

**Mobility Action Plan (MAP) Phase I Implementation Study
Project Advisory Committee (PAC)**

Meeting Summary

**Wednesday, February 17, 2010 – 10:00 a.m. to 2:00 p.m.
California Department of Aging
1300 National Drive
2nd Floor Conference Room
Sacramento, CA 95834-1992**

Meeting Attendees

See Attachment A

Meeting Summary

The meeting was called to order at 10:00 a.m. by Kimberly Gayle, MAP PAC Chair. She outlined the basic outcomes of the meeting, including updating information from the last meeting, overview of the statewide summaries on large, small, urban and rural coordinated plans, outcomes of stakeholder outreach and involvement, and discussion of the legislative update draft report on the for assessing human service transportation.

Ms. Gayle reminded the committee that they have two future meetings under the current study to complete their work and they will discuss the next steps to achieve their goals. She added that the meeting agenda and materials are available online.

Ms. Gayle introduced Lynn Daucher, Director of the Department of Aging and MAP PAC Co-Chair.

Ms. Daucher welcomed committee members and said that they are getting into the heart of the study in terms of making recommendations to both agencies and she thanked everyone for their participation.

Kimberly Gayle began with the meeting summary review and Action Item Follow Up. She asked members to review the meeting summary at their leisure and reminded that it is not a minutes but rather a summary that captures what occurred at the last meeting. She reiterated that any comments or questions should be voiced or sent by email to Ms. Gayle or Judith Norman.

Ms. Gayle referred meeting participants to that the Action Item Matrix and indicated that many of the items are completed. She continued to discuss some follow-up items, including: discussions with the TDA group on the unmet needs process and TDA law and also indicated that Caltrans had conducted a comprehensive funding review of California state agency resources. Ms. Gayle added that there is update which includes adjustments on the MAP project due to budget constraints and their funding review is limited to the funding going through Caltrans at this time. In addition, Ms. Gayle also

said that NCSL conducted a pros and cons analysis of recent CMS rules and findings are located in the legislative draft report.

Ms. Gayle said that the last outstanding item on the matrix showed that a roundtable outreach discussion was to be conducted at a future CalACT meeting and this will be part of the April conference. She said that the draft conference agenda is currently on the website and she encourages members to review this agenda. Ms. Gayle continued that item 49 on page 5 of the matrix is in progress through the Caltrans review and this list will be provided to members.

Technical Update

Judith Norman welcomed the committee members and commented that she is looking forward to completing the study. She introduced her new associate, Planning and Budget Analyst, CJ Smith, as the newest addition to their team. She said that the project team will present both a technical update and extensive legislative update, along with draft reports to discuss during the meeting.

Ms. Norman stated that the project team plans to focus on the two drafts in the meeting and they have a discussion planned related to the legislative report. She continued that they completed the statewide executive summary which includes a completed draft of the statewide summary in two volumes. She explained that the first volume contains the large and small urban counties and the second volume includes rural counties. Ms. Norman said that the summary includes a review of the regions with completed plans, including some that are two years old. She said that they reviewed each of the 44 regions in terms of needs, barriers, priorities, resources, gaps and recommendations.

Ms. Norman continued to page four of the PowerPoint presentation, which contains a review of the plans and she reminded everyone that the information related to the review categories was taken directly from the plans, which proved difficult in some cases because many plans did not have executive summaries. Ms. Norman continued that they identified the differences and similarities between the plans in the urban and rural regions. Ms. Norman said that they also completed an assessment of the plans relative to federal guidance and state priorities. She indicated that there were issues regarding including more or less information in the plans in the required areas, and that those issues have been addressed in the report. Ms. Norman explained that they gathered information from the plans to help in future study tasks and they began to confirm or validate whether or not key plan elements are included. She said that this document allows regions to share information with plan information combined into one document.

Ms. Norman requested that MAP PAC members who were involved in the development of the plan to review their particular summaries and submit any comments or modifications to the document. She added that they must keep the summary limited to the categories reviewed however, if members wanted anything included, please let her know. She reiterated that they did not write anything new but simply summarized the information from the original plans.

