

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

5/11/16

2. Department

Department of Developmental Service

3. Organizational Placement (Division/Branch/Office Name)

Community Services Division, Community Development & Housing Branch

4. CEA Position Title

Branch Chief, Community Development & Housing Branch

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The Branch Chief will oversee the Community Placement Plan (CPP). The Department of Developmental Services (DDS) has a statutory responsibility to ensure that individuals with developmental disabilities live in the least restrictive setting, appropriate to their needs. The CPP is designed to enhance the capacity of the community service delivery system and to reduce the reliance on the use of developmental center and other restrictive living environments by providing funding to the regional centers for the development of a variety of resources, including but not limited to residential development, transportation, day program services, and mental health and crisis services, within individual community's consistent with resource development as described in Welfare and Institutions Code, Section 4418.25. The CPP is an integral part of the DDS, whose mission is to provide services and support to individuals with developmental disabilities.

6. Reports to: (Class Title/Level)

Deputy Director, second organization level.

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st 2nd 3rd 4th 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Under the general direction of the Deputy Director (Exempt), of the Community Services Division, the Branch Chief will formulate, develop and implement policies associated with the CPP request process, approvals and allocations for the 21 regional centers. The Branch Chief will oversee the DDS' programs, projects, initiatives, and activities related to regional center CPP and CPP housing development focused on expanding statewide resources for individuals with challenging service needs, strategic planning to implement recommendations from the Task Force on the Future of Developmental Centers and the Plan for the Future of Developmental Centers in California, and services to serve individuals transitioning to the community from developmental centers, facilities ineligible for federal financial participation, out-of-state placements, and individuals at risk of placement into one of these settings.

The Branch Chief will oversee and direct the implementation of statewide policies, procedures, processes and protocols related to the State's community-based system of services for individuals with developmental disabilities. As a member of the DDS executive team, the Branch Chief will provide management oversight to ensure that program implementation captures legislative and administrative intent; communicate extensively with the DDS' Executive Management, control agencies, the Legislature, regional centers, consumers and their families and other stakeholders regarding the status of the Department's efforts to implement the CPP and comply with the federal Home and Community-Based Services (HCBS) regulations.

The Branch Chief will collaborate with regional centers (RC) and the Association of Regional Center Agencies. He/she will formulate, develop and administer policies to maximize critical community resources to meet the most complex needs of individuals with developmental disabilities, and represent the Department in collaborations with Non-profit Housing Organizations, Department of Social Services, California Housing Finance Agency, and other external organizations.

The Branch Chief will also evaluate and effect changes to the implementation of the CPP Management Tool. This includes tracking and monitoring all CPP and housing proposals, approvals, and allocations; and monitoring the implementation of the Statewide Specialized Resource Service. The Branch Chief will also oversee the development of regulations and other work related to innovative community resources.

In addition, the Branch Chief will address developmental center (DC) closure issues; promulgate policies, promote consistency, and transparency, and ensure effective communication occurs. The Branch Chief will also monitor developmental center transition tracking; represent the DDS before various stakeholder groups, advocacy organizations, legislative staff, professional organizations and other entities and resolve critical issues.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The DDS is committed to providing leadership that results in quality services to the people of California and assures the opportunity for individuals with developmental disabilities to exercise their right to make choices. There are two major programs administered by DDS. The Community Services Program administers contracts with 21 private, non-profit regional centers statewide, which provide and coordinate services at the local level for approximately 290,000 individuals with developmental disabilities living in the community. The Developmental Services Program provides 24-hour direct care and treatment services through three State-operated DCs and one State-operated community facility to approximately 1,000 residents.

Closure of the DCs significantly impacts both DDS programs. The ability to meet the specialized needs of the DC residents, including comprehensive assessments of each individual and person-centered planning, requires intensive preparation and community resource development by the RCs. The 2015-16 budget includes \$115.9 million for resource development and related expenditures under the Community Placement Plan (CPP). Through the combined efforts of RCs, hundreds of projects are underway to identify and develop the full array of necessary services, including development of residential homes, community crisis facilities and teams, clinical support services, transportation, training, and day employment services.

