if I could ask the following two things. First, for the Committee members with hands up to please remember your comments or questions, and so we can take your hands as soon as we get back from break in that same order.

I'd also like to ask the Committee to just be thinking about this, something that's on my mind, which is these findings and these recommendations that the subcommittee is, you know, asking to ripen with the Advisory Committee that are very real and important for many people.

And also, this idea of the scope of this Committee and the scope of what OAH and mediation and hearing operations has the purview to change.

So, I'm sort of -- I'm grappling with that as we -- and when we come back from break we'll take the three hands. We'll see if there's other hands. We'll move into this question of are there motions people want to make as it relates to this topic.

And perhaps you could be thinking about this question that's on my mind, which is, you know, at least in terms of action, it's going to be recommendations that OAH in its purview as it relates to mediation, hearing operations, that at least OAH can respond to.

So, with that, let's go ahead and take our 10 minute break. And I'll see you all back here at 2:10. Okay, thank you.

**(OFF THE RECORD.)**

**FACILITATOR BLOOMER:**

Thank you. Okay, so we're picking back up after our break. And I know we had some hands raised from the Advisory Committee members. So, let's go ahead and take those hands.

Darline, you're first in the queue.

**COMMITTEE MEMBER DUPREE:**

I had to jot down some of my thoughts because --

**FACILITATOR BLOOMER:**

I know, I know.

**COMMITTEE MEMBER DUPREE:**

-- I didn't want to forget it.

**FACILITATOR BLOOMER:**

There's a lot to remember.

**COMMITTEE MEMBER DUPREE:**

First, I do want to thank Dr. Weller's perspective, what he brought up, balanced approach. And I think that is, you know, what's important here is to have a document that is well-balanced.

It's important to capture the concerns of the community. We definitely want to hear all of those concerns.

How people perceive things are going, it is important for us to hear that. It is equally important to identify the statute that currently exists, especially since some of the recommendations that were put forth are things that already are required in law. But perhaps people don't know about it is why it's important to reference the statute.

It also helps to identify areas that can be approved upon. If there are things that law said that, you know, Regional Centers should be doing and then it's identified in this document, and we have empirical data that it's not happening, then, you know, it's identified, hey, this needs to be improved upon.

So, I appreciate the data that Jennifer shared from her Regional Center. Because it's helpful in telling a fuller story of what -- of what's happening. And that's why I mentioned earlier the importance of having some of that empirical data.

It's not to discount that these experiences have not been felt by individuals as much as it is to get a fuller idea and kind of wrap our hands around the severity of the issues that were identified in the report.

So, I think my question, then, would be in terms of the process to help inform the recommendations. And I think that our hands were tied a little bit with only having two people be able to sit in as part of the subcommittee because of Bagley-Keene.

But to Dr. Weller's point, in looking future forward, how can we work to provide input to the subcommittee? Whether it be either have a fuller subcommittee, recognizing that it would have to be a public meeting.

So, that's the whole in the crux with the Bagley-Keene that it would just have to be a public meeting. And what that would look like if that is the path that is decided to be taken.

Or if not, having written comments that could be submitted to the subcommittee for their consideration. So, just wanted to know what would that process look like.

### **FACILITATOR BLOOMER:**

Uh-huh. Yeah, I mean maybe -- and I'll do my best here to jump in on process, Darline, I think to our last understanding was that in order to avoid the support needed around a full public meeting and a larger subcommittee. I mean, certainly these Committee meetings themselves can be used for input.

So, if it was the pleasure of the Committee to bring back at the next meeting, you know, against statutory references, feedback on the report that's evolving, that's obviously one way to do it.

I might need some help from OAH or others, and it might have to be after this meeting, to talk about a process that, in which people from the Committee can provide written comment to sort of a central location, perhaps the website, for example, for -- in advance of the next meeting. I'm a little shakier on what's allowed on that front.

With that, let me -- let me go to the other members who have feedback or comments. And then, my suggestion is, just in terms of the amount of time we have left, so at 3:10 we'll break and then go to public comment.

So, we have now until 3:10 for anymore discussion on this, any motions, and the time it takes for that. The public comment that needs to be then invited before a vote. And then, should there be time, again, the additional agendas -- items that are on the agenda.

So, maybe take these hands and then begin to see if there's any motions to entertain.

With that, Nina, what would you like to share?

**PRESIDING ALJ BERG:**

Sorry to interrupt. Mr. Marron, if you could turn on your camera for us, if you're there.

**FACILITATOR BLOOMER:**

Thank you. Antony Marron if you -- and if you're having technical difficulties, if you could just let us know. There you are. Thank you, sir.

Nina?

**COMMITTEE MEMBER SPIEGELMAN:**

I'll try to be quick. I just -- I sort of feel like in a way after hearing everybody, that this is actually -- we're doing exactly what this Committee is, like, uniquely positioned to do.

Because we all -- so many of us work directly on getting those reforms into the statute.

And having this little -- the subcommittee focus on sort of what actually, you know, family perception, what, you know, the role of the Regional Center. And then -- and seeing where that's at.

Having, like Dr. Weller said, you know, a -- you know, that experience in making that less scary, more friendly and gentle and responsive. You know, and having like from Darline and Jennifer, you know, the specific statutory information.

Like this is an opportunity to put that together because that's exactly what the - - you get the reforms, you get the statutory changes. But then on the ground the actual experience doesn't necessarily reflect the intent, you know, the intent of the statute.

And that's with so many people, like you were saying Jennifer, like working hard trying to, you know, fulfill that mission and carry out those, you know, specific statutory provisions.

But I do think, you know, just hearing like, you know, Maria was mentioning everybody else. And it's sort of blackletter law, right? The happening place is the IPP meeting.

But in reality, and you know, you hear that, but sometimes the reality of the IPP meeting is not by the textbook. It's kind of -- it's extremely confusing. You don't leave with clarity.

A lot of maybe what we're talking about here maybe could be annotated with all that -- the statutory information that, you know, Jennifer and Darline were mentioning that would be, you know, and this could be like here are the things to kind of look out for or try to make sure we're covering.

Because a lot of times from those meetings there's not a meeting of the -- there isn't a meeting of the minds, like even what the issue is.

So, then the NOA comes as like a shock, because we're here -- like there's two different scripts going on. And it's nobody's fault. It's just it happens all the time, though.

So, anyway, I do feel that we're like -- I think this is actually, to me I feel encouraged by this. And I really appreciate Fernando and Dr. Weller's work on this. And anyway, that's all for now, I've took too long. Thanks.

**FACILITATOR BLOOMER:**

Thanks, Nina. We have had a request to ask if speakers could slow down a bit. And so, I will try to be mindful of that as well.

So, with that, Jennifer, your hand is up next.

**COMMITTEE MEMBER CUMMINGS:**

Yes, thank you. So, the Office of Client's Rights Advocacy is a resource that's available. And they are listed in the appeals packet information for families. And I know that they are accessed when families have questions about the appeals process.

I hear from our local OCRA Office, the Office of Client's Rights Advocacy, that they field phone calls on a daily basis relating to IRC denials, many eligibility questions.

But I also know that they don't have the resources to handle many one on -- you know, individual appeal cases.

They share resources and information, which is one of the areas that was addressed in the report from the subcommittee was ways to assist families with the appeals process.

I would like us to maybe talk about how we may be able to further utilize this existing resource. Maybe the Department and the legislature can dedicate more resources to them to be able to be more involved in the appeals process and provide that neutrality and assistance to families as they go through that appeal.

**FACILITATOR BLOOMER:**

Thanks, Jennifer. All right, Maria, I see your hand.

**COMMITTEE MEMBER IRIARTE:**

I do, thank you. So, Karin, I wanted to add something to what you said right before we went on a break. And that was --

**FACILITATOR BLOOMER:**

Yeah.

**COMMITTEE MEMBER IRIARTE:**

-- that the Committee needs to really think about how OAH can respond to what we're discussing. But I think there's a bigger player here, and it's really DDS.

Because DDS is the entity that runs the show here. So, it's not just OAH. But bigger picture-wise it's DDS. What can DDS do based on the recommendations that we provide as a Committee?

And, Nina, I have to say, you were very eloquent in what I wanted to say. So, I just, you know, I really -- and another thing that I wanted to say is that, you know, the Lanterman Act is a wonderful piece of legislation. But it's not necessarily followed all the time. And that, I think, is where the issue is.

Perhaps Regional Centers should further train their staff in areas where there may be issues. Not only in the IPP process, because I think it's the most important, you know, part of the process. But also appeals.

I'd love to see OCRA get more funding to do more work, you know, so that I would be in favor of.

But anyway, that's all I had to say.

**FACILITATOR BLOOMER:**

Thanks, Maria. So, it seems right to pause and ask if there are -- if there are motions at this time that would be, you know, for a formal recommendation coming -- this would be considered for a formal recommendation coming from this body.