Ms. Norman continued with the presentation to discuss the outreach update, in which they conducted interviews and regional roundtables. She said that due to budget issues they conducted these interviews and roundtables by telephone and they provided excellent information. She explained that they presented the findings of the roundtables

last September, and that the review of the coordinated plans aided in drafting the legislative report.

Ms. Norman mentioned that the stakeholder involvement report is in draft along with the executive summaries and she welcomed members to download and review the reports at their leisure.

MAP PAC Questions and Comments

Kimberly Gayle asked if any agency other than San Diego had updated their coordinated plan from 2006 or 2007.

Jean Foletta said that their understanding is that they should update the plans every four years. She asked how often the coordinated plan must be updated.

Kimberly Gayle answered that the original language required an update following along with the planning process, which mentioned four years. She said that SAFETEA-LU has expired and she explained that the coordinated plan is the driver for project selection and if they are unable to submit projects out of their current plan, they should consider updating as the existing plan might no longer be relevant. She said that the current proposed legislation in the House T & I does include a coordinated plan requirement and regardless of the outcome, the coordinated planning effort will continue along with a performance measure requirement. She said that San Diego has taken an aggressive stance of updating their plan every year.

Floyd Willis said that regarding the structure of their coordinated plan, their motto is “one region, one network, one plan.” He said that the structure is a combination of required RTP and SRTP and although it is called a coordinated plan, it really is several planning documents in one, which more readily lends itself to annual update. He said that it makes more sense as an all-inclusive package.

Kimberly Gayle said that the RTP is a state requirement and the STRP is a short range plan that transit operators complete. She continued that San Diego has taken a role in compiling their internal plans into one document for all transportation needs in the region and that is the continuing document used for funding. She said that San Diego is a recipient for New Freedom and JARC funds for a large urban area and they do coordinate with Caltrans on rural area needs. Ms. Gayle said that they have posted their most recent plan on the coordinated plan resource website. She asked if there are any updated plans across the country.

Dave Cyra said there are no updates at this time.

Kimberly Gayle said that she believes identifying needs out of current plans is acceptable but as far as next steps, they must identify all projects in order to discover which projects were delivered as a result of the coordinated plan efforts.

Pat Piras stated that the documents are not on the website.

Kimberly Gayle said that the draft coordinated plan and executive summaries will be posted to the website today.

Legislative Update

Judith Norman continued with the update, stating that they have worked to finish a draft of the legislative report. She thanked subcommittee members for their excellent input which was incorporated by NCSL. She said that the report is currently under Caltrans review and they will have a final draft up in the next couple weeks. She said that the focus in the next two meetings is to discuss key recommendations for potential implementation by the State. She said that key issues proposed for discussion surfaced during the legislative analysis and also during the stakeholder outreach.

Ms. Norman identified four basic policy issues, including the unmet needs process, non-emergency medical transportation, CTSAs, and insurance and liability issues. She said that funding was the top overall issue raised but many of the smaller issues impact funding, therefore it is best to focus on these issues. She added that since the CTSAs are a broad issue, which includes mobility management and coordination issues, Ms. Gayle suggested that the next meeting focus on this directly. She also said that Ms. Gayle planned to include CTSAs in the next meeting to hold these discussions. Ms. Norman mentioned the other key study, including jurisdictional issues with boundaries relative to cities and counties, and governance and funding.

Pat Piras said that there will be no participation from CTSAs in the Bay Area as there are none in the jurisdiction.

Kimberly Gayle said that they have MTC on their advisory committee and they will be invited to participate. She said that she is concerned that some discussion was leaning toward moving CTSAs automatically to mobility management centers and she would like to discuss how they can support their current position and not preclude areas who are currently successful with mobility management. She said that she wants to support CTSAs that want to move forward with mobility management and also support non-CTSAs who are functioning successfully.

Ms. Norman stated that NCSL's analysis included potential alternatives and possible solutions. She indicated that the issues include definitions developed by regional local agencies across the state on what is considered a reasonable unmet need. She added that NCSL did a great job of going back and forth within the document as the continuing research was a balancing act between the opinions and feedback of many stakeholders. She stated that many counties have similar definitions and require a threshold of reasonable to meet. She added that NCSL examined the unmet needs hearings documentation and found a few instances in some counties where unmet needs were found reasonable to meet and many instances where counties consider all needs as reasonable to meet. She continued that NCSL developed alternatives for discussion in the meeting.

