

TRANSCRIPTION OF RECORDED MEETING

OF

OFFICE OF ADMINISTRATIVE HEARINGS

DDS ADVISORY COMMITTEE MEETING

NOVEMBER 12, 2024

Committee Members Present:

ANTONY CHARLES MARRON

CAROLA CAMACHO MARANON

FERNANDO GOMEZ

JENNIFER CUMMINGS

MARIA IRIARTE

NINA SPIEGELMAN

OTTO LANA

SILVIA YEH

TALEEN KHATCHADOURIAN

YULAHLIA HERNANDEZ

OAH Staff Present:

BOB VARMA

HEATHER ROWAN

MARYJOSEPHINE NORRINGTON

SUSAN FORMAKER

TZER LOR-SNYDER

DDS Staff Present:

DENISE THORNQUEST

JENNIFER STENSON

SANDRA SANCHEZ

Facilitator:

KARIN BLOOMER

ASL Interpreters:

CAROL SMITH

CORY WATSON

Spanish Interpreters:

ANAELVIA SANCHEZ

FRIDA BLUM

Transcribed by:

SHERRY L. 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.

NOVEMBER 12, 2024

FACILITATOR BLOOMER:

Welcome to the Office of Administrative Hearings Advisory Committee Meeting.
Welcome to the public who are joining us now.

I'm going to first turn things over to our Spanish interpreter to explain how to access this meeting in English and Spanish.

SPANISH INTERPRETER BLUM:

Thank you. And welcome to this forum. In order to provide language access, this meeting will have simultaneous bi-directional interpretation into English and Spanish.

If you're bilingual you don't have to click anything. But if you're not bilingual in English and Spanish, and you're using your laptop, locate the icon shaped like a globe at the bottom of your screen. Click language interpretation. And then select English.

If you're using your phone or an iPad, then locate the three-dot menu in one of the corners of your screen. Click on language interpretation. And then select English.

When you speak, do so at a moderate pace, because the interpreters are going to be simultaneously interpreting everything you say.

And remember, in order to have a successful bi-direction dialogue, everyone needs to enable the interpretation, including our English speakers. (In Spanish). Thank you.

FACILITATOR BLOOMER:

Thank you. So, now we will select our language channels.

And if we could advance to next slide, thank you.

So, just a few other housekeeping items. Please select your language channel in either English or Spanish if you haven't already.

ASL interpreters have been spotlighted. And live closed captioning is active. If you're speaking, try to please remember to speak slowly so our interpreters can keep up.

This meeting is being recorded. And all of the meeting materials for today's meeting are available on the Office of Administrative Hearings Advisory Committee webpage.

Next slide, please.

So, for Committee members, just to go over ways to participate today. Because of the public meeting law called Bagley-Keene, Advisory Committee members are required to keep their cameras on at all times during the meeting.

If you have a technological problem, please let us know. If your video isn't already on, please click start video to show your camera.

As we engage in discussion, please use the raise hand feature to make a comment. And you'll be called on in order. If you could please state your name and unmute yourself when it's time to speak we'd appreciate it.

In terms of the chat feature, we have two members of the Advisory Committee who have requested an accommodation to use chat today.

And that's only for those individuals to use chat, except for designated periods. That is Mr. Otto and Ms. Cummings. And so, they will be using the chat today to engage with us.

And I thank them in advance for using the raise hand feature when they want to turn our attention to their comment in the chat.

Just another quick note about finding the raise hand feature. You may need to click on participants at the bottom of your Zoom screen. And then look in that window at the bottom, and you should see a button that says raise hand.

Next slide, please.

For members of the public who are here, there will be a public comment period at the end of this meeting. And then, in addition, if there are any votes by the

Advisory Committee, we will also be inviting public comment in regard to that particular agenda item.

So, at the public comment period times, we're going to be inviting public comment in a few ways.

First, we're going to invite verbal public comment. When we let you know it is time to do that, we will ask you to use the raise hand feature to indicate that you'd like to be in the line to speak. And then we will invite you to unmute on your end.

Some Zoom features aren't available for the telephone only participants. If you would like to speak, and you're using the telephone, you can press star nine (*9), to indicate that you'd like to raise your hand.

And then you'll be guided as to how to unmute, which is using the star six (*6) on your phone pad.

We're going to ask each individual to limit the public comment to two minutes. And we'll remind you gently when you're close to your time is up and when your time is up. We do this just so that we can invite as many voices and as much input as possible during the public comment period.

Next slide, please.

We'll also be inviting written public comment. First, members of the public can submit written comments via email to oahacommentts@dgs.ca.gov.

Those email comments will be read aloud so that those with visual impairments and so on are still able to hear the public comment, as well as use the language channels to understand the comments.

And the next slide, please.

I want to share a new manner of providing public comment that we're going to try on at this meeting. And so please bear with us and be patient with us.

We have had individuals who have acknowledged that they would like an accommodation to use the chat feature during the public comment period, who would otherwise not be in a position to provide verbal comment or emailed comments.

Of course, OAH always invites a request for accommodations in advance of the meetings. In addition, today we're going to try out, at the time of public comment, after we have heard from those giving verbal public comment, and after we have checked whether there's any emailed any public comment.

We will then ask if there are any members of the public who would like an accommodation to provide their public comment in the chat.

At that time, we will ask those individuals to use the raised hand feature. We will call one you one at a time.

Technically what this means is we'll be promoting you to a panelist. And so, you'll be sent a prompt that asks you to join as panelist. We ask you to click on that and accept that invitation. And then you'll have two minutes to provide your public comment in the chat feature.

After that time, a support staff member will read your comments aloud. And we will continue on selecting raised hands for those who need that accommodation.

Again, thank you in advance for bearing with us as we try this out today.

All right, I think that is it for housekeeping. Now it's time to see if we can establish a quorum.

I'm going to conduct roll call. When I say your name, please unmute and let us know you're here.

I'll start with Nina Spiegelman.

COMMITTEE MEMBER SPIEGELMAN:

Here.

FACILITATOR BLOOMER:

Hi Nina and thank you for giving us the heads up that you'll have to leave at 3:45 today. We appreciate it.

Darline Dupree?

Silvia Yeh?

COMMITTEE MEMBER YEH:

Here.

FACILITATOR BLOOMER:

Maria Iriarte?

COMMITTEE MEMBER IRIARTE:

Present.

FACILITATOR BLOOMER:

Julia Hernandez -- Yulahlia Hernandez, forgive me.

COMMITTEE MEMBER HERNANDEZ:

Yeah, present.

FACILITATOR BLOOMER:

Hello. Jessica Quesada? Fernando Gomez?

COMMITTEE MEMBER GOMEZ:

Present.

FACILITATOR BLOOMER:

Ryan Nelson? Benita Shaw? Carola Camacho Maranon?

COMMITTEE MEMBER MARANON:

I'm here.

FACILITATOR BLOOMER:

Hello. Antony Marron?

COMMITTEE MEMBER MARRON:

Present.

FACILITATOR BLOOMER:

Taleen Khatchadourian?

COMMITTEE MEMBER KHATCHADOURIAN:

Present.

FACILITATOR BLOOMER:

Sherry Johnson? Okay, Otto Lana, who has already indicated you are here in the chat. Otto Lana here.

And our other Advisory Committee member who has requested to use chat due to voice issues today. So, I hope she'll put into chat that she's here, Jennifer Cummings? Present, she says.

I want to check on some other Advisory Committee members, or just ask if I've missed any Advisory Committee members in conducting that roll call of those we understood we would be present today.

Okay. Checking to see if we have a quorum of at least 11 Advisory Committee members. I think we have 10 but looking for a better count than mine.

DIVISION CHIEF ALJ FORMAKER:

I am only seeing 10. This is Susan Formaker.

FACILITATOR BLOOMER:

Okay. Well as a procedural issue, I feel I should really turn to OAH for what to do now that we don't have a quorum.

DIVISION CHIEF ALJ FORMAKER:

So, what that means is that we can discuss matters. But there won't be able to be any vote. There won't be able to be any action taken by the Committee today without a quorum.

FACILITATOR BLOOMER:

Okay. So, I -- my understanding then is that we will proceed and discuss matters that are on the agenda.

DIVISION CHIEF ALJ FORMAKER:

Yes.

FACILITATOR BLOOMER:

Okay.

DIVISION CHIEF ALJ FORMAKER:

And just for clarification for the record, everyone who is in attendance is in the video conference call. And just to confirm, there are no members in attendance at the primary physical location. Is that correct, Maryjosephine Norrington?

MS. NORRINGTON:

That is correct, no one is in the physical location.

DIVISION CHIEF ALJ FORMAKER:

Thank you.

FACILITATOR BLOOMER:

Okay. We're going to quickly go through introductions and announcements. Then review the agenda. And we'll dive into the agenda items.

But first I do see Committee member Fernando Gomez's hand. Fernando, please go ahead.

COMMITTEE MEMBER GOMEZ:

Thank you, Karin. I was just going to ask if there's any way that we can split the screen so we can see the Committee members and the ASL interpreter at the same time?

Right now it's really -- there's just one big screen where we're just seeing the ASL interpreter.

FACILITATOR BLOOMER:

Fernando, I'm just going to share what I've done. Let me know if it -- if it works for you.

If I go up to my right-hand corner of my Zoom screen and click on view, and click on gallery.

COMMITTEE MEMBER GOMEZ:

Oh, thank you.

FACILITATOR BLOOMER:

Click on gallery view. And are you asking for something different than that?

COMMITTEE MEMBER GOMEZ:

No, actually I -- the view option was off screen, so I couldn't find it. So, now that you've mentioned it, I've found it. And we're good to go. Thank you.

FACILITATOR BLOOMER:

Perfect, terrific, yes. I like to see everyone as well.

Okay. So, quick round of introductions of others who are here today. We have our Spanish interpreters, Frida Blum and Anaelvia Sanchez. Our ASL interpreters, Carol Smith and Cory Watson. Thank you all so much for your help today.

From the Office of Administrative Hearings we have Bob Varma, Deputy Director; Susan Formaker, Division Chief Administrative Law Judge, General Jurisdiction; Heather Rowan, Presiding Administrative Law Judge, Sacramento General Jurisdiction Division; Maryjosephine Norrington, Associate Governmental Program Analyst in the General Jurisdiction Division; and Tzer Lor-Snyder, Associate Governmental Program Analyst in the General Jurisdiction Division.

From DDS we have -- I believe we have Aaron Christian, Deputy Director of the Division of Community Assistance and Resolutions; Denise Thornquest, Chief of the Office of Community Appeals and Resolutions; Sandra Sanchez, Manager in the Office of Community Appeals and Resolutions; and Jennifer Stenson, Special Projects Manager in the Policy and Program Development Division.

I am Karin Bloomer, Facilitator of this meeting.

For the announcements, Susan, does OAH have any announcements to share?

DIVISION CHIEF ALJ FORMAKER:

Yes, we have two announcements. First, I wanted to let everybody know that OAH has been informed that Attorney Michael Santiago has just joined the State Council on Developmental Disabilities as it's legal counsel.

And we will welcome Mr. Santiago onto the Advisory Committee at the next Advisory Committee meeting in 2025.

Also, I wanted to let everybody know that OAH and DDS are in the process of determining the dates for the four Advisory Committee meetings in 2025.

We will provide the information on those dates to the Advisory Committee members by email. And we will post them on the Advisory Committee webpage on the OAH website in the very near future.

We anticipate that the first meeting of 2025 will take place in early February of 2025.

So, Advisory Committee members, please be on the lookout for that email. Again, it should be coming very soon. Thank you.

FACILITATOR BLOOMER:

Thank you, Susan. Okay. Just to review a few items about this Committee, just very quickly in regard to Bagley-Keene.

I think, as you're all aware on the Committee, OAH is required to post a list of -- in 24 hours in advance of each meeting Committee member who have indicated they'll be participating remotely.

Members are always welcome to attend in person with no -- with no previous notice, of course.

As you all 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.

By law, the Committee is required to meet at least two times a year.

All right, a quick review of our agenda. In a moment I'm going to note, as I am now, that OAH posted its response to the Advisory Committee's recommendations on their webpage, along with all the other materials. And I'll ask if there's any discussion on that.

Then, I will ask if there's any type of report out or discussion from the Subcommittee that was established in the last meeting. That Subcommittee is comprised of Fernando Gomez and Jesse Weller and has been charged with providing to the Advisory Committee, at some point in time, a summary of the roles of the Regional Centers in the hearing process as set forth in statute regulations and any other authority.

Then we'll turn to the next agenda item, regarding how the Advisory Committee can align its stated objectives and goals with those of the California Master Plan for developmental services. Specifically in relation to the hearing process.

Time permitting, we'll move onto the next agenda item before we get to general public comment. That item is in regard to whether the Advisory Committee has recommendations for improving hearing and mediation operations in terms of

appropriate documents to be considered in the hearing process, including a discussion of whether documents like ARCA Guidelines should be considered.

We'll reserve the last --

MS. NORRINGTON:

Excuse me, Karin. This is Maryjosephine, could you slow down just a little bit for our interpreters, please?

FACILITATOR BLOOMER:

Yes.

MS. NORRINGTON:

Thank you.

FACILITATOR BLOOMER:

My apologies.

MS. NORRINGTON:

No problem.

FACILITATOR BLOOMER:

We'll reserve the last 30 minutes of the meeting to general public comment. And we'll review those ways in which individuals can provide comment at that time.