Is there something informal the Committee wants to just agree to do next that isn't a formal recommendation to OAH. What --

**COMMITTEE MEMBER WELLER:**

If I may?

**FACILITATOR BLOOMER:**

Please

## **COMMITTEE MEMBER WELLER:**

And help me articulate this, maybe one idea is to update the working document to include the regulatory and statute framework that was discussed today so we can start getting that expanded upon. So, visually, I think would be good there, would be one action.

Otherwise, I feel like we're going to be saying and using different language. I think it's important to start with the existing. There might be a more eloquent way to say that.

## **FACILITATOR BLOOMER:**

Sounds good, great, very eloquent.

## **COMMITTEE MEMBER IRIARTE:**

I agree with Dr. Weller. I just feel like I'm still -- things are sort of floating around.

And I think we need to -- I think it's needs to be further thought out. You know, and really whether, I -- not just make -- I want recommendations that can really be implemented. And we've got the entities here to be able to do that.

If we want, you know, Regional Center -- I'm just going to say Regional Center reform, you know, like the stuff that we've been talking about to do before a Notice of Action, you know.

Yeah, but who's -- how is that going to, you know, I want these things to happen. And so, I personally need to think, you know, I think we need to think this through still --

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER IRIARTE:**

-- to make the kind of recommendation that is doable and not just pie in the sky kind of stuff.

**FACILITATOR BLOOMER:**

Uh-huh. Appreciate that, Maria. And I'll turn to Darline in just a moment. And I do just want to echo, you know, I think something that Dr. Weller is putting on the table, which is, and perhaps there are other things that could go along with this.

But updating this document with the, you know, statutory references, perhaps even regulatory goes to further. So, that's sitting here, I think for reactions.

And Darline, I see your hand.

**COMMITTEE MEMBER DUPREE:**

I was just going to make a motion, a formal motion, that the subcommittee revisit and revise the current -- the draft.

And then, in addition to changing statutory or adding the statutory language, I think to Maria's point, having some constructive recommendations that could truly be implemented and make sense.

And then, that the information could be looked at or the document could be looked at in the frame of providing information that could help families also navigate through the process.

So, that would be my motion.

**FACILITATOR BLOOMER:**

Are there -- are there maybe sort of questions before it's a formal motion? Darline, I'm just wondering is because once we get to that motion and seconding I'm just sort of like in this conceptual state then.

Darline, I'm hearing you speak about a motion by which the subcommittee is revisiting and revising the draft, adding statutory language, revisiting the recommendations just to assure they're constructive and can be implemented.

And that also such that the document helps families to navigate the process. I wonder if we just want to informally have a little more discussion around shaping that motion. And then we can see if we've got a formal motion that can be seconded. Or Fernando, were you ready to make that second?

**COMMITTEE MEMBER GOMEZ:**

Not by any means.

**FACILITATOR BLOOMER:**

Okay.

**COMMITTEE MEMBER GOMEZ:**

(Inaudible) the motion is a discussion on several fronts. This report is evergreen, and it's organic, so it continues to evolve. And definitely, I've been taking extensive notes from this great conversation.

But also, I would like for this input to include that of the communities as best possible. I know they're limited. There's no Q and A, there's no chat right now.

Hopefully there are people who are listening in that can weigh in some information and however which way make it so that the subcommittee has access to that feedback as well. Because we believe it will be instrumental in the report.

In addition, I can't speak for Dr. Weller, but I can speak for myself in a sense that I am not in a position to include any type of statutory language into a report. Because I'm not an attorney, and I don't profess to be one.

And all I can talk about is my experience and how I perceive this process to be.

So, if there will be a motion for that to be included into the report, then we would have to look at how and who will do that.

### **FACILITATOR BLOOMER:**

Thanks, Fernando, I appreciate that. And I'll just resurrect an idea that came up in the last meeting. Which is, again, the draft as it stands is public, and it's on the website.

And so, I'm just putting out there that if there's a Committee member who would be willing to take that draft, that version, and add statutory language for the next meeting, I think that's certainly permissible.

I don't know if there's someone willing to do that.

But Maria, I see your hand. You're muted, Maria.

**COMMITTEE MEMBER IRIARTE:**

Sorry. If my memory serves me right, Jennifer, didn't you agree at the last meeting to do that? Or was I -- am I wrong? That's a question?

**COMMITTEE MEMBER CUMMINGS:**

I offered, and I can.

**COMMITTEE MEMBER IRIARTE:**

You can?

**COMMITTEE MEMBER CUMMINGS:**

I can do that, sure.

**COMMITTEE MEMBER IRIARTE:**

There we go, thanks, thank you.

**COMMITTEE MEMBER CUMMINGS:**

And I did review everything and provided the input today. But I can provide -- I can provide it --

**COMMITTEE MEMBER IRIARTE:**

Yeah.

**COMMITTEE MEMBER CUMMINGS:**

-- in writing.

## **COMMITTEE MEMBER IRIARTE:**

So, when the subcommittee revises the report, is there a way for the subcommittee, without violating Bagley-Keene, to reach out to DDS? Because I'm really interested in the implementation of decisions.

And I think -- I think it was Darline that mentioned that when Regional Centers are not implementing decisions you can apply Section 4713.5 of the WIC code.

But what happens right after DDS gets a complaint of a consumer, like where do they take it? And how long -- how long is the process? How long do they have?

I don't -- I don't know of any statute that says how long they have. But what is happening, you know, have they received complaints from consumers where decisions haven't been implemented or are incorrectly implemented? How long is it taking to right the wrong so to speak?

I think -- I think that would be important that if implementation is an issue. That's it.

## **FACILITATOR BLOOMER:**

Thanks Maria. Okay, so just some open questions about how DDS handles those situations. Is that -- okay, all right. So, sort of, appreciate that you've asked that question.

I want to turn to Dr. Weller for his raised hand.

**COMMITTEE MEMBER WELLER:**

I was reflecting -- I was thinking about modifying a bit in my language while still preserving, I think, something important and thinking of Fernando's important point, being as we're not attorneys in there.

But I would feel comfortable, from my perspective, if we were to pull out the areas of the Lanterman Act, Welfare and Institutions Code that speaks to the areas that we're discussing as it relates to the timelines, Notice of Actions, all those relevant areas.

Because we, as a Regional Center, I'll speak for myself, we do defer families to the Lanterman Act and the rights and as we're quoting and writing things in there.

So, it's, I think it can be really valuable for us to kind of pull that out, either on an attachment or a document or --

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER WELLER:**

-- however that looks. Because I think we're going to need to see that. And I think that's going to help drive our discussions. I'm just kind of thinking -- I can see Welfare and Institutions Code pulled out for us that's already there.

And I could see, have a vision of this Committee here kind of going through those areas and saying, hey, that's what we call it over here, or we're doing that, or that's an area that we be, you know, this is a terminology change that we would like to propose that we think could really make a difference here. I'm just speculating.

So, I think coming in from that, not to get bogged down in a bunch of legal components, but just pulling out the areas of the Welfare and Institutions Code that we're already utilizing as Regional Center would be -- make a clarifying piece as it gets ready for a motion.

**FACILITATOR BLOOMER:**

Uh-huh. So, Dr. Weller, just to make sure I'm tracking. Are you suggesting that you, yourself, are willing to share that? Or you're saying as you look to Jennifer's gracious --

**COMMITTEE MEMBER WELLER:**

I'm --

**FACILITATOR BLOOMER:**

-- offer?

**COMMITTEE MEMBER WELLER:**

-- I need expertise. You know, I'm a Director, I know my expertise. I surround myself --

**FACILITATOR BLOOMER:**

Yeah.

**COMMITTEE MEMBER WELLER:**

-- with subject matter experts. Whoever it would be on here that could help that live and know these sections. I mean, I can pull them easily. But I think it would be an opportunity.

And also, I want it to really be clear to the Committee as we move forward, I'm more than happy to participate in the subcommittee along with Fernando to do this.

But I just want to make it clear that we're just bringing conversations. And we're bringing things in here. We're not proposing that this is what we want it to be on our own. That this is our collective work from the community from feedback from you all.

So, we're happy to do some of the heavy lifting outside of here if it's helpful. But by all means we want to make sure that it's feeling collaborative. So, I just can hope we can get into a flow where we have ideas, discussion points, coming through here.

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER WELLER:**

And then for people to feel comfortable and to weigh-in on those areas, and we can kind of fine-tune in there as well.

So, that's not part of the motion in there. This is my side commentary. But --

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER WELLER:**

-- I think -- I think we need to pull out back to the motion areas that are in there so we can start merging kind of our future and what the ideal system would look like without ignoring current Welfare and Institutions Code. Which is going to be driving operations, an operational perspective, if that makes sense.

**FACILITATOR BLOOMER:**

And if I could just add a little commentary in terms of process. It's my understanding that unless this Committee is interested in a formal recommendation to OAH, you as a Committee informally can decide how you want to move ahead informally without bringing it to a motion or a vote. So long as you're all feeling comfortable with, you know, what those next steps are.