Ms. Norman continued with the first alternative which states that the legislature could consider setting specific parameters on how the definitions are formulated, creating consistency statewide which could conceivably establish legislative intent for goals and balancing needs. She asked Jim Reed to comment on what process would allow the parameters to be set.

MAP PAC Questions and Comments

Jim Reed of NCSL answered that one concern was that they might not want to take this issue to the legislature as this issue is the responsibility of Caltrans.

Lynn Daucher asked if this is possible.

Kimberly Gayle said she is not sure what parameters they are discussing.

Judith Norman answered that they are discussing setting specific definitions for unmet needs or reasonable to meet needs. She said that the local entities are setting their own definitions and although they are similar in many counties, there is a perception that if each entity sets their own, it impacts the process. She said that this is not necessarily a negative process.

Kimberly Gayle answered that she understands TDA and she emphasized that the funding is local tax money through LTF rather than statewide money through STA. She said that the counties have the ability to set definitions, while Caltrans provides guidance, technical assistance and training. She said that they work to ensure that the counties follow the procedures and processes. She said that leaving the definitions vague allows for flexibility and she does not see a need to pursue this alternative.

Floyd Willis agreed and said that the difference in their region is the source of funding and there are other deciding issues for their region.

David Cyra said that if the locals define their own unmet needs this is a good thing and perhaps they can organize the definitions of unmet needs by region. He said that this would allow flexibility for local areas. He recommended identifying the location and their unmet needs process rather than establishing general unmet needs definition for the whole state.

Lynn Daucher asked if he is suggesting transparency to compare the definitions on a webpage.

David Cyra answered in affirmative.

Kimberly Gayle said that their office has been split between state and federal to review all the unmet needs processes. She said that she is unsure whether they are posted in one location but each RTPA has an area on their webpage for people to find unmet needs process information and the SSTAC. She said they can provide links to the RTPA website instead of updating their own website

Clay Kempf pointed out the differences in Ms. Gayle's comments and Mr. Cyra's idea. He said that many people know of the unmet needs process but he said that the next question is what happens next and how do they define "reasonable to meet". He said that he likes Mr. Cyra's suggestion of allowing different regions to access definitions throughout the state.

David Cyra said that what Ms. Gayle said fits in with what he suggested, which allows them to locate their own references rather than involving Caltrans in every addition and amendment to definitions. He said that it is beneficial to simply provide the reference for people to obtain information.

Pam Couch said that the role of Caltrans is to provide data and coordinate the data and it would be beneficial for locals to receive the state view with the provided link. She said that they would like an understanding of what is practiced across the state.

Kimberly Gayle said that they can give everyone a statewide look and that is the goal within the division for people to obtain information. She said that the best part of this effort is educating people on transportation and the decision making process. She said that those in the business know it is not easy and they want to provide a forum and information for people to easily find information for their area.

Lynn Daucher asked if she were to follow the proposed link, would there be a standard document to browse with definitions or if she would have to read through 20 pages to find the information.

Pam Couch said that there is not a guarantee that every RTPA includes their definitions on their website.

Kimberly Gayle said that Caltrans would not link to the RTPA homepage but rather to the transportation elements and to make it easier they would ask the RTPA to send them the link to their definitions.

David Cyra said that they should include the executive summary as well, to understand where the definitions originate.

Kimberly Gayle said that Caltrans has a TDA unit in their division and they may have the information readily available.

Lynn Daucher summarized that state would send the executive summary and definition links to the lay person to facilitate their understanding.

Kimberly Gayle said that if there is other information the committee would like to see on the unmet needs issue, the RTPA can make a request to Caltrans.

David Cyra said that Ms. Norman developed executive summaries for those jurisdictions that did not have one.

Jean Foletta said that as part of the SSTAC and also during the preparation of the coordinated plan, the unmet needs and gaps that are found do not always match because citizens are missing from the process. She said that they must ensure transit agencies recognize this because the unmet needs might not capture the true unmet needs of people who do not have opportunity to voice them.