We'll take two 10 minute breaks today. We're going to aim for a 10 minute break starting at 2:05, and another at 3:20.

Okay. Committee members, thank you for your patience as I reviewed all of that. Let's begin.

Is there any discussion about OAH's response to the Advisory Committee's recommendations from the October 8th meeting before we move on?

Fernando Gomez?

COMMITTEE MEMBER GOMEZ:

Yes, Karin, thank you. Well, it -- thank you for OAH and their response to define the position on the issue as it relates to not necessarily the chat itself, but the ability for individuals in our community to be able to weigh in and give feedback to this Committee.

I understand that -- the challenges around the chat feature. And I'm going to not keep pushing the issue personally. But I do, at least recommend that we consider a Q and A opportunity as a -- as a way for this Committee to be able to receive the much needed feedback from the community who's voice we are trying to personify in these efforts.

Aside from these meetings, there is really no opportunities for us to engage the community in the subject matter as, you know, as focused as it is during these meetings.

So, a Q and A feature, I think, may be a good balance, at the minimum, if we're not able to accommodate a chat opportunity.

The other thing I wanted to comment on. In the spirit of these stakeholder committee meetings, it's to really find a way to improve on the process, the appeals process. And that is beyond the stakeholders that are here present.

It includes a multitude of individuals who's voices may not be represented through these -- through the stakeholder Committee members. And I think that it is important that we keep -- that's the reason we're meeting, to help improve the process.

And I understand our limitations based on Bagley-Keene. And I respect the fact that we need to have structure. But we need to work within that structure to find a solution that works for everyone.

And my last comment is that I was really surprised that OAH would actually single out an individual and accentuate their disability to use a point on the chat feature. I thought that was inappropriate. And I believe that to have names specifically within the response was a little disconnected with the spirit of what we're trying to do as a stakeholder committee. Thank you.

FACILITATOR BLOOMER:

Thank you, Fernando. Maria, I see your hand.

COMMITTEE MEMBER IRIARTE:

Yeah, I do have a, I guess a clarification on just -- on the OAH's response with regard to its ability to help the Subcommittee comply with Bagley-Keene.

Essentially, what OAH is saying is it's not that Bagley-Keene would prevent it. It's just that they don't have the resources for the additional meetings that the Subcommittee would have.

And I find that a little hard to believe that they don't have the resources for that. Yet, they have a whole lot of money for a whole lot of other things.

So, I'm not in agreement. And obviously, through their response, Bagley-Keene doesn't prevent that from happening. That OAH assist the Subcommittee. And I'll reserve any other comments, because I want to know where the Subcommittee is going. You know, at this point I'm not quite sure.

FACILITATOR BLOOMER:

Thanks, Maria. Any other discussion before we move to the next agenda item? Okay. I'm seeing no more hands.

We can move to agenda item five, which is the report of and discussion from a Subcommittee. We have Fernando Gomez here. Dr. Jesse Weller is not with us today. Just for an update or report of any kind.

And again, the Subcommittee was 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.

Fernando, do you have an update of any kind you'd like to share?

COMMITTEE MEMBER GOMEZ:

Yes, thank you, Karin. First of all, Dr. Weller extends his apologies for not being able to attend. He had an issue that came up that needed his attention but did share

with me some of his notes that, in talking to him, said he wanted to communicate to the Committee.

Because of the short turnaround, we don't have a presentation that we would like to share with this Committee at this point. But we're trusting that by the early February meeting, which is our next meeting, once it's determined what day, that we'll have something more tangible to share with you.

However, we have been extremely busy in trying to position the acquisition of feedback and the information. We have met with Disability Rights California attorneys to have more in-depth conversation to better understand the Lanterman Act in the role the Regional Center's play within the Lanterman Act as far as the statute is concerned.

And that was a great conversation. We did receive some good -- some good feedback. And we've also had ongoing conversations with different Regional Centers in their dynamics, for example.

And some Regional Centers were finding out that the decisions that are being made on the fair hearings or the appeals process has not gone all the way up to the director. Some of those decisions are being made at the mid-management level.

So, that kind of raises some concerns on how do we create some type of structure, if you will, so there is continuity across all Regional Centers end process.

We will -- we will be having a sit down with his team. And then we'll be reaching out to other organizations, like ARCA and so forth, to see if we can have a sit down with them and obtain additional information that was being built on what we're receiving.

And then there are some elements that we're trying to also capture as far as within the process that talks about the financial and the emotional impacts that this process is having.

And here, again, we're focused on the Regional Centers but engage -- as we engage that, we're picking up some dynamics that are -- we believe are extremely important for this Committee to hear and be able to weigh in.

So, kind of -- and just that's where we're at today, kind of positioning ourselves. But I was hoping, Karin, that, and of course Dr. Weller as well, that we would also have the opportunity to hear back from other Committee members if there is any other things that they would like to add. Or if they have any suggestions of any individual or an entity that we should be meeting and communicating with as well.

FACILITATOR BLOOMER:

Thanks, Fernando. So, open -- opening up the floor for -- just to echo Fernando's invitation here of additional things to be thinking about, exploring entities, parties to potentially engage with to better understand the current process as it's laid out in statute, regulation, other authorities.

I might even just add on perhaps, you know, questions, Advisory Committee members may have about what's in statute that, again, just as a little detail to help the Subcommittee in -- as they explore what exists and what doesn't exist as it relates to authority.

COMMITTEE MEMBER GOMEZ:

If --

FACILITATOR BLOOMER:

Yeah, yeah.

COMMITTEE MEMBER GOMEZ:

-- if I could just add to --

FACILITATOR BLOOMER:

Please.

COMMITTEE MEMBER GOMEZ:

-- your definition is that what would you like to see as well at the end of the day in this report? Thank you.

FACILITATOR BLOOMER:

Nina, I'll start with you. Please go ahead.

COMMITTEE MEMBER SPIEGELMAN:

Yeah, I -- this sounds -- I mean, it sounds really, you know, so in terms of what you've laid out, Fernando, that sounds really great. And I'm really glad you had -- I think DRC is a great place to get kind of, you know, kind of the legal overview.

I'd be -- I don't know if you -- this may have been in part of what you were -- you were listing out. But I may have missed it.

I'd be interested, and I think maybe it would be interesting for everyone to hear some comparative. Like other -- in terms of systems where people, you know, that are -- this community intersects with.

Like, whether it's in the education setting or Social Services setting. Just a comparison of are -- how are hearings conducted elsewhere. You know, just sort of what, you know, what is the, you know, we've got the Lanterman Act and, you know, the, you know, administrative procedures, all, you know, whatever is applicable.

But are there things that are -- that maybe are, you know, worthwhile taking a look at from other related areas that hold administrative hearings?

So, just -- I don't know if you're thinking about that. If that's too broad. But that is on my mind in terms of something worth, you know, reporting out on.

COMMITTEE MEMBER GOMEZ:

Thank you. And Karin, can I respond to this?

FACILITATOR BLOOMER:

Of course, yeah.

COMMITTEE MEMBER GOMEZ:

Okay, thank you. Nina, I appreciate that, because we're always in alignment right? And great and intuitive question. And the answer is yes. In our -- in our conversations, and more specifically in the one with DRC, they use some comparisons on other situations that are very similar and what is working and what isn't, of course.

But in our presentation we will be, you know, using that as a comparison. We'll be sharing some comparison models.

COMMITTEE MEMBER SPIEGELMAN:

Thanks.

COMMITTEE MEMBER GOMEZ:

Uh-huh.

FACILITATOR BLOOMER:

All right, Jennifer Cummings. I appreciate, you probably want to put your comment in the chart. So, we'll keep an eye out and read it aloud.

Okay, thanks Jennifer. So, Jennifer put in the chat, "In the Subcommittee's February 2025 report to the Committee, can the Subcommittee provide details about the questions asked of people giving input? Which Regional Centers provided input? And the roles of the Regional Center employees. It would help to know the context of the feedback and to obtain fair balanced objective and firsthand information."

Thank you for that, Jennifer. And Fernando, any followup questions to Jennifer, from Maria? And it looks like Maria would like to weigh in. How about we let Maria weigh in and then circle back?

Maria, please go ahead.

COMMITTEE MEMBER IRIARTE:

Sure. Thank you, Jennifer for that comment. But I -- if I were giving truthful and honest information on my Regional Center, and I'm a Regional Center employee, I may not want my name to be provided.

So, I'm not quite sure that that's something that everyone would agree to, to have their name exposed.

So, and this is a question for Fernando and Dr. Weller. So, the role of the Regional Center in the hearing process depends on what Regional Center you're talking about.

So, is it possible through maybe your contacts, Dr. Weller and others, to be able to, I don't know, try to get information from as many Regional Centers as possible?

And that may be a bigger task than what you thought about doing in the first place. But I think it would be important, because I think we're going to see a variety of answers. Not everything is done the same way.

And I also would be curious to see if OAH had someone who could provide the Subcommittee with honest feedback as to what they have seen in the hearings. You know, I'd like to hear what Judges have to say, too, on their experience with the Regional Centers involvement with the hearings.

And obviously, I would want to know the information coming back to the Committee would be what's happening now and what are the recommendations, right? And we would add to that when you come back to us with all of that.

So, those were my comments.

FACILITATOR BLOOMER:

Thanks Maria. And Jennifer has her hand up. So, she's probably ready to share something in the chat. Okay, so she's following up here. "Not names but positions, field of work. For example, a service coordinator may not have the knowledge/experience of an appeals representative. Good points, too, Maria."

COMMITTEE MEMBER GOMEZ:

Yeah, Karin. So, if I can weigh in. So, number one, Jennifer thank you for your concern about obtaining fair balance objective and firsthand information. I think we all want the same thing.

And I hope that there is no issues or concerns about that. And if there is, please let me know so that we can address it and not make it an issue.

But just in the nature of the fact that we're working with an Executive Director and a family member, you already have the diversity of perception in obtaining the information.

But in saying that, our goal is to be as diverse as possible in the approach, even though we are focusing on the Regional Centers and their appeals team and the process of how it -- how it's implemented is exactly what we're reporting on.

Of course, I can give my perspective of what my experience has been, not only as a father of two individuals who are above the system who've gone through the hearing process. But also of the multitude of families that we support that go through the process, firsthand experience as ICC.

But we will definitely put emphasis on trying to be as fair and unbiased and balanced objectively as possible. Of course, we all agree, we're not going to share names. But we will share Regional Centers. And we will share on the positions within the Regional Centers.

Because you do have a team, and within the team you have X amount of team members. And what are those, you know, responsibilities? And what are those roles? And how do they interact?

And let's take, for example, a Service Coordinator who is bound to do testimony in a hearing against a family that they serve, right. So, we'll talk about those elements.

And our goal, and you heard me mention that we are reaching out to ARCA to have a conversation with them. But we're not stopping there. We're trying to go across the state, north, south, central, as best possible, to talk to a variety of Regional Centers.

And here, again, we're not exclusive to who we reach out to. If anybody wants to reach out to us at any given time and give us feedback we're definitely open to that.

Which, maybe, gives us opportunities like sending out some kind of form to all of the appeals team across the state. And have them fill out some kind of questionnaire or some kind of, you know, survey if you will. And then we can kind of look at that information.

So, we're still in that process. But we are trying to encompass as much as possible to bring clarity. And I do apologize to the interpreters if I'm talking too fast. I'll slow down. To bring clarity to this process. That's what our goal and objectives are.

And Maria, to your point, I completely agree. I think that as diverse the contribution of the information is the best. And, of course, we're defining the role of the Regional Center. But within that setting, the OAH Judge is probably the principle player there because of the nature and what the responsibilities are.

So, we will be touching on that dynamic within our report out. And I hope that helps.

FACILITATOR BLOOMER:

Thank you, Fernando.

COMMITTEE MEMBER GOMEZ:

Sure.

FACILITATOR BLOOMER:

Any other -- Advisory Committee members, any other questions, suggestions that you -- that you know, when we're in this space here. It's the right time to contribute any way as the Subcommittee continues its work. Anything else?

Okay, probably just a big thank you. Okay.

DIVISION CHIEF ALJ FORMAKER:

So, I did -- I did want to mention that Maria Iriarte wrote thanks in the chat. Again, if we can just reserve the --

COMMITTEE MEMBER IRIARTE:

Sorry.

DIVISION CHIEF ALJ FORMAKER:

-- chat for accommodations.

COMMITTEE MEMBER IRIARTE:

I got so excited by Fernando's comments. Sorry about that.

DIVISION CHIEF ALJ FORMAKER:

Okay, thank you.

FACILITATOR BLOOMER:

Okay. I understand that before we move on to the next agenda item we should pause and take public comment on the two most recent agenda items.

So, we will be, in a moment, reminding members of the public different ways to provide public comment on agenda item four. Which is OAH's response to the recommendations of the Committee from the October 8th meeting that is posted on the OAH webpage.

And then this most recent agenda item, five, regarding the Subcommittee's work in summarizing the roles of the Regional Centers in the hearing process as set forth in statute, regulation, and any other authority.

So, we are going to take public comment, again in the following order. We're going to take any verbal public comment on those two agenda items by looking to the participant panel, clicking on the attendees tab and looking for raise hands there.

So, if you would like to provide verbal public comment, please don't hesitate now. Please go ahead and use the raise hand feature so we see how long of a line we have for verbal public comment.

Once we've gotten through that, I will check to see if any comments have been emailed. If they have, we will read those aloud.

