

February 9th, 2021

Senator Susan Talamantes Eggman
Chair, Senate Budget Subcommittee #3 on Health and Human Services

Assemblymember Joaquin Arambula
Chair, Assembly Committee on Budget, Subcommittee #1 on Health and Human Services

RE: Department of Developmental Services (4300) – Governor’s 2021-22 Proposed Budget

Honorable Senator Talamantes Eggman and Assemblymember Arambula:

The Association of Regional Center Agencies (ARCA) represents the network of 21 regional centers, community-based organizations that serve more than 350,000 Californian children and adults with developmental disabilities. We thank you for this opportunity to comment on the Governor’s proposed Budget for FY 2021-22 for the Department of Developmental Services (DDS).

Lessons Learned During the Pandemic

Prior to the release of the Governor’s Proposed Budget, the Lanterman Coalition, which is composed of many of the leading statewide developmental services organizations in California, evaluated the impact the pandemic has had on those with developmental disabilities and their families. The public health crisis, its associated economic downturn, and rapid changes in daily life challenged the developmental services system to pivot and retool in ways that few could have imagined a year ago. A few key lessons emerged from the experiences of those served, their families, and the organizations that support them, including the need to prioritize equity, sustainability, and long-term investments.

Enhancing Equity

The impacts of the pandemic differed across communities in California, with those that are economically challenged facing the poorest health outcomes due to more dense housing and a higher proportion of workers in low-wage essential jobs. While this has been a period of unprecedented flexibility in service delivery, some of the innovations have required access to remote technology that is either not readily available or not easily used in all homes or communities. Closing this digital divide must be a priority moving forward to provide all people served the same degree of choice and access.

Equity means assuring all people served by a system have access to quality services and supports they need in their communities. Some populations require dedicated supports to make this possible. ARCA appreciates the inclusion of some of these priorities in the Governor's Proposed Budget.

Diverse Communities

ARCA supports the proposals in the Governor's Budget that seek to improve access to critical developmental services for diverse communities. After four years of funding the Disparity Funds Program, it is time to both evaluate what works and expand on promising practices.

The Community Navigator program builds on work that has demonstrated the importance of providing families with a member of their community to help familiarize them with a variety of social services. Housing these programs in family resource centers ensures a connection with family members who have experience parenting a child with a disability. The success of the program will be dependent on establishment of reasonable expectations regarding: 1) The number of people who can receive support; 2) The length of time each will require support; 3) Coordination between these programs and regional centers; 4) Consistent evaluation of the programs; and 5) The recognition that the programs will need to be tailored to their own communities.

Multi-Agency Foster Youth

The more agencies a child has involved in their life, the greater the need for coordination to best support the child. ARCA supports the proposal to make the 15 regional center positions focused on coordination with child welfare and other agencies permanent.

Crisis Prevention

The Systemic, Therapeutic, Assessment, Resources and Treatment (START) model has shown efficacy in improving outcomes for those with some of the most complex psychiatric and behavioral needs. ARCA supports the proposed funding that would enable more communities to access this model, which is designed to assist people needing additional support to maintain their residential setting.

Forensic Support

Regional centers have worked closely with the court system and DDS to support people with developmental disabilities who have the added complexity of being involved in the criminal justice system. Broadening the criminal diversion program in the Fiscal Year 2020-21 Trailer Bill Language challenges regional centers to support individuals with more significant legal charges in their communities, which requires a higher degree of interface with the criminal justice system. The goal is for those supported by regional centers to spend less time in jail. ARCA appreciates the recognition of the need for regional center forensic specialists to carry out this work and better understand trends in this area. While the proposed Budget calls for funding just 5 Forensic Specialist systemwide, ARCA strongly believes each regional center needs funding for at least one of these positions given the intensity of support each person in the criminal justice system requires to efficiently move them through the courts.

Investing in Health, Equity, and Inclusion

During the pandemic period, the developmental services system has pivoted and changed to meet new and emerging needs in creative ways, including remote intake and service coordination practices, the development of Alternative Service Delivery, and expansion of Participant-Directed Services. One essential element supporting these efforts is the state's commitment to near-term sustainable funding.

FY 2020-21 Regional Center Operations

The total number of people being supported by regional centers has not grown as much as was anticipated this year, in part because people are using regional centers' primary referral sources (e.g., schools, doctors, daycare centers) differently. Regional center staff have spent more time supporting each person served through intensive service coordination, as well as pandemic-related activities including the distribution of more than 25 million pieces of personal protective equipment. ARCA appreciates and supports the proposal in the Governor's Proposed Budget to maintain budgeted funding for regional center operations "[to] support regional centers in addressing changes to the demand for services created by the COVID-19 pandemic, and address the anticipated backlog in new referrals."

Extension of Sunsets

ARCA applauds the extension of the timeline for the Supplemental Provider Rate Increases and the Uniform Holiday Schedule suspension for at least an additional 12 months. As these initiatives help people with developmental disabilities access the support they need when they need it, and proposed sunsets create additional uncertainty for providers and people served, ARCA continues to urge these suspensions be made permanent.