Kimberly Gayle summarized that they must be cognizant of the fact that the unmet needs might not address all gaps. She said that Mr. Cyra's point in posting the unmet needs definitions and executive summaries will provide this information.

Judith Norman summarized and stated that the recommendations from the first alternative will not be pursued. She said that they need an information-based response in which Caltrans can establish links to provide more information.

Lynn Daucher asked if an unmet need only encompasses verbal or oral comments during public meetings. She said that the unmet needs process is a problem for silent members of a community

Jean Foletta said that many people do not know about the process so they do not comment but when asked will readily voice their issues.

Lynn Daucher said that they should have a checklist to ensure they receive comments from certain entities that are usually not present.

Rosa De Leon Park of STANCOG Modesto said that their staff is very involved in the community and they reach out to spread the word of the unmet needs process, which receives comments year round. She said that the COG depends on the outreach process coordinated with the RTPA.

Floyd Willis said that the structure built to accommodate larger agencies that have distinct populations that cannot be missed is the Social Service and Transportation Advisory Council that is required to operate under the RTPA. He said that the hearing office is where these departments will arrive with statements based on information and demographics, as well as the individual citizen. He said that the SSTAC used the findings to make further contributions before it moves to the RTPA, and this might ensure data collection in addition to interviewing. He said that these ideas can be performed by the SSTAC if they do not show up to public hearings.

Kimberly Gayle said that there is an opportunity to support the SSTAC which meets monthly or bimonthly in most regions.

Lynn Daucher said that they can contribute to and formalize the process based on the work of the group.

Judith Norman said that this is an excellent recommendation to empower the local process by including a body already present and informed that understands the issues.

Clay Kempf said that in terms of updating the coordinated plan, it would be beneficial if the unmet needs are included in the coordinated plan after they go to the SSTAC. He said that new unmet needs surface but if the region fails in updating their coordinated plan, that need is non-fundable. He said that it would be beneficial to tie this in to help facilitate updates to coordinated plans.

Kimberly Gayle said that some rural coordinated plans funded through Caltrans started with the local unmet needs process and followed to their coordinated plan. She said that the overall suggestion to empower local agencies is important and much of the effort is due to education on what is available and providing links to SSTAC meetings is a way to document and formulate needs which feed into the coordinated plans. She said that the

issues in updating the plan revolve around funding and they can provide upcoming dates of funding to tie efforts into the cycle of grant funding available.

Legislative Update

Judith Norman said that slide 14 highlights the second alternative to gain an understanding of the status quo relative to appeals that may come from people who have not been heard at the local level. She said that these are brought forward to the secretary to make the determination on whether or not there are issues to be heard. She continued that this relates to many people who are uneducated on their options. Ms. Norman stated that they must provide more information and offer opportunities for involvement.

Kimberly Gayle said that the Business Transportation and Housing Agency is the cabinet level agency that Caltrans works under. She said when discussing solutions there is a process higher than Caltrans to visit if all else fails. She said that she encourages resolution at the local level but this is a last resort option.

Judith Norman moved to slide 15 and discussed the local appeals process under alternative three. She said that prior to the secretary's review they mention SSTAC or another designated group to review the RTPA's decisions. She said that they all agree that SSTAC is a great conduit for this type of review but at the same time they must review the number of duties given to SSTAC. Ms. Norman stated that there is another potential alternative following the hearing and the difference here is whether or not they have power to make a difference in deciding the situation, which endows them with considerable power to overturn RTPA's decisions. She said that she is unsure how workable that is within these structures.

MAP PAC Questions and Comments

Clay Kempf said that there is an inherent flaw in that the SSTAC is almost always an advisory body to the local transit district but they are putting them in an advisory role and it would be awkward in cases where they get to trump the decision of certain entities.

Judith Norman reminded the committee that some alternatives are workable but it is a matter of working through the thought process to discover what might work better. She said that the involvement of SSTAC is a great alternative, as shown in the first alternative.

Floyd Willis said that there is merit in the reviewing comment that could support the decision or call it into question but he does not like the power to override the decision.

Judith Norman said that they have discussed the reviewing potential in the first alternative in terms of ensuring other agencies are involved in the process as conduit services who reach out to human service agencies that are in touch with the issues.