And then we will ask if there's any members of the public who would like an accommodation of providing a public comment in the chat. We will ask you to indicate that you would like to provide public comment in that manner by raising your hand at that point.

Right now, raised hands are for verbal public comment. We're going to ask you to keep your comments to two minutes.

We'll have the reminder that you're, I think, about 30 seconds away from your two minute mark and then letting you know that your two minutes is up. Again, just so we can make sure we hear from everyone who would like to speak.

I'm going to turn it over to Susan Formaker. And if I've missed something, Susan, please go ahead and fill in.

DIVISION CHIEF ALJ FORMAKER:

Okay, Gabriel Baka (phonetic), you are first in line. And please unmute yourself so you can provide your verbal comment. Your two minutes begins now.

MR. BAKA:

Thank you. Good afternoon everyone. (In Spanish). My name is Gabriel Baka. And I'm here because I'm doing my best as a Committee member as the brother of two Regional Center clients from Redwood Coast, to advocate on their behalf.

What I'm seeing here is frankly a Advisory Committee that is only welcoming so much comment and is only open to hearing so many things.

I've read the recommendations from OAH regarding the Advisory Committee's ideas about opening up chat. And I think that, frankly, it limits the ability of clients and consumers to accurately say what they want to say.

You cannot expect everyone to remember word for word their comments, their questions, their concerns until the end of the meeting.

So, I think that OAH should really reconsider allowing comments and chats to be open for all members of the public.

And what I really want to touch on more than anything is the fact that with recent results from -- and the incoming administration, I'm very concerned that clients will not have someone to advocate on their behalf.

That they are at risk of losing many of their protections and civil rights that allows them to be integrated into the community that allows for inclusive space here in California and allows clients to live fully independent lives.

DIVISION CHIEF ALJ FORMAKER:

Thirty seconds.

MR. BAKA:

Okay, thank you. SDP is a great program to help clients with that, the Self-Determination Program.

But what we really need to see is the OAH Advisory Committee and other sectors of the government be activists and advocates for the members of the public.

Because as I mentioned, I really am concerned that a lot of rights will be swept under the rug or completely eliminated. And it's for them that we're here, for the clients, not for ourselves. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, so next is Ruby Saldania (phonetic). You have two --

MS. SALDANIA:

(In Spanish).

DIVISION CHIEF ALJ FORMAKER:

-- minutes, but we'll give you some extra time.

MS. SALDANIA:

(In Spanish).

SPANISH INTERPRETER BLUM FOR MS. SALDANIA:

The party of ICC integrators. My comment and suggestion is, first of all, we're still having many flaws in translation. I've been to several forums and several Regional Centers. And in so many of them there are flaws in interpretation.

The Judges do not understand our language. They do not understand the services. And they're easily manipulated by the Regional Centers.

Specifically, there are some areas in which we have conditioned services. And this is the reason why they don't see the families that are arriving to the fair hearings. Because the services were being conditioned, and sometimes it's years before a Judge ordered that. And these are not being implemented.

Another thing that I'd like to propose, and I don't know if you guys thought about this, is a direct line. So, when we have a hearing, and believe me, I've had my fair share of hearings in many Regional Centers, we don't have a direct line when something should not happen, and we cannot report it.

Because after that we didn't know who was the Judge, who was who, who said what. And all of this information is lost.

So, we would need a direct line so the families can actually report what is it that's happening while it's happening and someone can jump in and help this family.

And also, I'd like to support everything that Gabriel Baka said. I fully agree with him. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Carla Reyes. Please unmute your line so that you can provide your comment. Your two minutes starts now.

SPANISH INTERPRETER BLUM FOR MS. REYES:

Hi, good afternoon. Yes, my comment is the following. As the previous gentleman said, it's regarding the chat, that it's not enabled.

So, when we join the meeting it felt different from previous meetings that I had attended. We can only see, like, some people. It all looks weird and different. And to be honest, it should be more open to the public so that we can contribute and write.

Also, the chat is not working. Well, I mean this should -- we should be free to state our opinion in the chat when we don't have the ability to speak. And I also agree with Ruby Saldania's comment. Thank you so much.

DIVISION CHIEF ALJ FORMAKER:

Thank you. Next we have Maria Lopez. Please make sure to unmute yourself so that you can start talking. Your two minutes starts now.

SPANISH INTERPRETER BLUM FOR MS. LOPEZ:

Hi, good afternoon everyone. So, first of all, I'd like to thank the entire Committee before us. Also, the Hearing Department.

And my comment is the following. I am listening, everything that's happening. And what I would like the most is to say that my main concern is that although it is true that some Judges are great and they are willing to do their job, sadly they don't

have all the necessary information. Or at least it looks like they do not know the regulations that actually protect the clients of the Regional Center.

It is super concerning because very often we can see crystal clear that the Judges seem to be sided with the Regional Centers instead of being sided with the right thing, the just thing, the lawful thing, the rightful thing.

So, my second comment is that sadly the hearing processes are not being complied with. Many Regional Centers don't comply with the hearing times that, per law, should be complied with.

So, how long does it take to get to mediation? How long do you have to wait to get to a hearing? We need to work on this, because this delay is unjustifiable.

It's horrible that you're just waiting and waiting. You're just thinking that you're going to have a meeting or a hearing or a mediation, and sadly this is not happening all the time by the Regional Center.

So, I think it's very important for this issue to be addressed ASAP. That's my comment. Thank you for your consideration, thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Patty Medina.

SPANISH INTERPRETER BLUM FOR MS. MEDINA:

Hi, good afternoon everyone. I am the mom of two clients of the Regional Center. And I've seen, with sadness in some hearings I've witnessed that the procedural forms are not complied with by the Regional Center. And the Judge doesn't set it in order.

So, the families don't get the statements. And it's like nothing happened.

Also, I see the Regional Center comes with the full monte. They arrive with all staff so they can defend themselves. And us, the parents, we're there alone trying to fight for our children. And it's a total injustice what happens in these hearings.

Also, just hearings is not helping the family. Maybe it's lack of staff. But it should be -- they should be more assertive and communicate that they're not able to help.

But don't just be like scamming the families saying oh, yeah, yeah, yeah, yeah we're going to help you. And the families have to be pushing in order to get an answer.

And at the end they say, yeah, we can't help. That's my comment.

DIVISION CHIEF ALJ FORMAKER:

Thank you. Next we have someone who's identified themselves as iPhone. Please make sure that --

SPANISH INTERPRETER BLUM FOR MS. CASAS:

Hi, good afternoon. My name is Jacqueline Casas. And I am extremely worried what's happening, because the Regional Centers are not complying with the needs of the client.

The fact that we keep stating complaints and are dragged into hearings that we have -- we're being subject to delays that are, of course, harming the clients of the Regional Centers.

I think that they are not fulfilling the needs. And I think the decisions of the Regional Center are made based on staff. And these decisions have harmed my child.

I've been told that sometimes it's best to keep him at home. And that is not an appropriate way to deal with the issue. And that's not going to help him at all.

And also, I'm assuming a bunch of clients are in the same boat. So, that's very concerning as a parent. And we need to acknowledge that the Regional Centers have worked in an inappropriate way. That's my comment.

DIVISION CHIEF ALJ FORMAKER:

Thank you.

FACILITATOR BLOOMER:

Susan, I don't see anymore raised hands at this time. And so, I'd like to turn to staff and ask if any comments have been emailed to be read aloud?

MS. NORRINGTON:

Thank you, Karin. This is Maryjosephine. We have no emailed comments pertaining to these subjects right now.

FACILITATOR BLOOMER:

Okay. Thanks so much. So, Susan, I do see more raised hands. And I'm wondering if it's for more verbal public comment. What would you suggest?

DIVISION CHIEF ALJ FORMAKER:

If you're raising your hand for verbal public comment as opposed to chat, please keep your hand up. Okay, we're going to go ahead and call on people for verbal public comment. And then we'll move to accommodations.

Okay, Consuelo M. Please make sure to unmute yourself. And your two minutes begins now.

SPANISH INTERPRETER SANCHEZ FOR MS. CONSUELO M.:

Can you hear me?

FACILITATOR BLOOMER:

Yes.

SPANISH INTERPRETER SANCHEZ FOR MS. CONSUELO M.:

I have two kids around 20 years of age that belong to the Regional Center. And my question is about a hearing that I had about a year ago.

The Judge at that time authorized that I would have some money reimbursed. It was a minimal amount. But I was always in doubt because the Judge, she determined that after such and such month I would be receiving the money.

But the Regional Center said that it wasn't going to be like that, that it would be two months after. It wasn't an important amount.

But I was very upset because I have gone through so much stress. I have never been an in informal meeting nor in a mediation.

But the end of so much show and so many -- so much stress and paperwork, they would say that in the original center, they said that the mediation didn't have the strength or the power of a Judge's word in a hearing.

So, I said I would call the Hearing Office to see if that would be legal. And they told me that I should give them a few days so they would answer.

I called them for after a week. And nothing ever happened. And I told them that, you know, the Judge had said that the money was not going to be reimbursed. So, I figured I better call the Hearing Office. Because I don't know if you're doing something legally or illegally. And I don't know if you're just doing this to me or what.

Five minutes later they called me and they said that they would respect the decision of the Judge. So, I want you to tell me today if I was right or wrong.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we've got Oscar Mercado.

MR. MERCADO:

Yes, good afternoon. Thank you for giving me the time to make public comment. My name is Oscar Mercado, and I'm a self-advocate affiliated with the Integrated Community Collaborative.

And I wish to express comment on -- recognizing on the issue that Judges often lack a comprehensive understanding of the various services available, like social skills training versus applied behavior analysis or ABA, as commonly known.

This gap can often lead to unfair hearings and decisions that do not consider the -- all the nuances and benefits of each service.

For instance, social skills training focuses on helping individuals develop ability to interact. Whereas, you know the other services more -- focuses more on the professional success.

And so, I want to emphasize the importance of Judges receiving more extensive training on the specifics of these services. And by doing so, they can make more informed decisions and better serve individuals involved.

Without this training, the hearings will continue to be somewhat biased and potentially unjust, at least from the perspective of the community, from the perspective of the community who has IDD.

Thank you, have a good evening.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Cecelia Ortiz Barajas.

SPANISH INTERPRETER SANCHEZ FOR MS. ORTIZ BARAJAS:

Good afternoon, thank you for allowing me to speak today. I am definitely supporting Oscar Mercado and Ms. Saldania. To have a direct line, I think, would help everyone, because so many things happen during these hearings. And there's nowhere to call right at that moment.

I also believe that there's got to be some more attention into having the Judges that have more knowledge, especially in self-determination programs. Because the Regional Centers don't even know how to handle self-determination.

We go to the hearings, and we lose a whole day just explaining to the Judges what the program is. And that is not the same as the traditional program. So, we waste a whole day just in explanations.

I also have seen that the interpreters are being used. They don't know the topics of the Regional Centers. And it's something that's really affecting us, because the interpretations are so bad. Because then we have to go back to another mediation.

And sometimes it's six hours because the interpreter is not doing it appropriately. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. Next we have Adelaida Sanchez (phonetic). Please make sure to unmute yourself.

SPANISH INTERPRETER SANCHEZ FOR MS. SANCHEZ:

I'm a mother. Good afternoon, how's everyone?

DIVISION CHIEF ALJ FORMAKER:

We can hear you.

SPANISH INTERPRETER SANCHEZ FOR MS. SANCHEZ:

Good afternoon. Thank you for giving me the space that you have given me so that I can -- able to give you a little explanation.

As we all know, our community, especially the Spanish-speaking community, sometimes we have difficulty with the language. Which is also a huge barrier for us to be able to express the condition of our children or our families.

Today, this space, I'm taking it to direct myself to you as high professionals -- hierarchy professionals and that you can make decisions over our community.

Usually, when families are denied services and you are sent to a hearing it takes time to be able to solve those problems. That for us it's also a time that we should be having to dedicate to our family. But regardless, we have to take this process.

I have been aware that many times in the informal meeting and the team that is there, they don't even know the information of the client. They're not prepared. They don't know anything about the case. It's such a loss of time that it keeps on going.

And they just try to get the information in the minute that they're there at the meeting. I think that each one that is there should have the time to do the research, to look at the information of the client that they're going to be working with. Because I also think that when they get there, they don't even know what client they're talking about.

As parents, in every institution that we go to, be it the District, the School District, the medical, medical services, and we're always having to explain from number one on from the very beginning of what has happened. Who's the client, the age, what is the diagnosis.

We go to all of the informal meetings, and it's the same old thing. I believe that this should be taken in account that whoever is going to be taking the client, that they should be well informed.

That's one of my biggest suggestions. Because we waste some time. And also, with the language we waste a lot of time. And that also includes, you know, wasting time with the clients. And also the behavior from the people that we go to, they're kind of rude. I don't think that it's --

DIVISION CHIEF ALJ FORMAKER:

Thirty more seconds.

SPANISH INTERPRETER SANCHEZ FOR MS. SANCHEZ:

-- I don't think it's adequate. Especially when we meet and nobody knows who they're going to be speaking about or talking about. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, I see Consuelo M. has a hand up. I believe that Consuelo M. already provided comment. Okay, all right.

We've got Shirlys Gruber (phonetic). Please make sure to unmute yourself. Your two minutes begins.

SPANISH INTERPRETER SANCHEZ FOR MS. GRUBER:

Good afternoon. Can you hear me? Thank you for giving me the opportunity to open with this Committee.