The Department has a statutory responsibility to ensure that individuals with developmental disabilities live in the least restrictive setting, appropriate to their needs. The CPP is designed to enhance the capacity of the community service delivery system and to reduce the reliance on the use of developmental center and other restrictive living environments by providing funding to the regional centers for the development of a variety of resources, including but not limited to residential development, transportation, day program services, and mental health and crisis services, within individual community's consistent with resource development as described in Welfare and Institutions Code, Section 4418.25.

It is critical for the Branch Chief to work closely with the 21 RCs to build capacity in the specific communities where consumers are moving when they leave the developmental center. In addition, this position is essential for the development of improved oversight and monitoring activities with the RCs and ensuring federal funding for these programs. This position is also very important to the effective closure of the Developmental Centers as the Branch Chief works very closely with the RCs.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

As a result of years of emphasis on community integration and serving individuals in the least restrictive environment appropriate for the person, the populations in large, State-operated facilities have drastically declined. As of March 30, 2016, the DDS is providing direct care and treatment to 1,005 residents in its three (3) remaining DCs and one (1) community facility.

The DDS is in the extraordinary position of closing Sonoma DC, Fairview DC and the Porterville DC General Treatment Area (GTA) concurrently. Historically, only one DC has been closed at a time. Due to the significance and complexity of the workload, the health and safety risks involved with transitioning residents into new living arrangements, and the public attention given the closure process, it typically requires a concentrated effort over a period of four to five years to close one DC, not including the public planning process that precedes submission of a closure plan to the Legislature for approval.

Each closure necessitates an extensive stakeholder planning process and submittal of a closure plan to the Legislature. (See Welfare and Institutions Code sections 4474.1 and 4474.11.) The closure plan for Sonoma DC was submitted to the Legislature on October 1, 2015, and identifies the target closure date of December 2018, which is a very short timeline. DDS is now proceeding with two separate stakeholder planning processes for Fairview DC and the Porterville DC GTA and submitted a closure plan by April 1, 2016, targeting December 2021 for their closure dates. The Legislature will likely approve these closure plans as part of the Budget Act for 2016, and exercise ongoing and significant scrutiny of the closure processes, with probable new program and reporting requirements incorporated into the budget trailer bill by the Legislature.

The concentrated efforts to close DCs and the significant geographical impacts support the need for the Branch Chief (CEA). With the Branch Chief position, the DDS will have the appropriate level of focus and management ability for development of Community Placement Plan (CPP) to assist regional centers to provide the necessary services and supports for individuals with challenging service need to transition to and be supported in the community, which coincide with statewide goals and objectives, and support the overall system of services under the Lanterman Act.

The DDS's goal for the CPP is to enhance the capacity of the community service delivery system and to reduce reliance on DCs, mental health facilities [e.g., Mental Health Rehabilitation Centers (MHRC) and Institutions for Mental Disease (IMD)]. These changes include an increased reliance on RCs and their ability to successfully serve all individuals with developmental disabilities, regardless of the complexity of their needs, is essential. The CPP funding and initiative is the vehicle for ensuring adequate services in the community. The DDS receives \$68 million annually to implement the Community Placement Plan statewide. In 2015-16, the DDS received an additional \$46 million to develop community resources for Sonoma Developmental Center closure. In 2016-17, the Governor's proposed budget contains an additional \$87.8 million to develop community resources as a result of the closures of the Sonoma Developmental Center, Fairview Developmental Center, and the General Treatment Area of the Porterville Developmental Center. This increased funding is an indication of California's commitment to develop critical community resources and close these developmental centers.

Also, the DDS has statutory responsibility to ensure that individuals with developmental disabilities live in the least restrictive setting, appropriate to their needs. Under the authority of Welfare and Institutions Code (WIC) Section 4418.25, the DDS is responsible for establishing policies and procedures for the development of an annual CPP by RCs. The CPP is designed to assist RCs to provide the necessary services and supports for individuals with challenging service need to transition to and be supported in the community.