Floyd Willis said that someone on the call might be able to comment on the role that SSTAC is playing relation to reviewing or participation in unmet transit needs. He said that in San Diego all money is spent on transit and there is no struggle with streets and roads; therefore, he cannot recall reviewing unmet needs at their SSTAC level. He asked what the role of SSTAC is in the rural counties.

Clay Kempf said that they review the unmet needs.

Floyd Willis asked if that process occurs by statute or traditional process.

Clay Kempf answered that he is unsure if the process occurs by statute.

Floyd Willis said that it may be common that SSTAC reviews recommended findings and it may already be in place.

Lynn Daucher said that it would be less threatening to see a staff review and make a recommendation before the decision makers weigh in because this puts less pressure on the SSTAC and the decision makers have the benefit of their own staff, which would be included as part of the record when appealing to the secretary.

Floyd Willis said that certain departments at the review level would have another opportunity to interject outside of the actual hearing, which is a new addition to the current pathway in place for SSTAC.

Virginia Webster said that in Shasta County the SSTAC reviews and attends unmet needs hearings and they give a verbal report to the RTPA on their findings.

Lynn Daucher asked if this is the way it has evolved or if it is true everywhere.

Floyd Willis answered that the SSTAC is supposed to review anything relating to social service in the region. He said that if they are not reviewing elements, that would be serious oversight.

Lynn Daucher asked if this is in their job description and if it is simply a matter of letting them know it is an expectation.

Floyd Willis said that he is unsure if it is in the description by statute.

Lynn Daucher said that it does not sound like it is a statute but it should be encompassed under the original statute.

Judith Norman answered that it is inherent in their description as they are an advisory board. She said that NCSL covered the statute well and it is not necessarily spelled out but rather it is a matter of interpretation and the SSTAC could review and comment on findings.

Floyd Willis said that he likes the local appeals process and it is a good idea to include this in the alternative.

Jim Reed said that they left this option in the draft and wrote "the SSTAC or another body" because they realize the built-in conflicts that the SSTAC has in terms of duties so perhaps there might be another body or commission that could be created as needed to perform appeal reviews.

Jackie Montgomery answered that she is in favor of this idea but the TDA work group would not be in favor of this alternative.

Lynn Daucher asked for the reasons that they would not be in favor of this alternative.

Jackie Montgomery said that local control issues are part of the reason but some members from the TDA group are also streets and roads supporters and they fear losing power.

Lynn Daucher stated that in the K-12 world of fact-finding, there is a process during a bargaining stalemate where each side nominates a person and those people pick a third person who makes a recommendation that is not binding but is very influential and useful.

Judith Norman said that this might help with surfacing other perspectives because they have to listen to these nominated people. She said that there might not be real objectivity in people in this role so they must nominate a combination of people and perspectives.

Floyd Willis said that it is common practice for a hearing panel to be established of local COG members who adopt a set of recommendations. He said that this allows the proposals to be appealed in the local arena. He continued that beyond the COG level at the state level they must review the trend over time to see whether they are spending money on transit.

Judith Norman stated that this is a good idea as there is a great amount of information to review in the unmet needs process and it is a lengthy process. She said that monitoring certain aspects to discover the true process is a good proposal. She added that there might be potential for the TDA working group to review certain processes and decide if there are issues present.

Floyd Willis said that they might start comparing what percent of the funds is applied to transit versus streets and road and this could be made available in a peer group comparison available to the public and its transparency and might add creed in the future if things are out of hand.

Judith Norman said that she agrees that starting simple is advantageous as it is dependent upon the success of the program. She said that everyone is aware that the hammer behind local agencies is based on the priorities, relative to what they need at the time. She continued that the make-up of the decision makers is also important. Ms. Norman said that they can make recommendations to the TDA working group as elements for them to track in the future.

Lynn Daucher said that this can also be posted in the link for the layperson to make comparisons.

Floyd Willis said that this might be a great tool for the decision makers as well.

Kimberly Gayle said that they report the formula funds given to each county but she is unsure of the streets and roads side. She said that the funds come from the state controller directly to the local entities rather than through Caltrans.