Definitely it is very needed that the Committee reviews of what is going on with all these denials of all the resources and services to our family with special needs.

Not very long ago, I had to do an appeal against five denials. And thanks to all the accessories of CIC, we could have the approval that was at the very beginning denied to my child.

I am echoing the mother that spoke before, because you need to know how many hours you have to spend and waste just to self-advocate and to show the need that we have.

Especially when they have early -- please take these suggestions and make changes so that we can help this process. Thank you, and good afternoon.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Yolanda. Yolanda, if you already provided a comment, please allow someone else to speak. I can't remember.

SPANISH INTERPRETER SANCHEZ FOR YOLANDA:

No, I haven't made a comment. No, not today. Thank you so much for giving us the opportunity to speak up and take care of our concerns.

And yes, I'm in agreement with everyone that has spoken. And it's very important for Judges to be well-trained and we have a direct line. And also that there's not so many denials. Because it's really stressful.

And that's my suggestion. Thank you so much and have a good afternoon.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have someone identifying themselves as iPhone. I'm assuming this is a different iPhone. So, please make sure to unmute yourself, and your two minutes starts.

SPANISH INTERPRETER SANCHEZ FOR MR. RAMOS:

Yes, good afternoon, do you hear me? Thank you so much. My name is Jorge Ramos. And my daughter is part of a -- or is a client of a Regional Center.

And my comment is simple. Just first of all, thank you for trying to work on these issues. We know that you are trying to improve the system. And I'm very grateful to all the panel.

And also, my comment is based in, you know, supporting the comments that have been presented here today. Because you really feel terrible as a parent that denials come over and over, and our children still need.

As parents we know what our kids need for their development. Especially if they have special needs.

I believe and think that these meetings are not only to listen to us. But also to apply solutions. And that they are solutions that are concrete so that we can improve the system.

That is essential. Because honestly as parents we know that everything that is done for the progress in our children's lives, and it really has to be, you know, with services that are adequate for their wellbeing.

Unfortunately, in our case, we didn't know that a lot of classes of types of services were available. We were so many times and years in the Center. And nobody ever told us what our children's rights were.

I wanted to comment this. And I also echo all the comments that were done previously. Thank you so much.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Valerio Baka (phonetic).

SPANISH INTERPRETER SANCHEZ FOR MR. BAKA:

Good afternoon. Thank you for the space. Thank you, as Mr. Ramos said, all the work that this Committee is doing.

One of the issues that I would like to comment on today is in regards of the chat. I know that the Committee is trying to have and handle their meeting all at the same time. You're giving, also, opportunity for the public to speak.

But maybe your silencing hundreds of people that unfortunately are unable to make a verbal comment. You need to have consideration with other people, because you are here for the wellbeing of others, especially those with disabilities and the parents. We, as parents, the brothers, uncles, et cetera.

This time, not even the Q and A is open. So, how is it that the community can give the testimony if it's only two minutes per person? And you're saying that the person that already got -- made a comment cannot back and comment again.

It sounds like the Regional Centers where I'm in Redwood Coast. I'm a parent to two children that are -- that supposedly have services at the Regional Center.

And instead of the Regional Center, it gives the services that my children and other children of the community need, they'd rather pay an attorney so that they don't pay services. That maybe it costs 100 to 150 dollars. But no, they'd rather spend the money in thousands of dollars into -- in an attorney just to prove how much power they have. I think that's unfair.

The services we're guaranteed, they were given through Lanterman. But unfortunately the Regional Centers in the century -- 21st century, is still not respecting Lanterman. That's not right.

We have to do something about that. I don't know what the power or level of power that you have. But it's extremely important that this or other services are given to our children. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have -- excuse me -- next we have Isabel. Please make sure to unmute yourself.

ISABEL:

Hello, yes. I'm sorry, I'm going to try to -- I'm going to speak English for the Committee that cannot understand what I'm saying. And I apologize in advance if I switch to English, because I tend to do that. And English is not even my first English, which is kind of embarrassing.

But I just want to say (in Spanish).

SPANISH INTERPRETER SANCHEZ FOR ISABEL:

I am so thankful for all the time that parents take to come and share their experiences. Because I feel that it's so important that everybody is heard.

And also, thank you for all those parents. But unfortunately, we don't have a way to communicate. We are having some of the benefits that these people are trying to get for our children.

Basically, that's all I wanted to say, because this moves me so much. And I can't find clarity in anything. And I don't understand why we have to spend so much energy and time in trying to get something that should be provided for our children.

And that's all I'm saying today. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Kristianna Moralls. Please make sure to unmute yourself.

MS. MORALLS:

Hello. I was looking at the 2024 ALJ annual training that was done in March and noticed that there was no training on the self-determination program.

And we are hearing a lot of feedback that in the hearings around self-determination program the ALJs are not familiar with the program.

So, I was wondering if that's something that this Committee could address to ensure that the ALJs are trained in the self-determination program.

DIVISION CHIEF ALJ FORMAKER:

Okay, thank you. Next, we have Andrea Davis, PhD.

DR. DAVIS:

Good afternoon. I'm Dr. Andrea Davis. I'm with the DIR/Floortime Coalition of California. And I was fortunate to be called to be an expert witness in two fair hearings this year.

And my feedback is simply the level of complexity that was expected of the team who were putting together documentation and preparing for the hearing, seemed to me enormously difficult and extensive.

It took many, quite digitally friendly adults helping one another to interpret the instructions, to actually follow through on all the steps.

And it worried me greatly for other folks who may be not as -- have lived their whole lives in under -- using English as their first language or not -- maybe not so familiar with digital processes.

So, I really would like to see simplification for access to fair hearings.

DIVISION CHIEF ALJ FORMAKER:

Thank you. Okay, next we have Adrianna Gutierrez.

SPANISH INTERPRETER SANCHEZ FOR MS. GUTIERREZ:

Good afternoon, Committee. My comment is about the Regional Center in Bakersfield and Kern. All the services are being denied with excuses, with false

information, regardless if I have presented denials. And all the documents they keep putting all these barriers so that my child cannot have services.

First of all, they tell me that it's because it's -- they're under the transition of self-determination. But it's the same thing. I was already in the regular services. And with Medi-Cal, you know, same thing, they deny the services because I'm with Medi-Cal.

So, as long as they are -- for us -- the long -- the time that they have denied all the services my son has been wasting part of his life. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, we're going to take one more. Whoops. So, I have seen -- excuse me. I had seen Gene Acevedo's hand up. Did Mr. Acevedo still wish to make a comment?

All right, now we're going to turn to anyone who needs chat as an accommodation so that they can make their public comment through the chat.

If you need that, can you please raise your hand. And like I said, we're going to do the best that we can, so just be patient with us. Because this is new for us.

So, I -- so there was someone raising their hand, and it keeps going down. Maria Teresa Franco? So, if we could promote that person to panelist? And we'll --

SPANISH INTERPRETER SANCHEZ FOR MS. FRANCO:

Good afternoon. Thank you for giving me the opportunity for speaking. I also want to express the experience that I'm going through.

I asked for a hearing, because I had so many denials. So, they send me to an assessment for recreation. And I also asked that they would give me all the documentation so that I could prepare myself for the hearing.

And I've been asking for a whole week, and nobody has taken care of it. It's very frustrating. My child is 17 years old. And I always have respite.

Please, I'm asking you for your decision to be made so that this overwhelming paperwork that seems to be so difficult to send to me, that it's easier for us.

Please, I'm pleading that under notes you can have the training in our language. Or that at least they respond to our emails.

And thank you again. It's the only thing that I'm asking. And thank you for supporting us through this process.

DIVISION CHIEF ALJ FORMAKER:

Thank you, and just for the record, it turned out that that was a verbal comment.

All right, I see a comment from iPhone. And I'm assuming that that's someone who needs chat. So, we are --

SPANISH INTERPRETER SANCHEZ FOR MS. CASAS:

I'm Jacqueline Casas, and I'm back. I just want to say -- give you a bit -- quick comment. And thank you so much individually because of all the work that you do. And I'm also praying so that you guys receive the wisdom and the knowledge of how to help us.

My child does have services that are existent that Regional Center has sent something to the Agency of how to use the hours.

But in the Lanterman it doesn't say that a Regional Center has to decide how to use the services. Because the services are supposed to be based on the needs of the clients.

DIVISION CHIEF ALJ FORMAKER:

All right, thank you. Is there -- is there anyone who wishes to provide -- is there anyone who wishes to provide comment in the chat who needs that as an accommodation?

Okay. I see Gene Acevedo's hand up. So, we're promoting you to a panelist so that you can enter your comments in the chat. And --

MR. ACEVEDO:

Yes, can you hear me?

DIVISION CHIEF ALJ FORMAKER:

Are you providing verbal comments or chat comments?

MR. ACEVEDO:

I've been trying to do either one, you know, so whatever you want me to do. If you want me to do verbally or comment on chat.

DIVISION CHIEF ALJ FORMAKER:

Okay, if you can speak verbally then let's give -- get you to provide your comments verbally.

MR. ACEVEDO:

Yes, thank you. Yes, I'm Gene Acevedo, I'm with (inaudible). And my comment is mostly on the economic subject. You know, if we analyze the number of cases following your website, it says that you're looking at anywhere from 10,000 to 14,000 cases a year.

If we look at the cost of those cases in -- are you there? You lost me?

DIVISION CHIEF ALJ FORMAKER:

Yes, Mr. Acevedo.

MR. ACEVEDO:

If we look at the 10,000 cases or 14,000 cases, and if we look at the average cost of a case in California. You know, a case is going to range anywhere from 10,000 to 15,000 dollars based on the Judge, the time, the lawyers, the time of the persons.

You know, if you were to allocate some of that resource right into the front end so that agencies that are serving the community, so they can integrate the community, we can have a stronger outcome of support for the families so that families are not utilizing resources at the tail end. But rather they should be utilizing resources at the beginning, so that we are able to provide a service for the families.

Because the way that we currently have it structured is so that families are not able to present their case. They're not able to present and request properly the services. The agencies that have -- are serving, they don't have the resources to educate the community.

And then we end up these hearings where people actually lack the training and the understanding of how the process goes.

And as I'm hearing a lot of the comments, I can see that a lot of folks are frustrated. But the reality is that there is a lack of information that they're lacking to even defend themselves in a hearing.

So, my recommendation is to put the money towards the beginning for DDS, rather than for it to be reactive.

Thank you so much for your time.

DIVISION CHIEF ALJ FORMAKER:

Thank you.

FACILITATOR BLOOMER:

Thank you. That concludes public comment in regard to agenda items four and five. We're going to take a 10 minute break and be back at 10:40 (sic), please, for the next agenda item. We'll see you then, 10:40 -- 2:40, thank you.

(OFF THE RECORD.)

FACILITATOR BLOOMER:

If you would please turn your cameras back on, both to follow the rules. And it helps us to know that you're back. Thank you. Thanks so much for putting your cameras back on.

I'm going to turn to one of our Spanish interpreters to review ways to access the language channels before we begin.

SPANISH INTERPRETER BLUM:

Thank you, Ms. Bloomer. This is a reminder that we have simultaneous bi-directional interpretation into English and Spanish available.

If you're bilingual, you don't have to click anything. But if you're not bilingual, and you're using your laptop, locate the icon shaped like a globe at the bottom of your screen. Click on language interpretation, and then select English.

If you're using your phone, an iPad, or you do not see a globe, then locate the three dot menu in one of the corners of your screen. Click on language interpretation, and then select English.

When you speak, do so at a moderate pace, because the interpreters are going to be simultaneously interpreting everything you say. (In Spanish) Thank you.

FACILITATOR BLOOMER:

Thank you, Frida. And Yulahlia Hernandez, thank you. I just want to read your comment in the chat that her internet is unstable and so might need to go off camera

in order to be able to continue to hear and contribute to the meeting. So, thank you so much for that heads up.

Okay. Next on our agenda is agenda item six. How the Advisory Committee can align its stated objectives and goals with those of the California Master Plan for Developmental Services, specially in relation to the hearing process.

Fernando Gomez, you might've given us a very brief preview in the last meeting. Shall I turn to you again just to sort of describe this agenda item? I think it may be yours that you suggested.

COMMITTEE MEMBER GOMEZ:

I'm sorry, Karin, can you -- my internet is a little unstable as well. But I think it's fine right now. But can you repeat the agenda item?

FACILITATOR BLOOMER:

Yes, of course. So, it's agenda item six. How the Advisory Committee can align its stated objective and goals with those of the California Master Plan for Developmental Services, specifically in relation to the hearing process.

COMMITTEE MEMBER GOMEZ:

Yes, thank you. So, you know, we heard -- we just heard from our community on many different issues.

And as I was listening to their comments I was categorizing them into areas of where we're in narrative and how they would impact those narratives based on the five word groups the Master Plan Stakeholder Committee is participating in.

And I think that this agenda item pertains to how do we, as a Stakeholder Committee, push up that narrative to make sure that it's captured, number one.

And number two, that it's actually implemented into the priority areas within those five work groups.

And, you know, case in point, somebody brought up about the trainings that the Judges are receiving and that there was a recommendation to include self-determination. Which is one of the key areas that the Master Plan is centered on as well.

So, how do we make that a reality, I guess, is the question. And how do we push that out?

FACILITATOR BLOOMER:

Some thoughts from the Committee, as well as maybe any questions from the Committee about the Master Plan process if that just helps with context?