And certainly, the subcommittee and any other volunteers has, you know, acknowledged a willingness to do so.

So, if you need the formality of motions and seconding recommendations for this Committee to understand what you want to do next that's certainly your prerogative.

But really that formal recommendation is necessary only if you are making a recommendation to OAH for a response.

So, with that, Maria, I see your hand. And you're muted, Maria.

## **COMMITTEE MEMBER IRIARTE:**

So, it's not only a recommendation to OAH, but it's also recommendations to DDS. Because they're -- OAH is not the only player here.

So, thinking ahead, when we do have our final recommendations, I would like to hear -- because, look, some of the stuff that we're talking about here is really not within OAH's jurisdiction, like the IPPs. Like having someone review the Notice of -- review the case before a Notice of Action is issued. Not OAH's problem.

So, really when we do have our final recommendations, also identify the entity that would be responsible for implementing our recommendations.

And I would like to, after we provide the recommendations, hear, you know, I want to -- I'd like to see responses from these entities as to the recommendations. And if our recommendations can't be implemented, why.

Or do they have something other to, you know, do they have another recommendation that they could -- in other words, I don't want it to die just here. I want to have, not, you know, I as a Committee member want to have that dialogue with DDS and OAH about the recommendations we provide.

## **FACILITATOR BLOOMER:**

Appreciate that, Maria. And just as this neutral facilitator appreciating what I understand about this Committee, I think something to navigate is the scope described as non-binding recommendations on hearing and mediation operations.

So, I'll leave it at that. That's my understanding of the scope. And I appreciate, I mean, one of my takeaways is there are some important steps that precede that

hearing and mediation process that, you know, certainly impact whether something goes to mediation or hearings.

I think it calls to question what that scope is, is just my, you know, my personal read on it.

**COMMITTEE MEMBER IRIARTE:**

Yes, I mean, we're talking about things that are not within the scope of OAH as recommendations. So --

**FACILITATOR BLOOMER:**

I think so.

**COMMITTEE MEMBER IRIARTE:**

-- you know, and we have -- it's not OAH to decide some of this stuff. It's the -- it's DDS who has oversight in the State of California to make sure that the Regional Centers are complying with the Lanterman Act. So, what are we doing?

**FACILITATOR BLOOMER:**

Appreciate that. I mean, I think it -- I think it raises the question of --

**COMMITTEE MEMBER IRIARTE:**

Our scope --

**FACILITATOR BLOOMER:**

-- where these recommendations are headed, right? And your scope, the scope of the Committee, yeah, precisely.

So, I mean, given that, happy to sort of have anyone else, you know, clarify that more specifically. I think in terms of next steps, there is this question on the table as to I think I'm hearing Jennifer Cummings still willing to provide the statutory references to the elements of the process outlined in that subcommittee draft that could inform the next conversation at the next Committee meeting.

And I think that as long as Jennifer is still willing to volunteer to do that and no one strongly opposes such that we have to sort of take it to a vote, I think that's certainly within your power to just all agree that that would be helpful.

And Jennifer, I see your hand. Please, go ahead.

**COMMITTEE MEMBER CUMMINGS:**

Yeah, I mentioned my willingness to help. But then I also know that the subcommittee was open to revising their report.

So, I don't know whether to do it before or after. But I'm available right away.

**FACILITATOR BLOOMER:**

Appreciate that. Dr. Weller, yeah.

**COMMITTEE MEMBER WELLER:**

I'm not sure of the exact process. But I'd be open, at least from my perspective working on for what we know based off the conversation today of submitting that where it kind of fits in, if that's helpful.

And then just again of approach. I think some of it might relate today when I think about the timelines for Notice of Actions in different areas there might be some relevant steps in there.

But I'm happy either way, it looks, in terms of process.

**FACILITATOR BLOOMER:**

Okay. Thank you, Dr. Weller. Darline?

**COMMITTEE MEMBER DUPREE:**

Wondering would it -- if it would also be helpful, you know, with Jennifer submitting the information of statute, any other recommendations to be submitted in writing, would that also be helpful for the Committee -- the subcommittee to review?

**FACILITATOR BLOOMER:**

I see Dr. Weller nodding.

**COMMITTEE MEMBER WELLER:**

Open to all the feedback and the areas that we can think about, absolutely.

**FACILITATOR BLOOMER:**

So, I think -- I imagine the way to do that in terms of Bagley-Keene is, and I might, and I have to defer to OAH on this, but is to submit your comments for posting, Darline, I think, so they can be seen by all.

**COMMITTEE MEMBER DUPREE:**

Yes, no problem.

**COMMITTEE MEMBER GOMEZ:**

I think that, you know, being able -- for the Committee members to be able to weigh-in and provide their feedback, absolutely, you know, that's what we count on so that we can make sure we have that representation.

But also want to make sure that we do have a defined pathway for the community, who's interested in weigh-in and providing their feedback to be able to do so as well.

And I think we should define what that means, whether it's through that email where people can submit feedback. Or I don't know. I mean, I'm not sure what our options are. But we definitely need to have something in place.

**FACILITATOR BLOOMER:**

Uh-huh. Yeah, I mean, so certainly the public comment period, both written public comment, verbal, and in chat as an accommodation. So, certainly no question in that space.

I wonder if someone might make a suggestion then on next steps. I think there's, again, maybe going back to Jennifer's offer that just wondering whether it makes sense for her to provide the statutory reference and submit that for posting as a next step.

Or whether there's other revisions or adjustments that the subcommittee sees clearly that it's being asked to make or wants to make first and submit that version.

Could we get some clarity on that?

**COMMITTEE MEMBER GOMEZ:**

I think, if you're asking my opinion on that, I think that we definitely appreciate Jennifer's volunteering to provide that. And based on her capacity to accommodate in her schedule, I mean, you know, the minute she's able to do that it would be great.

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER GOMEZ:**

It's like I mentioned before, this is not revising the plan as much as it is about to continually evolve the plan and make the adjustments based on this valuable feedback.

**FACILITATOR BLOOMER:**

Uh-huh.

## **COMMITTEE MEMBER GOMEZ:**

I think from there, you know, we'll get to a document that will continue to expand and grow and hopefully capture the elements, you know, besides the, you know, the defined structure within the statute.

And so, there's also the ability to capture culture and how these elements are in process or implemented that also have to be defined.

So, all that should go into this report in a way that it's not inflammatory or dismissive. But in a way that's more constructive and helps create definition and clarity in the areas right now that are not. And there's quite a few of those.

## **FACILITATOR BLOOMER:**

Great, okay. Well, so unless Maria's hand is going to be to suggest differently, and we can certainly test that, I'm hearing, Jennifer, that at least from one of the subcommittee members it would be great if you could take the, again the version that's posted, which would be the more immediate way, I think, to address your, again, your gracious contribution in that way.

And I think it would be for then -- for you, if you want Committee members to see it before the next meeting I think it would be to submit it to OAH and see if it can be posted so that all can see it in advance.

Okay. Maria, yeah, thanks so much, Jennifer.

## **COMMITTEE MEMBER IRIARTE:**

I --

**FACILITATOR BLOOMER:**

Maria?

**COMMITTEE MEMBER IRIARTE:**

-- I agree with what the proposal is. But my question, which is now in my mind, is there are going to be recommendations in the report that really are not within the ambit of OAH.

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER IRIARTE:**

So, I pose to all the Committee member, the things that are not within the ambit of OAH, do we want -- I mean, it's great to have a rapport with all of that. But we can't do it as this Committee.

But people can do it as groups of with DDS, right? I mean, the stuff about Regional Centers, that's not stuff that we're -- the OAH is going to be able to do anything about.

So, if we want to -- if we want to change that, it's going to be having those discussions with DDS and Regional Centers.

And I'm just -- I'm just saying it's probably not going to, you know, the binding -- the non-binding recommendations on stuff that's not within the jurisdiction of OAH will probably go nowhere here.

And so, we need to think about outside of this, you know, how do you want to address those -- how do you want to make those changes?

**FACILITATOR BLOOMER:**

I think it's important that you raised that, Maria.

**COMMITTEE MEMBER IRIARTE:**

I mean, we don't want to have false hopes here. And we need to focus our energy and attention on what we're here to do, what our mandate is.

**FACILITATOR BLOOMER:**

Uh-huh.

**COMMITTEE MEMBER IRIARTE:**

I'd love to see other things happen, changes to Regional Centers, but I'm -- I don't think this is the place for that.

I think the recommendations are great recommendations. And we could have them. But I think they need to be taken somewhere else.

**FACILITATOR BLOOMER:**

Are there any questions or comments from other Committee member about that? I mean, really I think it just gets to the heart of, you know, the, again, the scope of this Committee not to diminish in any way the content in the work thus far, but also appreciating the scope and the, I think the State entity that's here to respond to the

Committee. Which is in the hearing and mediation operations that OAH has purview over.

