



August 10, 2021

To: Harbor Regional Center Individuals Served, Families, Employees and Community Members, State Council on Developmental Disabilities, Service Employees International Union (SEIU) Local 721.

The Department of Developmental Services (DDS) has found the Harbor Regional Center (HRC) to be out of compliance with the requirements in Section 4640.6 (c) of the Welfare and Institutions (W&I) Code. This section in the law requires that regional centers maintain service coordinator-to-persons served caseload ratios at or below specified averages.

HRC reported our caseload ratio data to the Department on March 1, 2021.

- For clients enrolled in the Home and Community Based Services Waiver, a caseload ratio of 1:74 was reported (the caseload ratio required is 1:62).
- For clients that have moved to the community from a developmental center over 24 months ago, HRC reported a ratio of 1:74 (the caseload ratio required is 1:62).
- For clients over the age of 3, that are not enrolled on the Home and Community Based Services Waiver, HRC reported a ratio of 1:76 (the caseload ratio required is 1:66).
- HRC also reported a caseload ratio of 1:27 for clients with complex needs (the caseload ratio required is 1:25).

Section 4640.6 (f) of the W&I Code requires that a plan of correction be developed by a regional center that does not comply with the caseload ratio requirements for two consecutive reporting periods. The final plan will be developed following input from the State Council of Developmental Disabilities, local organizations representing persons served, family members, regional center employees, including recognized labor unions, service providers, and other interested parties.

Please read the draft caseload ratio plan of correction that I propose to send to DDS. Historically Harbor Regional Center has not received sufficient funds to meet the requirements in statute. Additionally, the COVID Pandemic has severely affected our ability to accurately predict caseload growth and hiring needs. In accordance with Section 4640.6 (f) of the W&I Code, your input is requested.

If you would like to provide input, please submit via e-mail to Ratioinput@harborrc.org , or via United States Postal Service (USPS) to Patrick Ruppe, Executive Director, Harbor Regional

Center, 21231 Hawthorne Blvd., Torrance, CA 90503. To be considered, HRC must receive your input on or before Friday, August 27, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Ruppe". The signature is fluid and cursive, with the first name "Patrick" written in a larger, more prominent script than the last name "Ruppe".

Patrick Ruppe
Executive Director

ENCLOSURES:

- Letter requesting input from HRC Clients, Families, Employees and Community Members, State Council on Developmental Disabilities, Service Employees International Union (SEIU) Local 721.
- DRAFT HRC Caseload Ratio Plan of Correction
- Letter from DDS dated July 2, 2021
- Section 4640.6 of the Welfare and Institutions Code



DRAFT

August 10, 2021

Ernie Cruz, Assistant Deputy Director
Office of Community Operations Department of Developmental Services
1600 Ninth Street
Room 320, MS 3-9
Sacramento, CA 95814

Dear Mr. Cruz:

In a letter dated July 2, 2021, the Department of Developmental Services (DDS) notified me that Harbor Regional Center (HRC) did not meet caseload ratio requirements for the following categories of clients served: Clients enrolled in the Home and Community Based Services Waiver; Clients that have moved to the community from a developmental center over 24 months ago; Clients over the age of 3, that are not enrolled on the Home and Community Based Services Waiver; Clients with complex needs. This is HRC's plan of corrections as required by section WIC 4640.6(f) of the Welfare and Institutions Code. A copy of the July 2, 2021 letter from DDS is enclosed for your reference.

A draft of HRC's plan requesting input on how to rectify our caseload ratios has been sent via email to HRC's e-bulletin distribution list consisting of more than 21,000 families, service provider staff and other interested individuals & organizations who have registered to receive HRC electronic bulletins seeking their comments. The draft plan of correction was also posted on our website and emailed to the local representatives from the State Council on Developmental Disabilities and our Employee Union, SEIU Local 721. Copies of the July 2, 2021 letter from DDS and Section 4640.6 (f) of the W&I Code were enclosed with the draft.