But it's an open question from Committee member Gomez about how, if at all, to align and contribute to the Master Plan process from this Committee's purview.

Yeah, Maria, I see your hand. Please go ahead.

COMMITTEE MEMBER IRIARTE:

Yes. Fernando, I'm not -- I'm not really very familiar with this Master Plan. I know -- I know what's going on, but I'm not involved that much. And is there a Subcommittee that is looking at the particular issue that we are?

COMMITTEE MEMBER GOMEZ:

Yes, Maria, thank you. The Master Plan has a -- an assigned Committee, I guess, work groups, if you will. And each work group has been tasked with defining the areas that they would be reporting on as far as contributing to an overall plan that will be delivered by, right now it looks like the end of March. It may possibly be extended.

So, part is the one collecting the information that'll go into that plan to be then implemented and executed on following the delivery of a plan.

The appeals process plays an important role of making sure that it's captured within that plan. So, depending on the subject matter, whether it's the appeals process as a whole. Or whether there are certain things within the process that could then be captured within the work groups is what we're trying to figure out.

How do we make a connection, if you will. And to -- go ahead.

COMMITTEE MEMBER IRIARTE:

I'm just -- I'm worried about Bagley-Keene. I don't know if we have the authority under what we're doing to communicate with people in the Master Plan work group about this.

Because without -- I feel like I don't know, I mean, we're doing our thing. And they're doing our -- their thing. And how do we -- you're asking how do we get those two things together, right?

COMMITTEE MEMBER GOMEZ:

Yeah. Yeah, I mean, I guess --

COMMITTEE MEMBER IRIARTE:

I guess my question to OAH would be is there anything in Bagley-Keene that would prevent the Advisory Committee to work with people in the Master Plan work group addressing the same issues we're addressing here?

DIVISION CHIEF ALJ FORMAKER:

So, OAH can't provide legal advice to the Committee, I'm sorry. And also, in a -- I am not familiar with everything that is being done in connection with the Master Plan.

I do want to note that Antony Marron put into the chat, which again we're asking only to be used by those needing accommodations, "Master Plan internet webpage?"

So, that would be my response at this point. I'm sorry, I can't give legal advice.

COMMITTEE MEMBER IRIARTE:

Fernando, are you in that work group?

COMMITTEE MEMBER GOMEZ:

Yeah, I am. I'm both on the stakeholder --

COMMITTEE MEMBER IRIARTE:

Uh-huh.

COMMITTEE MEMBER GOMEZ:

-- group -- or Stakeholder Committee, and I'm also co-sharing the work group one. Which is centered on person-centered approaches to service delivery.

But I don't know how this would constitute legal advice, because I don't see it as legal advice. We're not looking for advice.

What we're looking for is how as a Committee or this OAH Stakeholder Committee is capturing information and bringing resolution -- or some type of solutions to the concerns.

We heard about things like interpretation during these hearings. And are we just listening and then not doing anything? Or are we looking to implement processes that bring solutions to these concerns?

And if as a Committee we're limited in scope, which it seems like we are, then maybe there are opportunities, like through the Master Plan, to make sure that these elements get addressed.

We're just trying to find solutions and a pathway to that point.

FACILITATOR BLOOMER:

Fernando and other Committee member, I mean, if -- I'll just -- I'll just say that this may be too simple of a way of thinking about it. But I just wonder out loud about, you know, anything that this Committee recommends in these non-binding recommendations.

I think there's nothing that precludes Fernando Gomez as a member of the Stakeholder Committee in saying -- in bringing to the Committee these are recommendations from the OAH Advisory Committee.

And then certainly members of this Committee are more than welcome to attend the all virtual work group meetings and provide public comment similarly at the Stakeholder Committee meetings.

So, those are just -- those are like two avenues, just like as people to people that I could imagine some of this being raised that has no Bagley-Keene impacts in my personal opinion.

But that's just my humble two cents in this conversation.

But I still see Maria's hand. And Nina has her hand up as well. Now Maria's going to -- okay. Nina, please go ahead.

COMMITTEE MEMBER SPIEGELMAN:

I'm sorry, my computer died for a moment. I think we're on the aligning with the Master Plan. So, I apologize if I -- this is too, you know, repetitive or whatever. Because clearly I missed -- I missed some of the discussion.

But, you know, I think -- I'm glad that this is recognized, this item is on here. And I hear what you're saying, Karin, you know, yeah and, you know, there's nothing precluding, you know, acknowledging or taking into account what this Committee may recommend in the Master Plan process.

I just think, to me, this item, to me, reflects the importance -- here we have, you know, we're -- this Committee, I feel like is sort of more of a subset. The Master Plan is so, you know, is really looking in a very big and broad way, as you know.

And in that work group one, in particular, the concept of trust and, you know, trust in the Regional Center system. And I think this is such a critical component of that.

Without a question of giving legal advice one way or another, just something. And I don't have an answer for it. But I think it's worth our continuing to think on it and, you know, and maybe refine that thinking somehow to just at least acknowledge the work that's going on in both places.

And, you know, and try to, you know, maybe at some point look at some of the recommendations. If you, you know, combine the comments that we hear repeatedly, especially just now, people would really take the time. We still have a very engaged community on this process, as well as the Master Plan.

So, I feel like there's like sort of opportunity there to do really good cross-walking and, you know, just kind of feeding into one another.

I don't know what the answer is yet. But I don't want to miss an opportunity that this is presenting, you know, having these same things go on at the same time.

FACILITATOR BLOOMER:

Thanks. Fernando, do you want to respond before we hear from Silvia or Silvia next?

COMMITTEE MEMBER GOMEZ:

Yeah, I'll go ahead and let Silvia, and then I'll come back and respond, because I'll expand a little bit on what Nina said. But Silvia, please go ahead.

COMMITTEE MEMBER YEH:

Yeah, I'm also in the Master Plan work group four. And like Fernando said, it really is building trust. And I think the goal for Master Plan for the development service is really to prevent things that would go to the hearing. Because there's so many things not transparent and not consistent among Regional Centers.

And I don't think what we discuss here is -- it's really not the Master Plan focus. The Master Plan focus is preventing going to the hearing. And really strengthen the (inaudible) system and also Regional Center, yeah.

So, I think what we are discussing here is so important, that to help the family, how, you know, be treated fairly and respectfully through the process.

DIVISION CHIEF ALJ FORMAKER:

And just for the record, I just wanted to make clear that Committee member Silvia Yeh was having problems with her internet. And so, she is participating -- oh, you're back, okay. You were participating by phone for --

COMMITTEE MEMBER YEH:

Yeah, it was power outage.

DIVISION CHIEF ALJ FORMAKER:

Okay, thank you.

FACILITATOR BLOOMER:

So, Fernando, I think you were waiting. And we'll turn it to Nina next and looking for other hands as well.

COMMITTEE MEMBER GOMEZ:

Yeah, unfortunately, I'm not as optimistic in regards to the appeals process and the need to be able to address the areas of concern.

And I believe that they need to be captured within the Master Plan. Because the spirit of the Master Plan is to really bring somewhat of a reformed definition to process within the service delivery system for the DDS. And appeals process is a huge part of that.

And I understand as a Committee that we can make non-binding recommendations. And I believe that that's exactly what we should be doing, making recommendations based upon the information, the discussion in the areas that we're seeing that need to be addressed to improve on the process.

Because there are some -- quite a few areas of concern yet, it's like what we've heard from public comments and what we've experienced ourselves.

So, the question, I believe, comes in, in just saying that, taking advantage of this tremendous opportunity of the Master Plans efforts. How do we, as a Stakeholder Committee for OAH, help capture those elements and push them up?

My question then comes back to maybe Susan or someone else at OAH to say, are you -- are you reporting out our meetings so that there are some kind of actionable items? Or are there areas that can be captured and then shared?

DIVISION CHIEF ALJ FORMAKER:

In terms of reporting out, I'm not -- I'm not sure what you mean Mr. Gomez. We are not part of the Master Plan process. And so, I -- I'm not sure what you mean.

We do listen to everything that goes on in these meetings. And we pay attention to the recommendations. We respond to the recommendations. And so, that's my response. I'm not -- I'm not sure --

COMMITTEE MEMBER GOMEZ:

Can I use --

DIVISION CHIEF ALJ FORMAKER:

-- exactly what you're asking.

COMMITTEE MEMBER GOMEZ:

-- can I use an example? And then maybe we can use it to see how we would capture that.

On numerous occasions we've heard from the community, first-hand experience, that they're having issues and concerns in regards to the quality of the interpretation that they're having during these -- during the hearings through the whole process, from mediation on down, or down, up.

So, how do we address that? And I think that's more of a system issue that transcends not just the hearing process. But it's also applicable in other interactions where the Regional Center system engages community where there needs to be interpretation.

But since it is part of the appeals process, how do we capture it and make sure that it's addressed adequately within this new process that is going to be proposed by the Master Plan and hopefully bring us some kind of solution, some kind of positive outcome?

DIVISION CHIEF ALJ FORMAKER:

So, for example, with respect to interpretations. If the Committee has specific recommendations for the improving the quality of interpretations. We can then respond to those recommendations with our efforts and, you know, what we can and can't do.

COMMITTEE MEMBER GOMEZ:

Uh-huh.

DIVISION CHIEF ALJ FORMAKER:

Because we don't have a quorum today, there's not going to be the ability for the Committee to make recommendations today. Hopefully at the next meeting the Committee can make recommendations.

COMMITTEE MEMBER GOMEZ:

Uh-huh, okay.

FACILITATOR BLOOMER:

Sorry, I was muted. I wanted to acknowledge Maria's hand. Please go ahead.

COMMITTEE MEMBER IRIARTE:

Thank you. Other examples along with what Fernando said about interpretation. Today we heard two things, at least, one about -- and this is a generalization, because I can't say that every ALJ doesn't know about self-determination.

But there seems to be a lack of knowledge in that area. Also, giving deference to the Regional Center because it appears that -- appears that the ALJs may not be that familiar with the Lanterman Act, services, et cetera.

So, there are a lot of examples of things that I think OAH should be looking at. So, when Fernando asked the question, well OAH would -- it's like you're take -- do you take this information and do something with it?

That's really the question. And we hear the, you know, these are issues for OAH to be addressing from -- aside from being part of this Advisory Committee, like just knowing that these things are happening, are you addressing them anyway, right?

DIVISION CHIEF ALJ FORMAKER:

So, I do want to just draw the Committee's attention to the responses to the Advisory Committee recommendations from April 3rd of 2024, in which OAH noted the training that DDS provided on the self-determination program. And so, just to remind the Committee of that training.

In terms of listening to what the community is saying. What I will say is that DDS and OAH are currently planning a training that DDS will be providing in March. And so, anything that's being said about the need for training, yes, we are listening.

COMMITTEE MEMBER IRIARTE:

Thank you.

FACILITATOR BLOOMER:

Okay. So, in regard to agenda item six, and just how to be thinking about aligning this work with the Master Plan, there's been some reflections from a few Advisory Committee members.

And I see Fernando's hand, so I'll acknowledge that. Just for anyone else, anything you want to share as thoughts on how and whether to align recommendations from this Committee with the Master Plan process in some way, I'll take Fernando's comment and see whether we're ready to move on or talk more about this. Fernando?

COMMITTEE MEMBER GOMEZ:

Yeah, thank you, Karin. And just to somewhat expand a little bit on what Susan was sharing with -- and I did get frozen a couple of times. But I believe that there are some trainings for the Judges. And one of them may include self-determination. Which I think would be awesome.

But my question is, is that as we're going through these meetings and going through the process. And we're implementing the reform law. I know OAH must have

some suggestions and ways that they believe maybe can improve on the system that can be of help to the other stakeholders, right?

We're going to report out on the Regional Center's role. But the OAH role is as important, if not more so.

And then I also know that we have really strong representation of DDS. And thank you DDS for being here. But we would also love to hear from DDS as well. Because it's good to talk about these issues. But it's even better, we could bring out some kind of solution, some kind of -- some kind of outcome that can help improve our efforts.

So, I'm not sure that's a question but maybe more of a comment. Thank you.

FACILITATOR BLOOMER:

Thanks, Fernando. And I imagine Advisory Committee members, you may be taking some notes on things you want to be circling back to when you have a quorum early in the new year, on some of these items. And see if there's any -- a more formal set of recommendations on any of these topics you bring up today, so.

Okay, anything else on item six before we move on to the final item before general public comment? Okay.

So, agenda item seven is whether the Advisory Committee has recommendations for improving hearing and mediation operations in terms of appropriate documents to be considered in the hearing process. Including a discussion of whether documents like ARCA guidelines should be considered.

So, obviously there would be no formal recommendations today, since you wouldn't be in a position to vote, since you don't have a quorum.

Nonetheless, as a discussion item, whether the Advisory Committee has recommendations for improving hearing and mediation operations in terms of appropriate documents to be considered in the hearing process. Including a discussion of whether documents like ARCA guidelines should be considered.

So, is there a Committee member --

DIVISION CHIEF ALJ FORMAKER:

Just for clarification, that's agenda item eight, correct?

FACILITATOR BLOOMER:

Forgive me, you tell me. It is, okay.

DIVISION CHIEF ALJ FORMAKER:

Yes, it's agenda item eight.

FACILITATOR BLOOMER:

I'm sorry, my apologies, agenda item eight.

So, is there a committee member who hearing that item has thoughts on this area of discussion? Improving hearing and mediation operations in terms of appropriate documents to be considered in the -- in the hearing process? Fernando?