**COMMITTEE MEMBER GOMEZ:**

I think from my end, Karin, I agree with what Maria's, you know, with her perspective. And I think that there are no restrictions or limitations, if you will, on the ability to get people's feedback. You know, that's really what we're set out to do.

And it's not just people, it's the key stakeholders. And, you know, the DDS is a stakeholder. So, it's really important to hear from them as well. But we're not -- and whatever is captured and submitted, I would hope that these types of conversations continue, because it'll help us to keep making those adjustments and additions to this and so forth.

But Maria, I agree with you. I think DDS, you know, would be happy to look at, analyze, and provide feedback, if you will. I would -- I couldn't see why they wouldn't.

**COMMITTEE MEMBER IRIARTE:**

Well, yeah, I mean, I think that whatever the recommendations are that are within the purview or the ambit of DDS take them there, right? Have those discussions with them.

And I think having feedback from the community is essential. Because they're the ones who have the lived experience, right?

They're the ones who were in IPPs. They're the ones who are at informal resolutions, mediations, hearings. And I'm happy to hear from you, Fernando, your

experience and ICC experience is improving within the appeals process. And that's great.

But, you know, the stuff we've been -- a lot of the stuff we've been talking about today is before that, right? Yeah, and that's, to me, another discussion with DDS.

And Regional Centers, you know, I mean at the end of the day DDS is the entity that's responsible, so.

### **FACILITATOR BLOOMER:**

So, I think that -- I think it is, again, unless someone else has, you know, sees it differently, I mean, just really appreciating for Advisory Committee members to be appreciating, you know, I think the work that's being invested now around this topic, I -- it's my understanding that submitting these recommendations to OAH through this Committee process isn't something that OAH is in a position to address. Because it does -- it doesn't fall within hearing and mediation operations.

So, I just -- I just want to make sure everyone's appreciating that in terms of the time spent on this topic and just keeping in mind for, again, agenda items others may want to bring to the Committee, you know, that scope of, you know, recommendations that, again are within OAH's purview for operations.

Okay. So, I'm understanding as next steps, again just to recap. And again, no need for a motion or second or recommendation, because this is not going to OAH.

But an understanding on this Committee that Jennifer Cummings has volunteered to add the statutory reference to the processes and steps in the draft that's posted on the OAH website under the February meeting materials. And to

submit that so that OAH can post it under these meeting materials for you all to look at in advance of the next meeting in August.

So, asking Committee members to speak up now if they have any objections to that. Again, it's just trying to give clarity to next steps.

Okay. All right, well, so then in -- we have 20 minutes to at least begin to look at some of the other agenda items.

Again, we'll take a break at 3:10. When we come back we'll move directly into public comment to ensure there's sufficient time for that.

So, I'll move onto agenda item 6 then, which is discussion of the impact of potential Medicaid cuts on the appeals process and hearing and mediation operations.

I wonder if sort of as we have done in the past, if I could just ask the Committee member who submitted this as an agenda item to provide, you know, some context and background, the interest in having this discussion today. Fernando?

### **COMMITTEE MEMBER GOMEZ:**

Yes, thank you, Karin. So, my recommendation based on the agenda was in anticipation of the fact that this meeting was going to happen just right after the May revised and also in, you know, we're all understanding that, you know, that Medicaid and federal funding for a system is in jeopardy.

So, I thought it would be a great opportunity to discuss on how through both of those settlements may impact an appeals process. And, you know, I have some ideas myself, but I just wanted to share that was the logic and the reasoning behind putting this in as an agenda item.

**FACILITATOR BLOOMER:**

Uh-huh, thank you.

**COMMITTEE MEMBER GOMEZ:**

Uh-huh.

**FACILITATOR BLOOMER:**

Okay. Well, the floor is the Committee's to discuss this, to explore this. Again, probably ultimately appreciating the scope of OAH in hearing and mediation operations as you -- as you talk about this. Maria?

**COMMITTEE MEMBER IRIARTE:**

It's hard to tell. I mean, we still don't have, you know, we're still waiting to hear from the Federal Government as to what they plan to do with Medicaid.

And, of course, Regional Centers rely a lot on the waivers, their -- the waivers -- the DD waiver, self-determination waiver to pay for some of the services that their consumers receive.

And so, I just think it's too soon to tell. I mean, if there are cuts in Medicaid, most likely that, you know, there will be some effect on consumers.

Does that mean more appeals? And what does that mean for, you know, OAH? More cases to handle? I don't know what -- how their budget is determined or, you know, if in fact any cuts to Medicaid would affect their ability to, you know, to do their work. I have no idea.

I think, you know, I think once we know what the Federal Government is going to do and the State of California is going to do in response we'll have a better idea of what's going to happen to, you know, services that Regional Center consumers are receiving through the waiver. You know, will there be enough in the Regional Center's side of the budget to make up for those losses.

But I don't know, Fernando, you know, we just need to sort of wait and see how this all plays out.

I mean, you know, we've had budget cuts before. I just don't remember what -- I mean, anyone who's here on the Committee who's lived through them and, you know, or maybe OAH has lived through these budget cuts. And maybe someone from OAH can discuss how it -- how the last budget cut, you know, affected your, you know, your work, your caseload, whatever it is.

**FACILITATOR BLOOMER:**

Thanks, Maria.

**DEPUTY DIRECTOR VARMA:**

Karin, can I chime in?

**FACILITATOR BLOOMER:**

Please.

**DEPUTY DIRECTOR VARMA:**

So, OAH contracts with DDS for the services. And the contract is available for anybody to see. So, that's how our work comes in.

As far as what happens to the workload, there's too many variables.

**FACILITATOR BLOOMER:**

Uh-huh.

**DEPUTY DIRECTOR VARMA:**

We don't know yet.

**FACILITATOR BLOOMER:**

Yeah.

**DEPUTY DIRECTOR VARMA:**

So, that's the best answer we can give you. You can look in the contract to see how the work is coming into OAH and what we do.

**FACILITATOR BLOOMER:**

Yeah.

**COMMITTEE MEMBER IRIARTE:**

I mean, you know sometimes the State will do an across the board cut. And there's nothing to do. You can't even appeal it, right, because it's going to affect everyone who receives that benefit.

So, yeah, it's kind of hard to say, but.

## **FACILITATOR BLOOMER:**

Thank you, Bob. Nina, I see your hand.

## **COMMITTEE MEMBER SPIEGELMAN:**

Yeah, I was just going to say that I think maybe Fernando also has heard about this. That, you know, that there are a lot, you know, the community gathers a lot in terms of, you know, trying to do whatever we can to forestall, you know, the impact, you know, the Medicaid federal action and effect in any way we can whatever congress is going to do.

But in the course of that, a lot of times a lot of anecdotes come up. And it sounds like there might be, again, entirely anecdotal, some Regional Centers that are kind of preemptively cutting back on, you know, saying there's a limitation on a service. Or, you know, there's been just a few stories about that happening.

So, I think maybe not so much in terms of, you know, we obviously can't say, you know, what the fiscal impact is. But there also might be impact on the way, you know, there may be issues that come down as a result of even the fear factor or how people interpret their need to, you know, pull back or whatever.

So, we're hearing that. And for what it's worth, you know, I know DRC definitely has said, you know, to let know when these kinds of things happen. Because I think they are hearing about this. And that's just sort of a substantive issue that may present itself that may end up hearing about how valid it was to, you know, cut off a service.

## **COMMITTEE MEMBER IRIARTE:**

Can I respond to that? Nina, you're right, and I forgot about that. We have -- I'll give you an example. Denying social rec in anticipate that it can't no longer be funded. I mean, in anticipation of whatever can or can happen with the budget. So, I - - we have been hearing that that happened.

## **FACILITATOR BLOOMER:**

Thanks, Maria. Fernando?

## **COMMITTEE MEMBER GOMEZ:**

Yes, thank you. And I know that we're not going to meet, well, by the time this Committee meets again, a lot of water will have gone under the bridge. And I wanted to bring the subject matter up today in anticipation of what we can start preparing for.

And I know that, you know, like for example (inaudible) in all of the efforts that we were doing around rallies and that Senator -- I'm sorry, Congressman Obernolte's office when we talked about the Medicaid cuts, they said not to worry about it, because you can just appeal.

So, I'm using that as an example in the sense where I think a lot of focus is going to come into this process in a very short period of time.

When individuals who have had a service and their -- it's become part of their lives, especially for our community who is set on schedules. It's going to be disruptive, extremely so.

So, however, which way they're implemented, I think from A, giving the Judges a heads up and maybe even providing some trainings, to say in anticipation of this

onslaught of appeals that we're going to go through, it probably would be beneficial to prepare.

If it doesn't happen, then at least we were prepared, right? But I anticipate that I think there's going to be quite a bit of activity picked up going forward from our community.