HRC reported our caseload ratio data to the Department on March 1, 2021:

- For clients enrolled in the Home and Community Based Services Waiver, a caseload ratio of 1:74 was reported (the caseload ratio required is 1:62).
- For clients that have moved to the community from a developmental center over 24 months ago, HRC reported a ratio of 1:74 (the caseload ratio required is 1:62).
- For clients over the age of 3, that are not enrolled on the Home and Community Based Services Waiver, HRC reported a ratio of 1:76 (the caseload ratio required is 1:66).
- HRC also reported a caseload ratio of 1:27 for clients with complex needs (the caseload ratio required is 1:25).

As you are aware, many of the Regional Centers across the state have had difficulty in meeting the caseload ratio requirements outlined in the Lanterman Act due to budgetary constraints. In addition to the historic difficulty in meeting the required caseload ratios the COVID Pandemic has significantly affected our ability to accurately predict caseload growth and needed positions.

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patrick.ruppe@harborrc.org

However, the pandemic has not negatively affected the 2021-2022 state budget as initial assumptions had thought it would.

In response to the changing circumstances in the state, HRC plans to conduct robust hiring this coming fiscal year. In absence of any growth, HRC would need to hire approximately 27 service coordinators to meet the required ratios for the number of clients reported to DDS in March 2021. As we are still dealing with the effects from the pandemic on our growth and in light of recent legislative changes (i.e., provisional eligibility category), HRC will be reviewing our hiring needs on a quarterly basis. For the first quarter in the 21-22 fiscal year, HRC will be hiring 8 service coordinators, additional support staff and needed supervision. Subsequent hiring will be assessed quarterly to ensure that we are addressing expected caseload growth, as well as to ensure movement towards compliance with the caseload ratios required in the Lanterman Act.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Patrick Ruppe". The signature is written in a cursive style with a large initial "P".

Patrick Ruppe
Executive Director

Cc: Board of Trustees

DEPARTMENT OF DEVELOPMENTAL SERVICES

1215 O Street, MS 8-20
 Sacramento, CA 95814
 TTY: 711
 (916) 651-6309



July 2, 2021

Patrick Ruppe, Executive Director
 Harbor Regional Center
 21231 Hawthorne Boulevard
 Torrance, CA 90503

Dear Mr. Ruppe:

Thank you for your service coordinator caseload survey, emailed to the Department of Developmental Services (Department) on March 11, 2021. The data provided indicates that, as of March 1, 2021, Harbor Regional Center (HRC) did not meet all the required caseload ratios mandated by Welfare & Institutions (W&I) Code §4640.6(c). Specifically, HRC did not meet required caseload ratios for the highlighted categories. Of the highlighted categories, HRC caseload ratios for individuals enrolled in the Home and Community-Based Services waiver program, individuals who moved from a developmental center to the community and lived in the community for more than twenty-four months, individuals over three years old, non-waiver, non-mover individuals, and individuals with complex needs have been out of compliance for two consecutive reporting periods.

Regional Center	On Waiver*	Under 3 Years*	Movers Over 24 Months*	Movers Between 12 and 24 Months	Movers Within Last 12 Months	Over 3 Years, Non-Waiver, Non-Mover*	Complex Needs*
W&I Code Required Ratios	1:62	1:62	1:62	1:45	1:45	1:66	1:25
HRC Number of Individuals Served	4,978	1,623	104	0	1	8,509	68
HRC Ratios	1:74	1:59	1:74	N/A	1:7	1:76	1:27
CA Average	1:77	1:58	1:59	1:38	1:29	1:81	1:25

*Out of compliance for two consecutive reporting periods

“Building Partnerships, Supporting Choices”

Patrick Ruppe, Executive Director
July 2, 2021
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This letter is to notify you that, as specified by W&I Code §4640.6(f), HRC is required to submit a plan of correction for the caseload ratio categories that were not met for two consecutive reporting periods. The plan of correction must be developed with input from the State Council on Developmental Disabilities, local organizations representing the individuals you serve, their family members, regional center employees, including recognized labor organizations, service providers, and other interested parties. Please include in your plan of correction how you incorporated feedback from all required stakeholders.

We encourage you to review your process for determining service coordinator caseload assignments to assist in meeting the required caseload ratios and in developing your plan of correction.