COMMITTEE MEMBER GOMEZ:

Yes, thanks. I just want to remind the Committee that this was brought up as a -- as a discussion point in -- where in one of the hearings one of the Judges had referred to a document that ARCA had generated on process and referred to it as a legal document.

And that was kind of confusing because what constitutes a legal document in a hearing and what isn't. And what we wanted to say -- we wanted to bring attention to that. But also how do we define that process so that maybe there's more standards in there on what is admissible.

I know that we hear this time and time again that it's already a very challenging and difficult and cumbersome system to navigate. Even though it's supposed to be a, you know, somewhat of an intuitive process. But we know that it's not.

So, when it comes to documentation, that's one of the areas that maybe as a Committee we can talk about and how do we look at what should be used on the standards against non-standard.

FACILITATOR BLOOMER:

What others think of the Committee taking this up? That being, you know, which are -- which are, if I'm understanding it, Fernando, sort of like the formal and acknowledged, you know, documents, is that standard. What would your recommendations be in regard to what those should be?

What do others -- yeah, Nina. And then Maria. And then Jennifer Cummings. And Jennifer, feel free at any point to put it in the chat. And then I'll read them at that time. So, Nina, please go ahead.

COMMITTEE MEMBER SPIEGELMAN:

Well, I certainly think this is an area that really could use a lot of clarity. Especially from the public's point of view, from the individual served and family member point of view.

I think it's -- I think from that end it feels very murky. And I'm very concerned when something -- especially something produced by ARCA, you know, and how much weight deference that will get at a given hearing.

You know, that -- how does one deal with that appropriately, you know, when you're representing yourself and all that kind of stuff.

And also, I think just even clarity about the role of what -- the difference between a guideline and something that's, you know, really required, you know, must be followed as opposed to guidance.

And there's just -- I think that any clarity that this process can help promote, it would be a very beneficial thing.

And, you know, so, you know, it may be -- it may be a very big task. But anything, I think, is better than the situation that I feel is the case now where, you know, you can just feel very slammed in the face of something.

Something as, you know, called an ARCA guideline or even just that Regional Center's guideline and what, you know, how much deference it gets.

But I'm very eager to hear what, you know, what Maria has to say and others have to say about this. But I do think clarity in this area is -- would really be beneficial. Thanks.

FACILITATOR BLOOMER:

Thanks, Nina. Maria?

COMMITTEE MEMBER IRIARTE:

What governs our statutes and regulations. Guidelines are guidelines. And guidelines, if they're going to be created, must be in accordance with statutes and regulations.

So, I would imagine, and I would be shocked if ALJs are not being trained on this. And yes, what kind of weight do you give to a guideline? And is the guideline really in accordance with the law?

So, you know, the question to OAH is, maybe that's a training to be given, you know, in the future, like how are these guidelines being used? How should they be used by Judges at hearings, when you have statutes and regulations that may say something different? What kind of weight do you give to that?

COMMITTEE MEMBER GOMEZ:

Yeah.

FACILITATOR BLOOMER:

Thanks Maria. Jennifer, I see your hand. Oh, thank you. Mr. Lana mentioned, I have another meeting, thank you. Okay.

So, Mr. Lana will have to leave for his meeting. I appreciate him being here for as long as he could be.

So, Jennifer, okay. So, Jennifer wrote, "DRC, ARCA, DDS publications have been referred to in hearings for consideration of the Judges (publications or guidelines have been considered

Okay, so they've been -- as I'm understanding you Jennifer, you're saying that there have been publications or guidelines that have been considered in hearing processes by Judges? All right, yes, okay, from Jennifer. Thank you.

Okay. Fernando and then Maria.

COMMITTEE MEMBER GOMEZ:

Yeah, thank you, Karin. Just to expand a little bit on what Maria was sharing in regards to defining what's admissible and what's not. And then expanding a little bit on what Jenny's -- I'm sorry, Jennifer was saying in regards to okay there's a process. Publications have been submitted to ARCA, DDS, and so forth for consideration.

You know, we're not experts, we're not attorneys. We're just parents. And we're trying to do the best that we can.

The Regional Centers have the experts, and they're paid pretty well to do what they do. And they're good at it, very good.

And the Judges and whatever -- the other side of the ledger, that whole process, it is extremely overwhelming. So, when a parent who has very little, in most cases, has very little experience in this, we're at a disadvantage.

How do we determine whether something's been submitted for consideration that it should be now construed as a legal document. And I'm not saying that that's what it is. I'm just saying it could be, right?

The whole process of the appeals was to simplify and make it fair. And I believe that this is an area that we have to figure out how to make it fair and understanding that the family, the individual served by the system is at a disadvantage.

What can we do to level that playing field so it's on a fair -- a more fair basis?
Thank you.

FACILITATOR BLOOMER:

Thanks, Fernando. Carola, please. And others be thinking about, like what comes up for you when you think about documents and guidelines and awareness around what is accepted as a requirement versus guidelines and clarity you're looking for in this sphere. Carola, please go ahead.

COMMITTEE MEMBER MARANON:

Yes, I want to share a little bit of my experience as a trainer for families and self-advocates in concepts as complex as the self-determination program.

I'm also Latino, so I was raised in a Latino country. And I understand what's our learning style.

I think it's very important for our community, and I largely hear from the public comments from my community today what is needed, what is -- what's happening.

I think the answers to documents that are (inaudible) language. Because Fernando's right, we're not attorneys. Most of our parents are at different levels of education. And we all come and face this process with different tools.

So, in order to make it easier and, you know, like make it more accessible we need that. We need documents that are accessible, plain language, you know, universal to sign for, for understanding and learning things.

So, that's something that we seriously need to consider. I think I saw a huge difference when we start training in (inaudible) language. And then the way that people observe information is different if they are exposed to their -- those concepts in their own language. Thanks.

FACILITATOR BLOOMER:

Thanks so much, Carola. Maria?

COMMITTEE MEMBER IRIARTE:

Thank you. I mean, I think it's nice that, you know, the DRC publication is given to the Judge. But the Judge shouldn't rely on publications to make decisions.

You look to the statutes, and you look to the regulations to decide that. So, that's nice that our publications are being used and others. But that shouldn't be what is relied on -- what should be relied on. And Judges know that.

So, I think -- to me it keeps on coming back to are the Judges being -- do they under -- are they -- I'm sure they're being trained on the law. But maybe they need more training. Maybe they need a better understanding of the system, the services, et cetera, et cetera.

FACILITATOR BLOOMER:

Thank you. All right, Jennifer, we're going to be looking for a comment in the chat.

Okay, "So WIC, Welfare Institutions Code, since it's a statute 4712(b)(2) points out that hearing officers shall receive training on many areas, including relevant written directives and guidance issued by the Department, also Lanterman Act, case law, et cetera. Also, in that same statute but in clause (I)(2), "Any relevant evidence shall be admitted."

I really appreciate contributions of some of these -- from some of these sources. I mean, I think it speaks to just trying to get our arms around -- arms around this.

Other members of the Advisory Committee as you sort of think about again what -- for more discussion, you know, in the new year and possibly some recommendations. Do others have thoughts about this topic of the accessibility of documents? The clarity of what's required versus guidelines, Judges training around that?

And while you think about that and get ready to raise your hand, I'll mention Jennifer's additional comment in the chat. "Information about what could be shared in hearings is in the appeals information packet." Okay.

Anything else on this topic from Taleen, Silvia, Yulahlia?

COMMITTEE MEMBER HERNANDEZ:

This is Yulahlia. I guess my quick thought, also, around this topic is that Regional Center will cite their own policies on the notice of actions, but then not provide them to the family.

As far as Welfare and Institutions Codes that they cite, presumably the family can, you know, maybe search for them. You know, I think they could be provided.

But the internal policies or procedures, whatever they're calling them, they have to ask the Regional Center for them. And it's not always easy to get a copy, if the family even knows to ask.

So, that might be outside of what OAH can cover. But I think that those policies should be included in an NOA if the Regional Center is relying on them.

FACILITATOR BLOOMER:

Thanks, Yulahlia. And again, if this comes back up in a future meeting, if someone proposes it as an agenda item, again I hope you all keep these thoughts fresh to contribute to that.

Silvia, please go ahead.

COMMITTEE MEMBER YEH:

Speaking of notice of action, I think this is, like Fernando says, we are not experts in the law. And it could be very hard, and especially to the minority English not as the first language. And it's very difficult. And they're frightened, you know.

And I think in the past only 10 days, it's extended to 30 days right now. But still, though, it needs some assistance to the family who can be on their side to advocate for them. And I think it's important, not just here, here's the paper, you deal with that, you're going to hearing.

They need somebody to help them to go through that. And at the Master Plan, you know, I suggest to have a multiculture advisory that can help the family going through the system on that.

And I think for OAH, I think someone we can recommend, some assistance to the family, go through the hearing process.

FACILITATOR BLOOMER:

Thanks, Silvia, wow. Now connecting back to the Master Plan conversation too, all right. Fernando, and then Jennifer, and then Taleen.

COMMITTEE MEMBER GOMEZ:

Thank you, Karin. And just to expand a little bit on what Yulahlia has been sharing in the sense that as we're navigating this process we know how overwhelming and challenging it is on this side of the ledger. Because, like Maria just said, we're not experts.

So, we have to simplify this thing. But I'm thinking that maybe as we talk about it here as a Committee under the OAH umbrella, that this is a conversation that should also be directed more so towards DDS when it comes to process.

And Denise, I know that you and your team, you know, play a big role on this. And Denise is here, there she is, yeah.

So, maybe this is something that as we pick up it can continue. And I don't know what the right way to do that because of course, maybe it's not going to be able to continue as a conversation with the Stakeholder Committee.

But these are issues that when you connect with the stakeholders in different ways, that can be brought up and addressed. Because this is a great conversation. But it can't -- it's conversation that hasn't some kind of outcome, then we're just kind of spinning wheels here. Thank you.

FACILITATOR BLOOMER:

Thanks, Fernando. And again, forgive me if I'm -- this isn't helpful at all. But just as a reminder while the Committee isn't in a position to take votes on recommendations today, it doesn't obviously preclude you from doing so in the future.

So, again, I would just really encourage you all to be thinking about what does this conversation bring up for you as possible recommendations to then bring up at the next meeting?

And then OAH can respond. And if some of that's not within their purview, you know, what -- that's helpful to know. And it might help with clarity on, you know, other avenues for seeking help if it's not under their purview.

Okay, Jennifer and then Taleen. So, I'm going to look to the chat.

Jennifer says, "I agree with the comments about the code section/policy details not being provided in the notice of action for NOAs. There is a two page DDS notice of action form that all Regional Centers now use. And the space is limited. More details are provided by our Regional Center in the informal meeting decision letters." Okay, good, more data on how that's working.

Taleen, please go ahead.

COMMITTEE MEMBER KHATCHADOURIAN:

You know, I've been kind of quiet, only because everything that I have to say is being said. And to value everyone's time I didn't want to be repetitive and redundant.

But one of the things that was brought up, actually Silvia brought up, was about those families who have English as their second language. And as you all know, my family being Armenian, I'm very involved in the community.

And we run into this all the time where families feel like everyone is speaking either above them or too fast, or they're embarrassed to even mention that they don't understand something.

As well, some individuals who are very strong advocates regardless of language will rattle off and show their frustration with the process.

So, we have to keep that under consideration. But at the same time, let's also keep into consideration that there is a growing number of self-advocates. The stronger they -- our loved ones become that we're giving them the power to, you know, voice their own opinion, it's no different in the appeals process, right, and the hearing process?

So, we need to be able to have information available in a way that they're able to absorb and utilize.

And along the same lines, when, you know, we talk about our Regional Centers and our families, the Regional Centers was mentioned earlier, I believe it was about the fact that they have a number of people that come to the meetings while the family might be there with their self-advocate or their minor child or whoever it is that they're supporting.

There isn't an understanding of the fact that they can bring witnesses with them and who can they bring from their side, when the Regional Center is sitting on all

these professionals, right, at their beck and call who are being paid regardless of where they are that day, right?

So, they could be called into a hearing while the families or the individuals are, number one they don't know who they can bring. When they can bring that person. How that process works. And then how to pay for that person, right? Because they need to pay for that advocate.

So, it kind of all -- they don't know where it all fits, to be honest with you. But I feel like this conversation cannot move forward without taking that case into consideration for self-advocates.

FACILITATOR BLOOMER:

Thanks, Taleen. We definitely want to hear from you, so glad you did share that.

So, any other reflections? We're going to be moving to public comment in just a moment here. So, I just want to pause. A lot of good discussion today across these agenda items.

Fernando?

COMMITTEE MEMBER GOMEZ:

Yeah, you know, as -- I know we're getting ready to move into our next phase. In listening to what was just being shared by Taleen which, you know, makes a lot of sense, right?

And I just wanted us -- I wanted to -- us -- encourage use to think about where we're moving into, into the space that we're moving into.

We started off this whole process because of the challenges, the issues, the concerns, the fears, the mistrust. It's not just the mistrust of the community into the system, but the system mistrusting the community.

All of these things rolled up into trying to figure out a process that will work for everybody.

But I believe that we're also now going into an area where all of this is going to be more magnified and enhanced based on people's mental state, mental duress, the stress.

So, this is something that I think is, unfortunately, not going to be minimizing or dwindling down. I think it's going to be amplified.