The DDS sent an email yesterday, I believe it was, or maybe this morning, I get days confused now, but it outlined all of the areas that our system is going to get impacted.

And we're literally getting some pretty hard hits in many different directions. And I say we as not only as a system but also the individuals who are served by the system.

And I think it would be beneficial to be prepared as best possible. Even though right now things are maybe not completely defined. But in anticipation of what's going to come down quickly.

### **FACILITATOR BLOOMER:**

Thanks, Fernando. Is there -- is there anything more a Committee member would like to weigh in on about this item? And if not, we might take the last few minutes on the -- on the last item on the agenda. Anything else on this?

Okay, then in the 10 minutes we have. So, at least just to perhaps begin the discussion. Agenda item 7 is discussion of OAH's role when a Regional Center contractor fails to account for SSI payments that are to be forwarded to the bank account of the caregiver for a Regional Center's client.

So, once again, if I could ask the Committee member who submitted this to share. And just I'm not an expert in this.

But just to -- again, just a caveat to remember, we can't talk about specific cases here, but certainly general discussion, general questions, are absolutely on the table.

So, may I ask who --

**COMMITTEE MEMBER MARRON:**

This is --

**FACILITATOR BLOOMER:**

-- submitted this?

**COMMITTEE MEMBER MARRON:**

-- this is Tony Marron. Hello, everybody.

**FACILITATOR BLOOMER:**

Tony, thank you.

**COMMITTEE MEMBER MARRON:**

Yeah, I ran into a situation where SSI payments are not treated seriously. And the reason I'm bringing it up to this Committee is that, of course, any conservator of a client that receives government payments, whether it be state or federal, I mean that should be sacrosanct.

It shouldn't be touched in any way, shape, or form. But it has been for years.

And I'm very concerned. I know this is -- when you want something general, but I'm very concerned this is happening to thousands, tens of thousands of clients around California that use whatever Regional Center that actually contract out to a financial institution to manage all of this money coming in every month for the needs of clients. Which is needed for their residence, food, and other personal items.

And it's a very serious thing that when you contact the Regional Center over and over and over again, you contact the contractor over and over and over again, you ask for proof, and they send you a ledger, a banking ledger.

And it shows that the money is not properly routed. And they just ignore it. And it's because they're ignoring the Lanterman Act.

The business that runs -- it's a financial business that's supposed to manage all these things, well, that's not their problem what the Lanterman Act is, it should be the Regional Center problem.

But then the Regional Center problem says, hey, this was delegated from the County Deputy Guardian, because it's -- County Deputy Guardian is the one that's usually, from my experiences, has control of -- as conservator, has the responsibility, the accountability.

But to make their jobs easier they delegate out things. They delegate out to Regional Centers, and Regional Centers delegate out to contractors that are supposed to -- that are supposed to manage this thing faithfully and accurately. And they're not doing it.

And I can assure you, I've seen instances, when I mention the Lanterman Act, I get this deer in the headlights. It's just something that's nowhere near as important as it should be. It just isn't.

I've heard -- I want to thank, Maria, just a few minutes ago said exactly, I was -- I put up a touchdown sign because I said, hey is -- are these Regional Centers have some references to the Lanterman Act in their everyday affairs?

And, you know, this -- these jobs are hard. I mean, I think I mentioned this about a year ago on this -- on this board that Regional Centers have a tough role to go. But if they're hurting their clients in the process with delegation of duties and so forth, like these financial matters, SSI payments, I mean that's a federal felony.

If you look -- if you go -- that's a federal resource. And if you are a qualified beneficiary of SSI payments and you don't get -- you don't get them, that's a felony.

And I'm very concerned this is happening all over California. And I was wondering if Dr. Weller, if you're still on, do you think this is -- I would think you might have some comments here. Is he still on?

**COMMITTEE MEMBER WELLER:**

I'm still here. I don't feel fully comfortable commenting without all the data pieces. I want to get you the right people that would be able to answer that type of question.

I do know different Regional Centers do third-party contracting out if it is related to some rep pay functions. But I don't want to go off too far. But I would help -- if any way I can help get you connected to get information I would be more than happy to do so.

**COMMITTEE MEMBER MARRON:**

But we're not allowed to contact each other outside of the Committee are we?

**COMMITTEE MEMBER WELLER:**

I think my -- I hope I'm not overstepping here, but getting in contact with your local Regional Center's leadership could be a good starting point to kind of process through some of those areas.

Because I would imagine if you're having those challenges there could be some others. So, I'm trying to think of a nice strategy that could get you some information to navigate.

**COMMITTEE MEMBER MARRON:**

You're part of the --

**FACILITATOR BLOOMER:**

Appreciate that.

**COMMITTEE MEMBER MARRON:**

-- you're part of the San Gabriel Regional Center. Is that correct?

**COMMITTEE MEMBER WELLER:**

Correct.

**COMMITTEE MEMBER MARRON:**

You run -- you run -- you're the Director. You run the whole thing, right?

**COMMITTEE MEMBER WELLER:**

Correct.

**COMMITTEE MEMBER MARRON:**

I should call you sir. Okay, I get it, all right.

**COMMITTEE MEMBER WELLER:**

Not necessary, but thank you.

**FACILITATOR BLOOMER:**

And --

**COMMITTEE MEMBER MARRON:**

So --

**FACILITATOR BLOOMER:**

-- so --

**COMMITTEE MEMBER MARRON:**

Yeah.

**FACILITATOR BLOOMER:**

I'm sorry to interrupt. But as to your question of, you know, whether a discussion of OAH's role in this as it pertains to the hearing and mediation --

**COMMITTEE MEMBER MARRON:**

Yes, ma'am.

**FACILITATOR BLOOMER:**

-- operations. I've --

**COMMITTEE MEMBER MARRON:**

There should -- there should be something specific we can get in the ear of a Director, no offense Dr. Weller, but there should -- this should be taken seriously, not oh well this happened about a year ago, let's go forward. No, no.

You know, I've heard of -- I've heard a term -- I've heard of, like, a few years ago people losing 500-dollars, some people losing 5,000-dollars over a 10 month period because there's a slipup in their records.

But they won't go back and tell the SSA, hey, we made a mistake so let's make this right. Nothing like that ever happens. They don't go to that.

You know, and it sounds like to me that they -- a Regional Center is responsible for whoever they contract out in these kind of financial tasks.

But the Regional Center will be accountable. And if they don't put in the energy to correct "mistakes or errors," because there are mistakes by people, by humans. And then there's errors. You know, if you don't even look at the error, let's just move forward, that doesn't help our clients. It just doesn't.

And I -- also just to let you know, the SSA itself recommends that if you're in charge of a client, like a parent or business or whatever, and you can prove that you

are, you should have those accounts -- those -- the benefits, the SSI benefits and so forth, go directly to a checking account for the client. You shouldn't -- you shouldn't even go through any intermediate -- this is the SSA.

That sounds like to me that they have so many issues of organizations trying to manage SSI payments that they'd rather go right to the client. And therefore, they have less issues, because the money is going right to them.

So, this is a very sticky area. And I think it's very important. But how --

**FACILITATOR BLOOMER:**

Thank you, Tony.

**COMMITTEE MEMBER MARRON:**

-- but how do you, perhaps I'm being too specific, where we've had very general discussions throughout the day like we always do.

But I just wanted to bring up this one area that for people, clients to survive, they need that benefit, that SSI benefit accurately delivered to them for their needs. And its' not happening. It just isn't.

It is happening now for some people. When people get in there and they, hey, I want to be the payee, they go through the process, and now they're taking care of their client, and all the money goes directly to the client.

So, there are some people that survive through this. But it shouldn't be such an uphill battle and such a -- and when something happens like I just described, about a year-and-a-half in the past or two years in the past, no one is going to help the client recover that money. It just won't happen.

**FACILITATOR BLOOMER:**

Thanks, Tony. Appreciate --

**COMMITTEE MEMBER MARRON:**

Yeah.

**FACILITATOR BLOOMER:**

-- appreciate you bringing to the agenda something you wanted to share on that. And Dr. Weller, thanks for you -- for your offer.

**COMMITTEE MEMBER MARRON:**

Yes, thank you Department, appreciate it. If you have any suggestions, well, we'll work it out.

**FACILITATOR BLOOMER:**

Thank you. And we're -- in just a moment we're going to go to break. Before we do, any final very brief comments from anyone?

We'll go to break. Then we'll go to public comment. And then we'll adjourn by 4:00 p.m. So, any quick final comments from anyone before we take our break?

**COMMITTEE MEMBER MARRON:**

Is it possible, I'm sorry to talk again here, but is it possible to limit the agendas to 15 minutes? Therefore you have a little bit of a mark -- a marching order there to get to the bottom?

And then, we'll have -- if there's any time left over we can go ahead and reread and go back to my -- if that something that can be considered? Thank you.