In addition to the necessary community resource development, in recent years, the issues surrounding developmental center closures have become increasingly complex and controversial. The Branch Chief will play a critical role in the DDS' ability to address these issues and to ensure continuity of care in the community.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The closure of DCs will concurrently impact three specific locations spread across the state; specifically, Northern California (Sonoma DC), Southern California (Fairview DC) and Central California (Porterville DC GTA). It will have a major impact on approximately 800 residents of the DCs, by changing where they live and how they receive services. The individual moves into the community will be dispersed geographically throughout the State. The closure processes are localized and some policy issues may be site-specific, but most of the policies involved with DC closure will have a systemic impact since they represent new or different service models and service improvements.

The most significant example of a policy area is addressing issues identified by the Task Force and determining what the State's role will be in providing services for individuals with developmental disabilities in the future. The Task Force focused on the importance of the State providing a safety-net of essential services, so that if/when providers are unwilling, unable or unavailable in the community to serve individuals with challenging behaviors or significant medical needs, there is always a "placement of last resort" in a State-operated facility.

Within the authority of Welfare and Institutions Code section 4418.25, the Branch Chief will formulate, develop and implement policies; develops procedures, processes and protocols related to the State's community-based system of services for individuals with developmental disabilities to ensure the success of the California Department of Health Services and CPP. Areas of policy responsibility include, but are not limited to:

- Adult Residential Facility for Persons with Special Health Care Needs
- Affordable Housing
- Community Care Facilities
- Family Home Agency
- Foster Family Agency
- Independent Living
- Intermediate Care Facility
- Supported Living Services

Also, the Branch Chief will be responsible for addressing issues of extreme interest and concern to families involved with DC closures. The Branch Chief will be directly involved with addressing families' concerns for safety-net measures and creative program applications for models of care with DC staff involvement, with the ultimate goal of ensuring the health, safety and long-term well-being of each individual in the community. The Branch Chief must provide leadership and make policy decisions regarding needed community resources, which resources are worthy of approval and/or increased funding, and which types of new models of care are needed to serve individuals successfully in the community. The Branch Chief will be responsible for developing, implementing, and promulgating policies that enhance the capacity of the community service delivery system and reduce reliance on developmental centers (DC), ineligible for Federal Financial Participation (FFP), and out-of-state placements. These policies will align with the moratorium on DC admissions unless an individual is admitted to restore competency, is determined to be incompetent to stand trial, or is in an acute crisis as defined by WIC Section 4418.7(d)(1).

In addition, the CEA will create, implement and promulgate policies to ensure the DDS is in accordance with the Financial Integrity and State Managers Accountability (FISMA) Act of 1983, Government Code Sections 12439, 13400 through 13407, which places a greater responsibility on State agencies to evaluate and report on internal controls. The DDS is responsible for performing a risk assessment and review of their processes and activities covering mission goals and objectives, efficient use of agency resources, and compliance with applicable laws and regulations, as well as providing accurate and reliable financial information. To ensure the DDS is in compliance, the Branch Chief will oversee the DDS' Community Placement Plan Management Tool. This tool is the only mechanism by which DDS can track and monitor hundreds of projects currently under development throughout the state. These decisions are critical to the types and amounts of information DDS has available for reporting out to control agencies.

Lastly, the Branch Chief will have policy and decision-making responsibility regarding the sustainability of California's "buy-it-once" housing model, where a non-profit organization (NPO) owns the property for the restricted use by RC consumers. For this residential option, a RC must submit a housing proposal to the DDS using specific guidelines, requesting approval of CPP funds for the acquisition and development of NPO-owned housing for the benefit of consumers. Developing housing options that are available to individuals with developmental disabilities into perpetuity is a priority for DDS and its constituents. There are often very complex issues that arise and must be resolved through individual troubleshooting and statewide policy decisions and the CEA will have full responsibility for the housing model.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Branch Chief has daily decision making responsibility for the successful implementation of the Community Placement Plan, housing development, Statewide Specialized Resource Service, development of regulations for new models of care, and CPP related budget items. The Branch Chief will report to the Deputy Director, but will be autonomous and have the authority to make very important decisions, due to the number of decisions that must be made, and the Branch Chief's expertise in CPP and housing. The Branch Chief's leadership role is vital to a well-coordinated and managed effort to support the transition of DC residents into the community each year.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The Branch Chief will be developing, interpreting, implementing, and promulgating new and existing policy. As noted in Question #32, this occurs daily given the size and complexity of the CPP's resource development, associated projects, regulations for new models of care, etc.