Please email your plan of correction within 60 days from the date of this letter to:

Email: OCO@dds.ca.gov

The Department is available to provide technical assistance with the development of your plan of correction. If you have questions, please contact Danielle Hurley, Research Data Specialist I, Office of Community Operations, at (916) 654-3228, or by email, at danielle.hurley@dds.ca.gov.

Sincerely,

Original signed by:

ERNIE CRUZ
Assistant Deputy Director
Office of Community Operations

cc: Chris Patay, Harbor Developmental Disabilities Foundation, Inc.
Amy Westling, Association of Regional Center Agencies
Brian Winfield, Department of Developmental Services
Erica Reimer Snell, Department of Developmental Services
LeeAnn Christian, Department of Developmental Services
Aaron Christian, Department of Developmental Services
Jacqueline Gaytan, Department of Developmental Services
Danielle Hurley, Department of Developmental Services



State of California

WELFARE AND INSTITUTIONS CODE

Section 4640.6

4640.6. (a) In approving regional center contracts, the department shall ensure that regional center staffing patterns demonstrate that direct service coordination are the highest priority.

(b) Contracts between the department and regional centers shall require that regional centers implement an emergency response system that ensures that a regional center staff person will respond to a consumer, or individual acting on behalf of a consumer, within two hours of the time an emergency call is placed. This emergency response system shall be operational 24 hours per day, 365 days per year.

(c) Contracts between the department and regional centers shall require regional centers to have service coordinator-to-consumer ratios, as follows:

(1) An average service coordinator-to-consumer ratio of 1 to 62 for all consumers who have not moved from the developmental centers to the community since April 14, 1993. In no case shall a service coordinator for these consumers have an assigned caseload in excess of 79 consumers for more than 60 days.

(2) An average service coordinator-to-consumer ratio of 1 to 45 for all consumers who have moved from a developmental center to the community since April 14, 1993. In no case shall a service coordinator for these consumers have an assigned caseload in excess of 59 consumers for more than 60 days.

(3) Commencing January 1, 2004, the following coordinator-to-consumer ratios shall apply:

(A) All consumers three years of age and younger and for consumers enrolled in the Home and Community-based Services Waiver program for persons with developmental disabilities, an average service coordinator-to-consumer ratio of 1 to 62.

(B) All consumers who have moved from a developmental center to the community since April 14, 1993, and have lived continuously in the community for at least 12 months, an average service coordinator-to-consumer ratio of 1 to 62.

(C) All consumers who have not moved from the developmental

centers to the community since April 14, 1993, and who are not described in subparagraph (A), an average service coordinator-to-consumer ratio of 1 to 66.

(4) For purposes of paragraph (3), service coordinators may have a mixed caseload of consumers three years of age and younger, consumers enrolled in the Home and Community-based Services Waiver program for persons with developmental disabilities, and other consumers if the overall average caseload is weighted proportionately to ensure that overall regional center average service coordinator-to-consumer ratios as specified in paragraph (3) are met. For purposes of paragraph (3), in no case shall a service coordinator have an assigned caseload in excess of 84 for more than 60 days.

(d) For purposes of this section, “service coordinator” means a regional center employee whose primary responsibility includes preparing, implementing, and monitoring consumers’ individual program plans, securing and coordinating consumer services and supports, and providing placement and monitoring activities.

(e) In order to ensure that caseload ratios are maintained pursuant to this section, each regional center shall provide service coordinator caseload data to the department, annually for each fiscal year. The data shall be submitted in the format, including the content, prescribed by the department. Within 30 days of receipt of data submitted pursuant to this subdivision, the department shall make a summary of the data available to the public upon request. The department shall verify the accuracy of the data when conducting regional center fiscal audits. Data submitted by regional centers pursuant to this subdivision shall:

(1) Only include data on service coordinator positions as defined in subdivision (d). Regional centers shall identify the number of positions that perform service coordinator duties on less than a full-time basis. Staffing ratios reported pursuant to this subdivision shall reflect the appropriate proportionality of these staff to consumers served.

(2) Be reported separately for service coordinators whose caseload includes any of the following:

(A) Consumers who are three years of age and older and who have not moved from the developmental center to the community since April 14, 1993.

(B) Consumers who have moved from a developmental center to the community since April 14, 1993.