And I'm not saying that to kind of like raise, you know, a fire alarm here. I'm just saying it's what can we do to acknowledge that that possibility exists? And then be able to start toning things down so that it works as best possible.

And here, again, there's no way we're going to reach some kind of solution in this conversation right now. But I think that if we have the ability to do something, now's the time to do it. Thank you.

FACILITATOR BLOOMER:

Thanks, Fernando. Any other final reflections from any Committee member before we move to public comment? Carola?

COMMITTEE MEMBER MARANON:

Yeah, I just -- I'm just reflecting about the input we received from the public today that was very significant coming from the community. And they were not multiple communities, but we specifically heard one of the communities.

And I'm reflecting on what they said we need more training. We need to learn. And in my experiencing, learning has been the key to limit tensions and struggles when people know and have access to the information, the accurate information that's accessible, that'll reduce a lot of the stress in our hands.

So, I think what we're hearing as -- and when I did my own first hearings at the Regional Center, I invested a lot of time educating myself about the process. But I'm a chemical engineer, I have a masters. So, it was accessible. I didn't have the language barrier.

But I can only imagine how this will be hard for others. And I think that's when this part is happening, when the struggles happen, when the tensions increase.

So, I think -- I think one of the keys of the success will be knowledge. And I always try to encourage that on my students or the people who participate in my training.

It's like, the key of the success is the knowledge. And that's going to open the door, you know, to the appropriate services.

And so, I just want to lay that thought, you know, with you that maybe we need to focus on that recommendation, that specific recommendation, giving access to accessible trainings for all communities and (inaudible). Thank you.

FACILITATOR BLOOMER:

Thanks so much, Carola. Silvia?

COMMITTEE MEMBER YEH:

Well, you know, in response to Carola's comments about training and education. And would there be a system, or can we recommend that documents or a video shows families what to do through the hearing. You know, what can you obtain, what will be discussed, how is the Judge, you know, what do you need to bring.

And I think that kind of thing is very important. So, families are prepared to go to the hearing so they can present their cases.

And, you know, I think once you go to the hearing it's very emotional. You're feelings hurt because you feel like, you know, the Regional Center is supposed to serve you, now it's (inaudible) to the need to meet your needs.

And so, when your emotion gets there your brain probably cannot work very well. I mean, you're too emotional, and you cannot present well.

So, I think if there is a training video or some documents that can prevent a family, how can you still remain logical when you present your case so you have more chance to really speak up for yourself or, you know, the advocate can help you on that.

And I hope that, you know, kind of standardized videos or handbook that family -- can help family on that.

FACILITATOR BLOOMER:

Thanks, Silvia. Okay, seeing the time, Fernando, you may have the last word here.

COMMITTEE MEMBER GOMEZ:

And I'll be very brief. I agree with Silvia. I think that really the best solution is to walk in with an advocate. To have a strong circle of support, not going through this alone.

Because through that circle of support I think that you have a better opportunity to understand the process or at least be able to push your word out.

But in saying that, I believe that at our highest point we had almost 140 individuals today. And that reflects of how important the subject matter is. So, to those of you who are in the public who are here today, thank you for being and sticking through all this time and supporting this conversation.

And I believe that we are your voice. And we need to capture what your ideas and challenges are so that we make sure that we address them.

So, I just want to say thank you to the community and, of course, to everybody here who make this meeting -- who's making these meetings possible. Thank you.

FACILITATOR BLOOMER:

Thank you, Fernando. Thank you Advisory Committee members and, indeed, the public. We're going to turn to -- oh, excuse me, Antony, before we do that. Wonderful to hear from you, please go ahead.

COMMITTEE MEMBER MARRON:

Okay, now I'm unmuted, sorry. I just want to -- I've been through the -- not an advocate process, but more of a Subcommittee of the Regional Center where they have a little bit of oversight from an outside agency.

And unfortunately, they have their rules -- when I say unfortunately that may be a poor choice of words. But they have their own rules and regulations of what can be addressed and what doesn't have to be addressed.

Now, I'm wondering if this advocacy, is it more of a -- something that's truly separate from the agencies themselves? So, like they can -- they can assist the parents and the individual? Is that -- is that the intention anyways? Are they to be separate?

FACILITATOR BLOOMER:

So, Antony, is it a question in terms of what -- in terms of what people are beginning to brainstorm here and suggest? You're asking --

COMMITTEE MEMBER MARRON:

Right.

FACILITATOR BLOOMER:

-- you're asking that?

COMMITTEE MEMBER MARRON:

Right, and that's all. Just what's the intention. Because if you put it on top of what's already there, I'm concerned about when I tried it they said, well your daughter doesn't qualify for that.

So, it just stonewalls you. And whatever complaints or concerns you have, if it all of a sudden doesn't fall into their purview or there area of understanding of the rules and regulations, then all of a sudden you're, hey, you think you have an advocate. But you don't.

FACILITATOR BLOOMER:

Uh-huh.

COMMITTEE MEMBER MARRON:

Because of certain roadblocks, I guess. I can only use roadblocks right now. But it's -- it should -- I'm wondering of the intention of what you're all talking about, should it be separate from, you know, any government office is what I'm saying.

FACILITATOR BLOOMER:

So, advocacy assistance versus --

COMMITTEE MEMBER MARRON:

Yeah, right.

FACILITATOR BLOOMER:

-- inside the Regional Center, DDS, or the state in general.

COMMITTEE MEMBER MARRON:

Right, and I don't mean to say everybody's scheming about everybody else. I'm not saying that. But still, I'm just trying to voice my unfortunate hurdles that I've gone through.

FACILITATOR BLOOMER:

Thank you for that.

COMMITTEE MEMBER MARRON:

So, thank you very much.

FACILITATOR BLOOMER:

Thank you. And I'm hearing you say you see it needing to be outside for those reasons you've experienced, if I understand --

COMMITTEE MEMBER MARRON:

Right.

FACILITATOR BLOOMER:

-- correct.

COMMITTEE MEMBER MARRON:

Or a configuration where they are truly advocates and not, hey we're making back more phone calls to whoever, and we're going to impede. You know, that type of thing. It should be very well structured in that way if possible.

FACILITATOR BLOOMER:

Thank you for that. Do we have a Committee member or two, just in like 30 seconds each that can respond to Antony's question about what you were thinking as it related to the advocacy and support? Fernando, go ahead.

COMMITTEE MEMBER GOMEZ:

Antony, you're on the right track. I think that Georgetown did a pretty extensive research report on outreach, and when it comes to disparities and find out that the navigation. Like what we have, the ICC Integradora, that model works.

You can have -- you have an advocate who understands and knows the system, they're really your best choice or option, if you will, in trying to navigate.

It's not fool proof, and it's not 100-percent. But it's really your best choice.

COMMITTEE MEMBER MARRON:

Right, okay.

FACILITATOR BLOOMER:

And I think Jennifer also has a response to offer. Oh, and here it is, sorry.

Actually, I think she's got something new. So, forgive me. I should also read what she wrote earlier.

Oh, I read that comment earlier, so sorry. And now I'll just wait for Jennifer's new response. And then we'll -- and then we'll turn to public comment.

COMMITTEE MEMBER MARRON:

And thank you all for your attention on this.

FACILITATOR BLOOMER:

Yeah, Antony, thank you so much for weighing in. I appreciate hearing from every single one of you today. It's really --

COMMITTEE MEMBER MARRON:

Well, I was very concerned about the detail. But also, when anybody's going through this process it's just these unfortunate hurdles or walls that can come up, so.

FACILITATOR BLOOMER:

Thank you. Okay, from Jennifer Cummings.

"The best way for the appeals procedure to be helpful and accessible for every consumer/family going through an appeal would be for an agency like OCRA to be appointed and funded by the Department of Developmental Services to represent the consumer/family. Perhaps an idea."

Thank you, Jennifer. All right, capturing that too. And thank you, and she spelled out OCRA, Office of Client's Right's Advocacy.

Excellent, you read my mind. Thank you so much.

Okay, with that, again we honor input from the public. And so, we're going to turn to public comment now, which can respond to the previous agenda items. Also, general public comment of any kind.

We're going to take it in the same order where we will be taking -- please raise your hand if you want to provide verbal public comment. We'll take that.

Then we will see, and I understand there is, emailed comments. And then we will ask if there is anyone who wants to request an accommodation to provide public comment in the chat. And at that time we'll ask for those individuals to raise their hands then.

Okay, Susan again, please correct me or add anything that I failed to mention. And I'll turn it to you. Susan, you're muted. And I was muted tell you, you were muted, so.

DIVISION CHIEF ALJ FORMAKER:

Sorry about that, it's the end of the day.

All right, I'm calling on Elena. And please make sure to unmute yourself. And you've got two minutes starting now.

FACILITATOR BLOOMER:

Elena, you look like you're still muted on your end. Are you able to unmute on your end?

Susan, should we move on and maybe come back to Elena?

DIVISION CHIEF ALJ FORMAKER:

Yeah, I'm concerned that Elena may actually need the chat. So, I'm going to call on Kristianna Moralls.

MS. MORALLS:

Hi, I wanted to back what Jennifer was saying and Taleen. That, you know, you have a system where you need to subpoena people. You need to have discovery.

You do -- these are not things parents or participants can do. And the idea that we're going to train them into this doesn't make sense. That in the due process arena you can -- attorneys can be reimbursed for representing you.

So, they will do it on a contingency basis. In fair hearing they do not have that. So, we -- most of the attorneys will not represent people. You have to pay them out of your pocket.

And so, this makes it a very unfair process, where we've got people who are trained attorneys. Who are, you know, have expert witnesses on call for them. And then you have parents who are supposed to somehow get a fair shake at this.

And I don't think that's realistic. I think that Jennifer had a really great idea, saying that participants get assigned an OCRA person. Or they make it so attorney's fees can be recovered to make this truly an accessible process for participants.

DIVISION CHIEF ALJ FORMAKER:

All right, thank you. Next I'm going to call on Adelaida Sanchez. Please make sure you're -- yeah.

SPANISH INTERPRETER BLUM FOR MS. SANCHEZ:

Good afternoon -- good afternoon. Well, thanks again for the opportunity to address the panel so us families can make our suggestions.

And in this case, I'd like to mention in regards to the comment that we had within the Committee.

I think that, as we will know, many of the families or people that are contributing within this Committee have education, are well-prepared, as well as many other families.

But also, let's keep in mind those families that cannot even read and write. So, recently, on my own experience, I knew several families that need to have like a Team or a phone and take screenshots of certain policies and ask then the program on the phone to read it out loud.

So, we need to consider those families that do not have the ability to read or write, not even comprehend or understand what the policy says.

Many, many families are relying on the coordinator to support in this way. But that's not the case. They cannot truly count on the service coordinator.

And also, I think it would be a very good idea if each coordinator can call the family. Because as of now it's not happening.

I think that the job of the coordinators is to engage in this communication with each family so they know actual -- the actual needs of the family.

And it is my understanding that years back it used to happen. Nowadays it does not.

And considering that self-determination, this program, sometimes the responsibilities are given to the independent facilitators. And, of course, I respect their

job enormously. But they need to engage. They need to study. They need to know the policy. They need to know the law.

But let's think of those families that cannot even afford that because they have a very, very limited expense plan.

So, how are they supposed to get help? It is very important to consider this. And I do hope that this Committee can do something for these people that do not have the ability to read, write. For those that don't have the support of an independent facilitator. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, next we have Elena.

ELENA:

Hi, can you hear me?

DIVISION CHIEF ALJ FORMAKER:

Yes.

ELENA:

Okay, thank you. Sorry for the technical difficulty before.

DIVISION CHIEF ALJ FORMAKER:

No problem.

ELENA:

I am the parent of an almost 22-year-old Regional Center client. And I just -- you mentioned earlier about the informal meeting and then the report that comes thereafter.

And I was wondering if it's five days or five business days is one question I have. Can anyone hear me?

FACILITATOR BLOOMER:

Hi, Elena. Yeah, I believe -- I believe the public comment is one-way testimony. That's my understanding.

ELENA:

I don't -- what does that mean?

FACILITATOR BLOOMER:

I'm not sure if OAH or another entity is in a position to provide answers directly during public comment.

ELENA:

Oh, okay.

FACILITATOR BLOOMER:

There is an email address in all of the, like for the invitations and for the agendas and everything on the OAH website. And so, perhaps an email -- using an email for that question might help.

ELENA:

Okay. I can look it up -- I can look it up myself. I just -- since I was on the call I haven't been able to find the answer myself, so I thought I'd ask.

Can I ask another question? I don't know if it'll be allowed.

But the SDP process from start to finish, I've heard very different experiences. Could anybody comment on that?

DIVISION CHIEF ALJ FORMAKER:

Thirty more seconds.

FACILITATOR BLOOMER:

Elena, I'm so sorry. I think this is really just giving public testimony. So, feel free to ask these questions. But I don't think there's a dialogue that we're engaging in during public comment.

ELENA:

Oh, okay.

FACILITATOR BLOOMER:

I'm sorry.

ELENA:

All right, can I just say one more thing then?

FACILITATOR BLOOMER:

I think in the time --

DIVISION CHIEF ALJ FORMAKER:

You have 10 seconds.

ELENA:

Okay, I just heard Red River Coast Regional Center mentioned a few times. And that's not lost on me, because it's a small catchment area. So, I just wanted to mention that.

DIVISION CHIEF ALJ FORMAKER:

Okay, thank you.