**FACILITATOR BLOOMER:**

Thank you, Tony. Any other comments briefly before we take our break?

Okay, thank you all so much. Let's go ahead and take a 10 minute break. We'll be back at 3:19, and we'll transition to public comment. Thank you so much.

**(OFF THE RECORD.)**

**FACILITATOR BLOOMER:**

Everybody's back with cameras back on. All right, well thank you all for the discussion today. We're going to now turn to public comment. And I'll be turning to Judge Berg to facilitate.

**PRESIDING ALJ BERG:**

Okay. Thank you. First, we have a number of hands up. We're going to begin with taking public comment in chat, only for those who need the chat function as in accommodation.

We'll then turn to the verbal comments. And then finally we will read aloud any emailed comments that we've received.

In all of these cases, you will be given two minutes to make your comment. And I will let you know when you have 30 seconds left and when your time is up.

So, first, we'll turn to those wishing to make a public comment in chat. And that's for those who need accommodations. So, we're going to begin if -- we're going

to -- put everybody's hand down to start and then ask that only those requesting chat put up their hand to speak. So, if we can -- there we go.

All right, so again, if you wish to make a comment in the chat function, please raise your hand.

Okay. All right, if we could promote Rubi Saldana and Cesilia Ortiz. And we have one more, Professor Currie. So, we're going to do these in batches of three.

So, if we could promote those three to -- participants to be able to enter your chat. And one second there. And Ms. Saldana, if you could promote her.

All right, you'll have to accept being promoted to -- there we go. All right, you'll have two minutes to go ahead and enter your chat. And then I will read each chat once they've -- you've hit enter and they're submitted.

**MS. SALDANA:**

Can I speak, or I have to write?

**PRESIDING ALJ BERG:**

No, this is only for using the chat function right now. If you want to speak --

**MS. SALDANA:**

Okay.

**PRESIDING ALJ BERG:**

-- you'll just wait a second.

**MS. SALDANA:**

Okay, thank you.

**PRESIDING ALJ BERG:**

Okay, 30 seconds left to enter your comment in chat. All right, that concludes the two minutes. We only have one entry at -- okay, they've -- more have come in.

The first one from Rubi Saldana, I can't actually see the full name here, sorry. It says, "I'm here to just give my own experience in those hirings, very bad things still happening, especially in this area, Inland, Empire, Orange County, and Redwood Coast. I have been having trouble to get the email to send my comment. Thanks." Okay, thank you.

Cesilia Ortiz says, okay, that one's going to be in Spanish. I don't know if we can have the -- an interpreter paste the English version in the chat?

While we're doing that, if we can go back to the attendee list. All right, so we have four other hands up. And again, these are just right now to make comments in chat, not verbal comments.

So, if you are wanting to make a verbal comment please put your hand down. All right, if we could promote Maribel Oliver, an unidentified Zoom user, you'll need to please put your name in your chat comment, and then Rocy Cedeno, if we could promote them to participants.

And you click yes, and you can begin your -- adding your comments now.

**MR. CEDENO:**

(In Spanish).

**MS. OLIVER:**

(In Spanish).

**SPANISH INTERPRETER SERRANO FOR MS. OLIVER:**

Good afternoon, can you hear me? My name is Maribel Oliver. I have a son that is --

**PRESIDING ALJ BERG:**

Right now --

**SPANISH INTERPRETER SERRANO FOR MS. OLIVER:**

-- that is from the Regional Center --

**PRESIDING ALJ BERG:**

-- right now -- right now we're only taking comments by chat. Okay, typing in the chat function, not verbal comments.

**SPANISH INTERPRETER SERRANO FOR MS. OLIVER:**

Okay.

**PRESIDING ALJ BERG:**

You'll have an opportunity in a second when we go to verbal comments.

Okay, we have one chat comment while we're waiting for, I think, one other to be entered.

It's, "Good afternoon, my name is Maribel Oliver. I have a son who is a client of RCRC Regional Center with a diagnosis of autism and intellectual disability. My experience going through my process was terrible, cruel, and intimidating. I had to go through this process during a very delicate pregnancy. I asked the coordinator and supervisor for a meeting to reach an agreement, which was denied. They told me they would send me the Notice of Action. I didn't receive quality interpretation. The Service Coordinator attacked me in the mediation, along with the supervisor and the RCRC Director. I suffered while seeking support from DDS encountered retaliation. It took a year to implement the services. The only support I had was the ICC and the support of the integration workers. I filed a 4731 complaint, and they told me it was my fault. It was worse than the process. I found a broken system and a lot of abuse of power rife at RCRC Regional Center. Thank you for taking the time to listen to my experience." Okay, thank you.

I believe that we just have one comment in Spanish. I can actually read it if you want to, just provide the interpretation. Well, I don't know if actually that's going to work.

Well, we'll try it. (In Spanish). Actually, this is probably not going to work because I'm in the English channel, I apologize.

**FACILITATOR BLOOMER:**

It's okay.

**PRESIDING ALJ BERG:**

So, try to get through this.

**FACILITATOR BLOOMER:**

Yeah. Judge Berg, it looks like that translation has been added now.

**PRESIDING ALJ BERG:**

Oh, there we go. Okay.

**FACILITATOR BLOOMER:**

Yeah.

**PRESIDING ALJ BERG:**

"Good afternoon, my name is Cesilia Ortiz. I'm the mother of the person receiving services. And I'd like to request followup and good supervision in the fair hearing process because it's tremendous problem when a decision is made and Regional Centers do not respect the decision made by the Judge. It is very tiring and emotionally draining and intimidating when the Regional Center staff do not respond or when they lash out at the family." All right, thank you very much.

And it looks like we just have one other person seeking to enter a comment by chat. So, if you could add Shirlys, and if you could click the button to accept being a panelist.

Okay, you'll have two minutes to enter your chat, please. Okay, it looks like she's entered her chat. And if we could get a translation of that posted as well.

And it looks like there's one more person in the -- I think the hand went down. So, just want to confirm that no one else in the group is needing to use the chat function. If you are please put up your hand. But if you want to wait verbal comment just wait one more second.

All right, it looks like there is one more person, and that's Jacqueline Casas. All right, Ms. Casas, you'll have two minutes to enter your --

**MS. CASAS:**

(In Spanish).

**PRESIDING ALJ BERG:**

No, sorry, we're not -- we were just doing comments by chat right now. So, just wait another couple minutes. And you'll have the opportunity to give us your verbal comment.

All right, I just want to confirm that --

**MS. CASAS:**

(In Spanish).

**PRESIDING ALJ BERG:**

No. Anybody else wishing to make a comment through chat as an accommodation? And this is only for people needing to use chat as an accommodation.

Just want to confirm, there is one hand up. If that's correct. Okay, if we could promote Ms. Merzouk and Erika Cibrian.

**UNIDENTIFIED SPEAKER:**

(In Spanish).

**PRESIDING ALJ BERG:**

Okay. So, this is just entering it into the chat function, typing it.

**UNIDENTIFIED SPEAKER:**

(In Spanish).

**COMMITTEE MEMBER IRIARTE:**

(In Spanish).

**UNIDENTIFIED SPEAKER:**

(In Spanish).

**COMMITTEE MEMBER IRIARTE:**

(In Spanish).

**UNIDENTIFIED SPEAKER:**

(In Spanish).

**PRESIDING ALJ BERG:**

All right, I just want to confirm that right now, again, we're only doing chat as an accommodation. So, Ms. Rocy Cedeno and Erica Cibrian, you have your hand up.

I'm taking that to mean that you want to enter a comment -- type in a comment in chat, so.

Okay, we have a translation from the name was Shirlys. And it states, "I appealed last year, and personally navigating the OAH process is very complex. Thanks to DRC support I was able to submit my documentation and necessary proof. I suggest that families receive a phone call prior to their hearing to go over their rights, the process, hearing, clear up any doubts they have, especially when they do not have access to legal representation. Thanks to DRC, my son was able to obtain services that were previously denied."

Okay. And I think we just have one more, if we could promote Rocy Cedeno. You can enter your chat comment now. And I have a chat comment -- so, you'll have two minutes to enter your chat comment, Ms. Cedeno.

We have a chat from Kim Merzouk. It says, "Good afternoon, my name is Kim Merzouk," I apologize if I'm getting your name wrong. "I'm a client, disability rights, deeply involved with the Regional Center system. I want to highlight a serious and ongoing issue. Regional Centers are routinely violating Title 17 of the Welfare and Institutions Code. These violations often go unreported, not because they don't matter, but because families don't know their rights or fear of retaliation for speaking up. Many legal guardians are scared to request fair hearings. They're told to work it out, even when their loved ones is denied critical services. Advocates who want to help are rarely trained in Title 17 or WIC. And there is no funding for their work unless the case is overturned. This makes it nearly impossible for families to get justice up front. If there were education, protections against retaliation, and access to paid advocacy support, I believe the number of fair hearing requests would be increased by

two to three times. The appeals we see now barely scratch the surface of what's really happening."