Reinforcing the Infrastructure

While the pandemic period has been a testament to the strength and resiliency of California's developmental services system, it has also highlighted areas that require additional long-term investment that would allow them to evolve to meet the needs of people served and their families now and in the future.

Emergency Coordination

ARCA appreciates and supports the proposal to provide funding for each regional center to carry out emergency coordination work. In the last few years, regional centers have taken an active role in helping their communities respond to fires, mudslides, mass evacuations, and a pandemic. They play a critical role in ensuring the needs of people with disabilities and their families are not overlooked in emergency planning, preparation, response, and recovery. This work involves everything from highlighting the need for shelters to be prepared to puree food, to disaster notifications, to checking on the medication supply of those who have been evacuated. As much of this work requires public-facing collaboration with community partners and the ability to make on-the-spot decisions committing the regional center's resources, the proposed salary should be adjusted to allow the recruitment and retention of a qualified management staff to fill this role.

Service Coordination

Service coordination allows regional centers to support people with developmental disabilities in seeking the most productive, community-integrated, and independent lives possible, during the pandemic and beyond. Each person’s services and supports are customized through a person-centered process that takes into account their specific linguistic, cultural, and specialized needs. This work is most effective when the number of people each service coordinator supports is manageable. The pandemic has highlighted the degree to which those supported by regional centers rely upon service coordination to access not only developmental services but also to navigate other systems for economic, food, and health care support.

In 2001, budgeted salaries for service coordinators were set at a level equivalent to 285% of minimum wage and today have dropped to 117% of statewide minimum wage, which is only about 52% of the actual cost of a service coordinator. Regional centers spend more on service coordination than they receive for that function, but the last annual survey (March 2020) showed a shortfall of 850 service coordinators statewide.

The full needed solution (\$55 million GF annually) is the permanent fix. The chart below illustrates the progress that could be anticipated in achieving this goal at various levels of fiscal investment, based on March 2020 calculations.

	March 2020	\$20M	\$30M	\$40M	\$50M	\$55M
New SC Positions	0	309	464	618	773	850
Caseload Ratio	75.48	70.70	68.54	66.50	64.58	63.66
SC Shortfall	850	541	386	232	77	0

ARCA requests up to \$55 million (GF) annually to allow regional centers to provide the level of service coordination promised to those they support, to better meet the needs of critical populations, and to serve as a commitment to fully fund service coordination going forward. Average compliant caseloads would be fewer than 64 people supported by each service coordinator. If only partial funding is provided this year, a process of community involvement and input from stakeholders would inform each regional center’s decisions about how to meet their local communities’ needs.

Professionalization of the Direct Support Professional Workforce

The Governor’s Proposed Budget includes a reduction of \$26.7 million that was earmarked for provider rate adjustments in response to the 2021 increase in statewide minimum wage. This adjustment is reflective of the failure of the current program to ensure critical funds make their way to the workers supporting people with developmental disabilities, many of whom are now paid minimum wage. To support professionalization of wages for this essential workforce as labor costs continue to rise, future statewide minimum wage adjustments should be spread across all providers as a defined percentage rate increase. This is an important step towards the implementation of a funding methodology that is responsive to actual labor costs, as California’s rate study proposed.

Accounting System Replacement

ARCA requests one-time for funding to replace regional centers' Uniform Fiscal System (UFS). This antiquated information technology system is over 35 years old and cannot keep pace with the requirements put upon it, and is in desperate need of modernization. Funding to begin this project was included in the Governor's Proposed FY 2020-21 Budget but was withdrawn in the May Revise due to a focus on pandemic-related items. Greater stability in this accounting system would enable regional centers to continue processing timely payments, ensure compliance with federal funding data and reporting requirements, and provide more ready access to data to inform the work of decisionmakers. During the pandemic, the inflexibility of UFS has been a barrier to securing needed information regarding service delivery. The urgency of need to replace the existing system cannot be overstated.

Other Systems of Support

Those served by regional centers and their families rely on a variety of services funded outside the developmental services system to support their lives in the community. ARCA appreciates and supports the initiatives contained in the Governor's Proposed Budget related to enhancing funding for In-Home Supportive Services, Proposition 56 adjustments for Medi-Cal programs, special education, and the Golden State Stimulus Program. We also urge the removal of sunsets on critical programs to enhance long-term sustainability and predictability.

ARCA will continue to build on our long-standing collaborative relationships to partner with those served, their family members, the Administration, the Legislature, and community organizations. The importance of working together during these times remains critical to the health, safety and inclusion of the people we serve in their local communities. The pandemic has highlighted both ways that California's developmental services system works well and needed investments for its future. We are deeply committed to meeting today's needs with an eye towards the future. This is possible only by hearing and respecting the diverse perspectives of our system's stakeholders. By doing so, we will be able to keep the promise of the Lanterman Act for hundreds of thousands of Californians who rely on it.

Sincerely,

/s/

Amy Westling

Executive Director

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