ELENA:

Thank you.

DIVISION CHIEF ALJ FORMAKER:

All right, next is Shirlys Gruber.

SPANISH INTERPRETER BLUM FOR MS. LOPEZ:

Hi, good afternoon.

DIVISION CHIEF ALJ FORMAKER:

Is this Shirlys Gruber?

FACILITATOR BLOOMER:

It's Maria Lopez.

DIVISION CHIEF ALJ FORMAKER:

No, okay.

MS. LOPEZ:

No.

DIVISION CHIEF ALJ FORMAKER:

I guess Shirlys Gruber lowered her hand. All right, so Maria Lopez, you can speak now.

SPANISH INTERPRETER BLUM FOR MS. LOPEZ:

Thank you, thank you so much. First of all, again, thank you all.

And I would like to echo the comment by Ms. Moralls that spoke in regards of how we have -- we are families, we are just mothers. Many of us don't have any kind of professional qualifications nor a specialty. We're not attorneys.

And that makes us -- for us incredibly burdensome to navigate this hearing thing.

And also, including the electronic system that they have nowadays. So, this system, many times, sadly is not easy to navigate. It is extremely difficult. And it is something that the Committee needs to take into account.

First of all, of course, we should have attorneys available to help the families directly. Because me, as a mom, throughout the years I have suffered. I have invested way too many hours of my time in hearings and in processes.

And this is time that I'm taking away from my children, my family, my person. And, of course, this puts in risk my wellness, both physical and mental and emotional. Because this is -- this is a strong process, sometimes very difficult.

These hearings can be very emotional. Sometimes staff has no empathy, has no experience. And they don't fully grasp that us families are in dire need of the support throughout these processes.

But not only we need support and empathy, we also need attorneys. Someone that can guide us through the process and help us through the process one on one so we can navigate this difficult system, because it's hard.

The electronic system that the Hearing Department currently has, it's difficult for a mom, for someone that cannot read, write, that's not tech savvy, doesn't know English. It's not attainable, and it's not accessible.

So, I hope that this Committee can make some changes, because they're needed. And they're needed on an urgent basis. Because we families are losing our kids in a process like this. And we have to, because there is no other option. It's our children that are -- that are on the line.

But this doesn't mean that it's easy or we're experts. So, please, please address this type of issue.

That's my comment, thank you.

DIVISION CHIEF ALJ FORMAKER:

Okay, thank you.

FACILITATOR BLOOMER:

And Susan, after you take this next speaker, I wonder if we could then turn to the emailed comments?

DIVISION CHIEF ALJ FORMAKER:

All right, next we have Shirlys Gruber. Is this Shirlys Gruber?

INTERPRETER BLUM FOR MS. GRUBER:

Yes, good afternoon. Thanks again for allowing me to comment.

I echo the comment by Ms. Maria, because that's true. I mean, we -- I mean, in my case, because I do have certain knowledge.

Even then it was very difficult to access this platform or the system, uploading documents, reviewing documents, analyzing the file, a bunch of notifications with change of dates regarding the informal hearing and mediation.

And yes, definitely, although I do have certain knowledge, it was very, very difficult. So, it would be advisable for the Committee to reconsider the access and make it easier.

Because us, as families, are already struggling with a lot of system, with a lot of publications, with a lot of processes that we need to follow. So, that would be advisable.

And another point that I heard before, and I join this cause for sure is, of course, when we get denied a service or a resource, definitely this entity should follow up on the statistics.

Because when we get the approval of the services, I mean, why were we as a family subjected to this process? We don't have the time for this, definitely.

When we have a diagnosis of a family member it's overwhelming. It's something that only us in these shoes can understand this experience.

So, we implore you, we beg you, for this Committee to reconsider and reevaluate why these denials are happening. And when we file an appeal and the appeal is granted, what's happening? How can we make a change so this doesn't happen anymore?

DIVISION CHIEF ALJ FORMAKER:

Thank you.

FACILITATOR BLOOMER:

Thank you.

DIVISION CHIEF ALJ FORMAKER:

All right, so at this point, we're going to move to the written emailed comments that we have received, either during the meeting with respect to specific agenda items or before the meeting or during the meeting, that are just general comments.

So, I would call on Maryjosephine Norrington or Tzer Lor-Snyder to read aloud those emails. And again, there is going to be a two minute limit on those emails as they are read aloud.

MS. NORRINGTON:

Good afternoon, this is Maryjosephine.

First email comment. "Comments for fair hearings reform. My name is Ruby Saldania, mother of three clients served by Regional Center System. I'm also ICC Integradora.

I have been witnessing fair hirings (sic) in many RCs across the state. The issues are as follows.

Translation is a huge issue. A simultaneous translation doesn't work, since for those who understand both language, we know that simultaneous translation, most of the time, only gives the family a summary of the conversation.

The Judges are getting confused about services. Example, the difference between IHSS versus personal assistant from Regional Center.

Half of my own experiences supporting families across the states in the hirings (sic) start and end unfairly for the families who are intimidated by the Judge, implying from the beginning that they are on the side of the Regional Centers. Even if this is not true, the attitude of the Judge looks like they take favor the Centers."

Next email comment, "Lanterman Act. Hello, how can I get information on the appeals process for 3-4 year olds prior to mandated school-aged children in special education to obtain services?"

Next email comment, "Is it really a service if you are number 400 on the list? San Diego Regional Center vendors three companies for music therapy. Two serve the North County and one serves the rest of San Diego County. My son is fortunate, because he is able to attend in the morning.

The wait in line for those who attend school is much, much longer. I inquired a month ago, and today at his quarterly again. He is still number 400 on the waiting list. I have asked for a denial letter, because I hope to prompt them to do the leg work to get more music therapist companies vendored (sic)."

It is really a benefit if you have to wait -- I'm sorry. "Is it really a benefit if you have to wait for 399 others to be placed?" Leslie Gollub, G-O-L-L-U-B.

Next email comment, "Office of Administrative Hearings, OAH, regarding the Lanterman Act service and eligibility appeals process.

I would like to comment on the appeals process. I recently filed an appeal. I am a client of the Regional Center System and the self-determination program. When I filed my appeal, there was a question about a representative, but it did not give any information about what that meant.

I signed my IF up as my representative because he would be the person helping me with my appeal, not the person doing it for me, but with me.

It turns out that if you sign up a person to be your representative it means that you are giving away your rights. It makes them the person who makes your decisions for you. It should not be so easy to give up your rights that you do not even know that you are doing it. They need to give a better explanation of what it means.

I looked for definitions and found none. Fortunately, my IF gave my rights back to me and helped me get that fixed right off.

This experience did not make me feel a lot of trust in the system. Maybe there should be a better explanation of what a representative is. Perhaps also offer the option to choose a better person to be your advocate to do this process with.

You who will receive all the same information so they are able to help you, as this is what I thought I was signing up for. It would be a -- it would be good to have both options and be given a choice that is an informed choice with information as to what your choice is."

DIVISION CHIEF ALJ FORMAKER:

Okay, the two minutes is up. Is there any -- anything else?

MS. NORRINGTON:

Tina Ewing Wilson and Buddy (phonetic).

DIVISION CHIEF ALJ FORMAKER:

Okay. Are there any other written comments?

MS. NORRINGTON:

Yes, I have two more.

DIVISION CHIEF ALJ FORMAKER:

Okay.

MS. NORRINGTON:

The next written comment, "Thread proof of negligence from OAH. Hello, attached is this thread of proof of OAH SD negligence to my child. I made Judge Berg aware of judicial misconduct experienced by Judge Walker, who made a ruling on my behalf despite being told I did not agree with what he was ruling on.

I have two witnesses to his misconduct. And I never received any type of reassurance from Berg that the following upcoming hearing on our appeals case would be treated fairly, since Walker approved to be unfair in mediation.

This made me dismiss the entire appeal due to the gross negligence onto my son and myself. Again, witnessed by two outsiders who were in attendance, one of them also made a separate complaint. Nothing ever came of the complaint.

Aside from this, OAH SD refused to allow combination of appeals despite DRC recommending that. This is a broken system. Your OAH Judges have no idea about the Lanterman Act.

This appeals process is set up to fail the consumer, and it's doing an impressive job at failing most who endure the appeals process.

Shame on you all. You're here to help and make educated decisions. But you completely lack the education on the Lanterman Act."

Included with this public comment is an email thread between Les Pachó (phonetic) and OAH dated from January 2024.

Email threads are not considered public comment. And therefore, the email thread will not be read. This concludes this public comment.

Next public comment, "Sharing our experience with Lanterman Act programs, SDP, Regional Center, and OAH for public hearing on November 12th, 2024.

Dear OAH AC, I am submitting my experience for the upcoming public meeting on effectiveness of the fair hearing and reconsideration processes under the Lanterman Act.

My case sheds light on several systematic issues, particularly the inconsistent application of the ex-principles and the lack of meaningful consideration for individual needs, as demonstrated in my experience with Tri-Counties Regional Center, TCRC.

In my case, I provided extensive medical documentation, including a doctor's prescription specifically recommending sensory equipment for my child to support their unique needs.

Despite this, TCRC categorized the equipment as recreational and declined -- and declined to fund it. Even though similar requests have been approved for other clients under the same Regional Center and Judge.

Additionally, when I saw alternative options, TCRC was unable to provide any feasible local alternatives, further limiting my ability to address my child's prescribed needs.

Instead of focusing on my child's true needs, TCRC medical team was instructed to look for flaws to deny the request. A direct quote from Dr. Little, which can be heard in the audio recording of my son's fair hearing.

During the reconsideration phase, I --

DIVISION CHIEF ALJ FORMAKER:

Thirty seconds.

MS. NORRINGTON:

-- had additional setbacks due to procedural miscommunications. After verifying that my reconsideration request was sent to the correct office OAH" --

DIVISION CHIEF ALJ FORMAKER:

Okay, two minutes is up.

MS. NORRINGTON:

-- "I was later informed on the -- after due date had passed that the request should have been directed to DDS."

The two minutes for reading comments has passed. There were additional comments that are unable to be read due to the time limit.

Also, there are attachments to the email. And attachments are not considered to be included in public comments.

This comment was signed from Samantha Soliman, S-O-L-I-M-A-N.

DIVISION CHIEF ALJ FORMAKER:

Okay. I see that there are two more hands up, one from Judy Mark, Disability Voices, and one from Cendy Topete.

And I want to make sure that if either of those voice -- those hands was pertaining to a public comment from someone needing the chat as an accommodation. We provide that opportunity first, because we are at 4:01 p.m.

If you did not need chat as an accommodation, can you put your hand down at this time?

Okay, so we're going to promote Judy Mark to panelist. And you will have two minutes to insert your public comment in the chat. And then it will be read aloud.

And make sure to hit enter so that it's entered and submitted through the chat. Thank you.

FACILITATOR BLOOMER:

So, Susan, Judy's entered her comment.

DIVISION CHIEF ALJ FORMAKER:

Thank you. All right, I'm going to read this comment aloud.

"I would just like to say that it would be important for OAH staff to present a more welcoming environment here at this meeting. The community already lacks trust in the system and in OAH.

There should be an opportunity for exchange of ideas with those at OAH and not be constantly told that you can't offer legal advice.

We want to make the system better. And we hope you do as well. Thank you."

All right, we have one more person raising their hand for public comment that is not needing the chat. I want to make sure that we can do that one verbal comment and that our Spanish interpreters can just stay on.

All right, so Cendy Topete. I hope I'm not mispronouncing your name. Please go ahead and speak.

MS. TOPETE:

Yes, my name is Cendy Topete. I have two clients of the Regional Center and I'm also part of ICC Integradora.

And I really support the comments for Maria, Ruby, and Judy, because as (inaudible) I have seen so many of the hearings being (inaudible) for the families.

And it would be nice if they keep maintaining the Judges, like in the middle, not just taking sides. Because it's very intimidating for families coming up to -- in front of the Regional Center and coming up in front of the Judge.

And they're still not even feeling safe to talk or explain their opinion because interpretation -- interpreter is not saying what the family is expressing.

Sometimes the interpreter also takes sides and say only what they want to say. Which is really sad, because as supporters of the family, we can -- we don't have no voice. So, we just have to sit and listen.

And that makes less chances for the family to have their voice heard. Because with interpreters, they're not even listening to the needs.

So, it would be nice if they would all have qualified interpretation.

DIVISION CHIEF ALJ FORMAKER:

Thirty more seconds.

MS. TOPETE:

And also if they can allow their (inaudible) support talk. Because not all Regional Centers permit the families to have the support group make the opinion or testify. They tell them not to, it's only the family, and that's not fair. Thank you.

DIVISION CHIEF ALJ FORMAKER:

Thank you.

FACILITATOR BLOOMER:

Thank you so much members of the public for your comments. Members of the Advisory Committee thank you so much for commitment and your time today. And to all the staff that helped, thank you.

Keep an eye out for meeting dates for the new year, early February.

Thank you all so much. And have a great afternoon and evening.

DIVISION CHIEF ALJ FORMAKER:

Thank you, everyone.

FACILITATOR BLOOMER:

Bye.

(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 November 12, 2024, Office of Administrative Hearings, via Zoom videoconference. This is the corrected original transcript and the statements that appear in this transcript were transcribed by me to the best of my ability. Executed under penalty of perjury in Sacramento, California on the 5th day of December, 2024.

Sherry L. Mainus

Transcriber

Northern California Court Reporters