And then we have one extra -- another translation that came in from a previous comment from Shirlys. And that's, "I recommend there be satisfaction surveys at the end of the process to hear directly from the families regarding their experiences."

All right, we have one comment from Mr. Cedenno, if that could be translated. I'm not sure if there's still more typing. But we'll give him, he has another 30 seconds left.

All right, so it looks like we're at the -- toward the end of the chat. There is just one more person, Oscar Mercado. If you want to provide a chat -- a comment through chat we will promote you, and you can enter your chat now. You'll have two minutes.

All right, the translation from Rocy Cedenno's comment is, "Families are not allowed to speak through OAH, and that's very unfair."

And we have one comment from Erika Cibrian, that if we could get a translation for.

All right, we have a comment from Oscar Mercado. It's, "Good afternoon, OAH Committee member. My name is Oscar Mercado, and I am an individual with autism who's served by the Regional Center system, as well as an advocate for the ICC. In regards to the fair hearing process, I really hope this Committee looks over the master plan workgroup for recommendation involving the compensatory services for people who have been neglected a service that is needed for the individuals development.

Additionally, I also would like for this Committee to support the families who often times have to face these processes alone without any support. My general question is how can this Committee facilitate future processes involving fair hearings and the compensation of services for people who have been wrongly denied services in the past. Thank you, and God bless."

All right, I think that will conclude the chat comments. We have our final translation from Erika Cibrian's comment. And that's, "Good afternoon, my name is Erika, and last year I went to a hearing, it was very stressful because the Judge wasn't very helpful, and I felt ignored by him. I also felt he sided with the Regional Center."

All right, that looks like the chat comments. So, we will now turn to the verbal comments. We will take them in the order that the hands go up. So, please raise your hand.

And when I call your name you will receive a prompt to unmute your microphone. And you'll have two minutes to speak. At 30 seconds I will give you a reminder when your time is up. So, we'll begin with William Del Rosario.

**MS. DEL ROSARIO:**

Hello, this is actually Michelle Del Rosario, William's mother. William is a non-speaker, so I am commenting on behalf of the both of us and our experience with several processes mentioned.

The first being the IPP process. We have had, you know, five years of challenges in getting services, both met and unmet implemented from our IPP team. And we've used the IPP process, we've used parent team meetings, 4731 complaint, the office of the ombudsperson, and filing an appeal.

And ultimately, we reached an informal resolution. However, the resolution was not implemented with any fidelity in the timeline set. So, we went back to ombudsperson, back to DDS, revising our 4731 complaint.

The bottom line is this whole process has been very confusing for me. I have a college degree. I'm a parent trying to teach my adult son to be his own advocate for a time when I'm not here to do that. And it is such a difficult process.

We are bounced around from Department to Department over at DDS because some of the Department's don't talk to each other. And we get stuck there.

The OCRA office is another process for us to apply to be received as consumers and client's served by DRC. Sometimes we get accepted, sometimes we don't.

The 4731 appeal, you know, they listen to Regional Center and not us.

**PRESIDING ALJ BERG:**

Thirty seconds.

**MS. DEL ROSARIO:**

It's been really stressful. Suggestions I have, Service Coordinators should be serving the consumer first, not telling us to appeal or hiding behind internal guidelines.

The office of the ombudsperson should be easy to navigate with a one-stop that directs us to the right Department the first time. And then informal or formal resolution that there be oversight from DDS. Right now there is not anything for an informal resolution. And so, we're back to having to file an appeal.

**PRESIDING ALJ BERG:**

And that's time. Thank you very much.

**MS. DEL ROSARIO:**

Thank you.

**PRESIDING ALJ BERG:**

All right, next we have Professor Currie. Please, go ahead.

**MS. CURRIE:**

Hi, can you guys hear me?

**FACILITATOR BLOOMER:**

Yes.

**PRESIDING ALJ BERG:**

Yes.

**MS. CURRIE:**

Hi, so I'm a mom of an individual with Regional Center. And my public comment is in regards, obviously, to what the topic was today on the appeals process that Dr. Jesse Weller and Fernando had put together.

So, some of my suggestions as a mom, I also am a vendor, so I have both sides of the issue. And we do a lot of advocacy work and work with a lot of law firms, is

something more pragmatic in terms of handing them their procedural safeguards, similar to an IEP.

You know, when we start an IEP process we get handed procedural safeguards. And that would be very helpful for families of the Regional Center in that particular process, because they can be more prepared in advance when they do have to file that Notice of Action if it ends up there.

My other question was, how can more families get this. I heard Fernando bring that up today. So, I'm wondering, our Regional Center is really good about posting public documents and agendas for their committees or vendor committees or what not, if we could possibly post that there.

Because a lot of parents could then see this particular document. Because I think it's a lack of knowledge. I think there's a knowledge gap in a lot of the Regional Centers. So, maybe having them publicly post that. And --

**PRESIDING ALJ BERG:**

Thirty seconds.

**MS. CURRIE:**

-- if -- okay, thank you. It would also be great if there was an advocate. I know at our Regional Center -- our Regional Center is great. And we have an advocate. So, if maybe putting in the number one section under Regional Center Appeals Resolution Team, a possible neutral advocate that could help those parents walk through that process.

And that's what I got. Thanks for listening.

**PRESIDING ALJ BERG:**

Okay, thank you very much. All right, Carol -- and just a reminder for the Committee member that, please, you're required to have your cameras on. So, Mr. Marron, if you could put your camera on.

We'll next turn to Carolina Arzate (phonetic). You can unmute. You'll have to --

**MS. ARZATE:**

(In Spanish).

**SPANISH INTERPRETER GUTIERREZ FOR MS. ARZATE:**

Hello, good afternoon. Okay, so this is my comment. Just to give you guys an idea of how these hearings are really so unfair, and I know, of course the name of said hearings is supposed to be fair hearings process, but they are very unfair.

We have mediators who are inclined to listen to the Regional Center, and they don't even let us as a mom, or they don't let the mom express their needs. And they don't value, right, the mom as a parent.

So, how can you guys help us? How can you help? It turns out that a mediator is supposed to be a neutral party, right, he's not supposed to be there on behalf of the Regional Center or the parent, right? It's supposed to be a mediator who's a mutual party to help resolve a situation.

So, in cases such as this, when they go and they side with the Regional Center, what can be done about that? How can you guys help about that? We come across this situation often. So, what can you do about that?

Sometimes the parent feels intimidated and make them feel that, you know, that they're asking for something that really they don't -- they don't need or it doesn't belong to them.

And I don't know what can be done about that. Can you help with that?

**PRESIDING ALJ BERG:**

Okay, thank you very much. Jacqueline Casas.

**MS. CASAS:**

(In Spanish).

**SPANISH INTERPRETER GUTIERREZ FOR MS. CASAS:**

Hello, good afternoon, my name is Jacqueline Casas. I'm the mother of a young man, 12-year-old young man, who has been diagnosed with autism. He is a Regional Center consumer, the Clark Regional Center.

I went through the informal mediation process. I went through a hearing in my very first case. And I really don't understand why DDS couldn't reconsider the Judge's decision. This was during, of course, the process for my son.

They did not accept the Judge's decision. And of course I just feel very desperate. The Judge made his decision, but DDS did not accept it.

And then in the second instance I had I went through rather mediation. And my experience was -- my experience was that it just -- it worked well therefore I didn't have to get to a hearing and/or have to take it to a hearing.

And I just want to say that DRC helped me out tremendously. And so, I just want to say -- thank them for their support.

**PRESIDING ALJ BERG:**

Okay, thank you very much. Elizabeth Gomez, you can --

**MS. GOMEZ:**

Hi, good --

**PRESIDING ALJ BERG:**

-- unmute.

**MS. GOMEZ:**

-- afternoon. Hi, good afternoon, my name is Elizabeth Gomez. I'm the Director of the Integrated Community Collaborative. I am a parent also, but I'm here mostly to express my concerns with the process of the reform.

We attend, I attend with multiple families on a regular basis. And I attend informal meetings where families are told that there -- there's no one there to make a decision. They actually send someone to just collect information and that's the end of the informal meeting.

When we attend mediations, we are sometimes put in breakout rooms and maybe not even have the chance to speak or say anything with the Regional Center. And we've even heard things that that's just the way it is, and we can't force the Regional Center to, you know, engage in communication.

And it's a very intimidating process. But it is also what other families have said. They don't feel that the -- that the person -- or the Judge -- the mediator really listens to the families. It always feels that it is on the side of the Regional Center.

And after that, I'll have to say that the survey, families are afraid to fill out those surveys. They feel that they have already exposed themselves a lot. The relationship with the Regional Center is not the same after that. And so, they're not -- most of them are not completing those surveys.

