

DEPARTMENT OF DEVELOPMENTAL SERVICES

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July 21, 2022

Dan Lake, Board President
Lori Banales, Executive Director
Alta California Regional Center
2241 Harvard Street, Suite 100
Sacramento, CA 95815

Dear Mr. Lake and Ms. Banales:

This letter is in response to Alta California Regional Center's (ACRC) initial correspondence dated August 10, 2021, and subsequently revised correspondence received on October 8, 2021, requesting a conflict-of-interest waiver renewal for Michelle Ramirez, an ACRC Board member. The Department of Developmental Services (Department) is in receipt of the revised Conflict of Interest Reporting Statement and proposed Conflict Resolution Plan for Ms. Ramirez. The Department received written approval of the proposed Conflict Resolution Plan from the State Council on Developmental Disabilities on October 26, 2021, as required by Title 17 California Code of Regulations §54534(a).

Ms. Ramirez serves as the Co-Chair of the ACRC Provider Advisory Committee (PAC) and was designated by the committee to serve as a member of the ACRC Board of Directors. Ms. Ramirez is employed as the Chief Executive Officer for On My Own Independent Living Services and On My Own Community Services. Welfare and Institutions (W&I) Code §4622(i) requires a regional center's governing board to appoint a vendor advisory committee to represent the various categories of service providers from which the regional center purchases consumer services. The advisory committee provides advice, recommendations, and technical assistance to the board in order to assist the regional center in carrying out its mandated functions. The advisory committee also designates one of its members to serve as a member of the regional center board. Although W&I Code §4622(i) allows for the vendor advisory chairperson to serve on the regional center board, Ms. Ramirez must comply with W&I Code §4622(k)(2), which prevents a board member with an existing conflict of interest from voting on any fiscal matter affecting the purchase of services from any regional center service provider.

Department staff determined a conflict of interest does not exist in Ms. Ramirez's role as the Co-Chair of the ACRC PAC pursuant to Title 17 Regulations. Given the specific set of circumstances, ACRC and its Board of Directors are responsible for ensuring that Ms. Ramirez complies with all sections of W&I Code, including §4622(k)(1)(2)(3).

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However, a potential conflict exists as Ms. Ramirez is also the President-Elect for the California Disability Services Association (CDSA). CDSA is a statewide association representing service provider organizations. As such, Ms. Ramirez's role with CDSA presents a conflict that requires a mitigation plan.

Based on the information provided, the proposed Conflict Resolution Plan is approved for Ms. Ramirez, effective for 12 months from the date of this letter. If at any time, there is a change of status that creates a present or potential conflict of interest, ACRC must ensure that Ms. Ramirez prepares and files a new Conflict of Interest Reporting Statement, and ACRC submits a new Conflict Resolution Plan, as appropriate, pursuant to Title 17 Regional Center Conflict of Interest Standards and Procedures.

This approval is based on the implementation of the safeguards identified in your October 8, 2021, correspondence and the ACRC's Governing Board's assurance that the following conditions are met:

1. As a member of ACRC Board of Directors, Ms. Ramirez shall have no role or involvement with any matter that might affect CDSA, including but not limited to:
 - Participation in any discussions, recommendations, or decisions about contracts, service agreements, or any other fiduciary related items that may apply to CDSA.
2. Ms. Ramirez shall fully disclose the existence and nature of the conflict of interest to the ACRC Board and have it noted in the official board records.
3. Ms. Ramirez shall abstain from voting on any matter pertaining to CDSA or any matter which could impact CDSA services and supports or any competitor in the same service categories.
4. Ms. Ramirez shall not use her position as a board member of ACRC to exert influence on decision-making regarding CDSA services and supports or any competitor in the same service categories.
5. Should matters related to CSDA arise during any of ACRC's Board of Trustees' meetings (e.g., board or committee meetings), Ms. Ramirez shall refrain from participating in the discussion.
6. Given the specific set of circumstances, ACRC's Board President and other board members are responsible for ensuring Ms. Ramirez complies with W&I Code §4622(k)(2).

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7. ACRC's Board President and members are responsible for ensuring that the plan and its safeguards are applied and monitored.

If you have any questions regarding this correspondence, please contact Maxine Paula Milam, Primary Regional Center Liaison, Office of Community Operations, at (916) 654-2177, or by email, at maxine.milam@dds.ca.gov.

Sincerely,



ERNIE CRUZ
Deputy Director
Community Services Division

cc: Lisa West, Alta California Regional Center
Michelle Ramirez, Alta California Regional Center
Aaron Carruthers, California State Council on Developmental Disabilities
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