(C) Consumers who are younger than three years of age.

(D) Consumers enrolled in the Home and Community-based Services Waiver program.

(3) Not include positions that are vacant for more than 60 days or new positions established within 60 days of the reporting month that are still

vacant.

(4) For purposes of calculating caseload ratios for consumers enrolled in the Home and Community-based Services Waiver program, vacancies shall not be included in the calculations.

(f) The department shall provide technical assistance and require a plan of correction for any regional center that, for two consecutive reporting periods, fails to maintain service coordinator caseload ratios required by this section or otherwise demonstrates an inability to maintain appropriate staffing patterns pursuant to this section. Plans of correction shall be developed following input from the state council, local organizations representing consumers, family members, regional center employees, including recognized labor organizations, and service providers, and other interested parties.

(g) Contracts between the department and regional center shall require the regional center to have, or contract for, all of the following areas: Criminal justice expertise to assist the regional center in providing services and support to consumers involved in the criminal justice system as a victim, defendant, inmate, or parolee.

(1) Special education expertise to assist the regional center in providing advocacy and support to families seeking appropriate educational services from a school district.

(2) Family support expertise to assist the regional center in maximizing the effectiveness of support and services provided to families.

(3) Housing expertise to assist the regional center in accessing affordable housing for consumers in independent or supportive living arrangements.

(4) Community integration expertise to assist consumers and families in accessing integrated services and supports and improved opportunities to participate in community life.

(5) Quality assurance expertise, to assist the regional center to provide the necessary coordination and cooperation with the state council, in conducting quality- of-life assessments and coordinating the regional center quality assurance efforts.

(6) Each regional center shall employ at least one consumer advocate who is a person with developmental disabilities.

(7) Other staffing arrangements related to the delivery of services that the department determines are necessary to ensure maximum cost-effectiveness and to ensure that the service needs of consumers and families are met.

(h) Any regional center proposing a staffing arrangement that substantially deviates from the requirements of this section shall request a waiver from the department. Prior to granting a waiver, the department shall require a detailed staffing proposal, including, but not limited to,

how the proposed staffing arrangement will benefit consumers and families served, and shall demonstrate clear and convincing support for the proposed staffing arrangement from constituencies served and impacted, that include, but are not limited to, consumers, families, providers, advocates, and recognized labor organizations. In addition, the regional center shall submit to the department any written opposition to the proposal from organizations or individuals, including, but not limited to, consumers, families, providers, and advocates, including recognized labor organizations. The department may grant waivers to regional centers that sufficiently demonstrate that the proposed staffing arrangement is in the best interest of consumers and families served, complies with the requirements of this chapter, and does not violate any contractual requirements. A waiver shall be approved by the department for up to 12 months, at which time a regional center may submit a new request pursuant to this subdivision.

(i) From February 1, 2009, to June 30, 2010, inclusive, the following shall not apply:

(1) The service coordinator-to-consumer ratio requirements of paragraph (1), and subparagraph (C) of paragraph (3), of subdivision (c).

(2) The requirements of subdivision (e). The regional centers shall, instead, maintain sufficient service coordinator caseload data to document compliance with the service coordinator-to-consumer ratio requirements in effect pursuant to this section.

(3) The requirements of paragraphs (1) to (6), inclusive, of subdivision (g).

(j) From July 1, 2010, until June 30, 2013, the following shall not apply:

(1) The service coordinator-to-consumer ratio requirements of paragraph (1), and subparagraph (C) of paragraph (3), of subdivision (c).

(2) The requirements of paragraphs (1) to (6), inclusive, of subdivision (g).

(k) (1) Any contract between the department and a regional center entered into on and after January 1, 2003, shall require that all employment contracts entered into with regional center staff or contractors be available to the public for review, upon request. For purposes of this subdivision, an employment contract or portion thereof may not be deemed confidential nor unavailable for public review.

(2) Notwithstanding paragraph (1), the social security number of the contracting party may not be disclosed.

(3) The term of the employment contract between the regional center and an employee or contractor shall not exceed the term of the state's contract with the regional center.

(Amended by Stats. 2014, Ch. 409, Sec. 43. (AB 1595) Effective January 1, 2015.)