And there's also some other concerns that I have, that I think I've sent an email. And I hope that this -- that this Committee really takes this information and helps --

**PRESIDING ALJ BERG:**

Thirty seconds.

**MS. GOMEZ:**

-- because this has been going on from before the Fair Hearing Reform. But during the Fair Hearing Reform we had -- we were hopeful that things were going to change and things are not getting any better. Thank you.

**PRESIDING ALJ BERG:**

Okay, thank you very much. Maribel Ahumada, you can unmute.

**MS. AHUMADA:**

(In Spanish).

## **SPANISH INTERPRETER GUTIERREZ FOR MS. AHUMADA:**

Okay. So, I'm going to give my comment in Spanish. My name is Maribel Ahumada. I am the co-founder of (inaudible). And I'm also just going to echo what's been said by many from our community.

You've heard so many of these comments over and over again. (Inaudible) that there is nothing fair about any of the systems for our community, for our Hispanic community or minority communities.

Just as Ms. Gomez said just a moment ago, we expected change, right, we had a hope that because of this reform we'd be able to see some changes that so many families have been asking for and waiting for while begging for help.

But we see that nothing has really changed. So, what I'm here to do is to ask that you please, please consider our comments. Please take them to heart. Hopefully, we can see something done so that any, you know, any problems we see can be addressed so there can be some fairness to our system so that parents don't see that Center is there just to reject services or deny services, right.

And I also want to mention that our families are going through this, right, unfair practice, but also a lot of intimidation because of racism. And it's true, it is a form of racism that the state is showing against our families.

Our families are being intimidated because of what's happening, not just at a government level, but even the way that we go through, for example, what we go through here. Counsel is trying to get family information through surveys --

**PRESIDING ALJ BERG:**

Thirty seconds.

**SPANISH INTERPRETER GUTIERREZ FOR MS. AHUMADA:**

-- in which they don't identify themselves properly. So, I just want to bring that to the table.

And to close my comment, I know I'm running out of time, I do also just want to put forth that I have a lot of -- I have a lot of concerns. We'll have to stop here because 30 seconds isn't enough. I'm so sorry. But please, please consider and take to heart everything we're saying. We hope we can see change through this reform. So, again, we're here to beg you for your help, and we thank you for your help, and we thank you for your time.

**PRESIDING ALJ BERG:**

Okay, thank you very much. Now we'll go to Cendy.

**MS. CENDY**

Hi, yes, good afternoon. My name is Cendy, I have two clients of the Regional Center. And I'm also part of the ICC community. And I work with (inaudible). I get to help a lot of families.

And just the fact that all the Regional Centers, when they send families to hearings it's just intimidating and scary. But the most one, even me as a -- as an advocate, are going to the Regional Center from Orange County. Just hearing that the families that they have to go to that specific Regional Center is just like -- I even

myself get in panic just to know that they're not going to be able to have their support group with them.

They can't even have their witnesses with them. They send everybody different so only one person can be in. And it's just frustrating that we can do nothing.

And I'm just focusing on this one because we're helping all of them, they all have issues -- fair hearings, they're scary, but just specific to this one, it is just so sad how it makes it like scarier not having anyone with you, trying to get support. The Judge doesn't let you speak. You have no words for them, not even the client. They don't hear the families.

And just the fact, also, that I will -- I will -- in my comment I will -- I will think that when we go to a hearing it will be good, like for a comment, like if they have to have Judge for self-determination so they can know the service --

**PRESIDING ALJ BERG:**

Thirty seconds.

**MS. CENDY:**

-- how it works, and then one for the traditional so they know, also how that one, because when we go to hearing, and sometimes the Judge doesn't understand. So, determination, even the traditional, they don't know how the service works.

They don't know -- they're not familiar. So, that's against the client. So, it's like (inaudible) who already have their (inaudible) against us. We have the -- sometimes they have lawyers, they have more persons, and we're just family -- we're just parents, we're not professionals.

So, at this point, for families for the --

**PRESIDING ALJ BERG:**

Okay, that's time. Thank you. Okay. We're going to take one more comment. And that will be from iPhone Flores. Go ahead. You'll have to click unmute. There you go.

**MS. FLORES:**

(In Spanish).

**SPANISH INTERPRETER GUTIERREZ FOR MS. FLORES:**

Hello, good afternoon, can you hear me? Okay, very nice, thank you. Yes, I definitely agree with the last couple of comments that we received. In fact, the last three or four that were -- that were mentioned here. I think it was Ms. Elizabeth, Ms. Ahumada, Cendy. I really -- I really, really agree with them. And I echo everything that they've mentioned.

As a parent, we were at a total disadvantage. I really, really hope that this group of people at this Committee after so, so many meetings you can see our plight, our need, and that you can help us and feel some empathy and sympathy for us and help us, because whenever we go to a mediation or informal meeting or whatever the case is I truly, truly can say that I feel that they are unfair.

And when we have to go to a third hearing, honestly it is so, so draining, it's tiring, and there is a lot of retaliation actually, and we do see that.

And so, it's very, very sad that we go to meetings and meetings and meetings and would never actually see no resolution.

And here, I imagine, you know, that there is only a couple of families here trying to speak these things out loud because we're so busy, right, we have our own families, our children, our parents.

And I think it's important for the Committee to know that for us it's very, very tiring and very draining. And so, please, understand that we, too are human beings and all that we really, really want and care about is the wellbeing of our children.

And so, receiving services --

**PRESIDING ALJ BERG:**

Thirty seconds.

**SPANISH INTERPRETER GUTIERREZ FOR MS. FLORES:**

-- through Regional Centers wherever we're at, and Regional Centers have so much power. And it can be so, so intimidating, right. And this happens, too, when we're cut off, right, because we don't get to say everything that we want to say. But I understand. Thank you for your time.

**PRESIDING ALJ BERG:**

All right, thank you very much. All right, we'll now turn to any emails that we've received that were not duplicates of what were posted in the chat.

So, Tzer, if you want to read the first email.

**MS. LOR-SNYDER:**

Great, thank you, Adam. So, the first written public comment that we received states, "Good afternoon, requesting to take into respect the part of Lanterman Law for

the need for the substantial disabilities be present prior to 18, as after 18 these areas of functional limitations may not be due to the developmental disability, rather are now a reflection of adult struggles unrelated to the condition. Thank you for your attention."

This comment came from Christina Aguirre-kolb.

**PRESIDING ALJ BERG:**

Okay.

**MS. LOR-SNYDER:**

The next written comment that is not a duplicate that came in is from Chavez Oliver, Maribel Oliver.

And it states, "Good afternoon." Oh, I'm sorry, this is a duplicate comment that was read in the chat from Ms. Oliver. So, I will go ahead and move to the next one.

This one came in from, sorry, it a Spanish one, so I'm trying to find the translation.

**PRESIDING ALJ BERG:**

Okay, it's going to require a translation. Do you have any other?

**MS. LOR-SNYDER:**

Oh, no, here it is. Okay. It's a public comment that says, "This process is unfair and none of the processes are fair to the community. Please hear the community."

**PRESIDING ALJ BERG:**

Okay.

**MS. LOR-SNYDER:**

And then we received a comment from Ms. Cummings. We will be posting that comment, Ms. Cummings. I believe that was the report that we spoke about during the meeting.

And that is it for non-duplicate written comment.

**PRESIDING ALJ BERG:**

All right, thank you. Is there anybody in person with you?

**MS. LOR-SNYDER:**

No, there is no one in the physical location here at OAH.

**PRESIDING ALJ BERG:**

All right. It looks like we have only three minutes left. So, we will take one more verbal comment before the meeting is ended. And that is Graciela Maldonado (phonetic). You can go ahead. If you can unmute. Ms. Maldonado, you're still on mute. Okay, I don't see -- I don't hear anything coming.

All right, we'll do -- we have two minutes left. So, we'll do our final comment. And that will be Florida Meza. Please go ahead.

**MS. MEZA:**

(In Spanish).

**SPANISH INTERPRETER GUTIERREZ FOR MS. MEZA:**

Hello, good afternoon. My name is Florida Meza. And my public comment would be regarding the fact that I served as support to one of the people who went to their fair hearing process. And I personally was able to observe that neither the mediator or the Judge was familiar with self-determination, which really makes it an unfair hearing, because Regional Center brings a very highly specialized, trained team to their hearings. But the family does not.

So, I ask, please that you provide better support by having better trained mediators and Judges. That's all I wanted to say. Thank you.

**PRESIDING ALJ BERG:**

All right, that will conclude our public comment based on the time.

**FACILITATOR BLOOMER:**

Thank you, Judge Berg. I just want to thank everyone again and preview that the next Advisory Committee meeting will be held on August 14th at 1:00 p.m.

And with that, we will adjourn today's meeting. Thank you so much.

**(OFF THE RECORD.)**

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 May 15, 2025, 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 10th day of June, 2025.

Sherry L. Mainus

Transcriber

Northern California Court Reporters