Floyd Willis said that at this first stage they must look at an increased monitoring role of Caltrans of the CTSA, definitions of unmet needs, and the amount of money spent on transit versus streets and roads. He continued that having this as an accessible, document is of great service to the state.

Kimberly Gayle said that they normally monitor the unmet needs and review how much money is given to transit versus streets and roads and this is included in their grant applications. She said that she is almost sure this information is not made public and that is a current request.

Legislative Update

Judith Norman discussed slide 16, which includes findings and the unmet needs process in the coordinated plans. She said that she found within the rural plans that they have moved forward. She said that the first alternative supports a simple process to do this. Ms. Norman continued that during this climate of funding it becomes available for projects in the unmet needs categories to match the needs in the coordinated plans. She asked for comments on this alternative.

MAP PAC Questions and Comments

Floyd Willis said that it might be beneficial if they require unmet needs process findings as an automatic appendix to the existing coordinated plan to address non-updated plans. He said that this would help obtain 5310, 5316, or 5317 funding for a new unmet need without completing the process of updating the original plan.

Kimberly Gayle said that she likes this idea because there is concern with updating plans, especially in rural areas. She said that appendices and addendums would be incorporated easily into the existing plans.

Judith Norman asked for clarification on whether the recommendation is that they append the needs surfaced during the unmet needs hearings relative to the target populations.

Kimberly Gayle answered that it would need to be relative to the target populations. She said that if something is done similar to San Diego with a comprehensive plan this would be less restrictive. She said that a region could decide to do a more comprehensive plan as they do not need a separate document but rather they must see the coordinated plan elements are contained in the planning process.

Ms. Gayle introduced Jane Perez, the acting Division Chief in Mass Transportation and Tracy Frost, the new project manager.

Jane Perez said that she is thankful to be involved in such a critical and important project. She said that she looks forward to working with the committee members in the near future.

Tracy Frost said that she has been to MAP PAC meetings in the past and she looks forward to working with the committee in the future as the replacement for Eric Schatmeier.

Legislative Update

Judith Norman continued to slide 17 and discussed Medical's non-emergency transportation issues, including the fact that public transit providers are generally not eligible to receive reimbursement. She said that stakeholders discussed the fact that regulations relate to transporting Medical beneficiaries which negatively impacts those without other transportation options. She said that the question posed includes whether Medical regulations should be amended to allow recipients greater access. Ms. Norman said that the regulations call for transportation to beneficiaries and the idea of the modification itself may not be the issue but rather enforcement of the issue.

Ms. Norman moved to slide 18, which includes NCSL's analysis on the implementation of the states' Medical program. She emphasized that the active word used here is "policy" as there are many regulations not enforced. She mentioned that the TAR requirement becomes very cumbersome for the providers.

Ms. Norman continued with the first alternative, which includes providing greater access to beneficiaries with a legislative amendment. She said that Medicaid beneficiaries who do not fit in the current definition tend to not receive rides. She said that a legislative mandate is a difficult process and the committee wants to pursue more accessible alternatives. She said that there are major two issues: public transit is not reimbursed for transportation and only certain people are receiving the transportation, severely ill or people with disabilities. She asked for comments from members on the alternative.

MAP PAC Questions and Comments

Lynn Daucher said that she spoke with someone at DHCS whose main issue is cost and if eligibility is expanded there could be cost increases and they must think about this because the new refrain is that the state is broke. She said that there is an LAO report on this issue which includes suggestions to pile out a broker program in rural and urban areas and examine results funded with the same amount of dollars as before.

Jean Foletta said that there is a new provision where they are required to provide transportation to participants, which at one point was through any form they chose. She said that now the state mandate says they must provide the lowest cost transportation service to the consumer. She said this might be something on the same level that DDS is telling regional centers working with Medical.

David Cyra said that in 1983 a group of Medical recipients claimed that the state plan violated the assurance of transportation and the court agreed and ordered the state to amend and publish a complete plan, taking into account all qualifying recipients. He continued that the state was not required to furnish or pay for transportation and that federal regulation and options must be established and considered in adopting a state plan. He explained that even through a lawsuit, if the secretary does not wish to do this, he does not do it and that is the stumbling block. He said they can call the state derelict in providing services but if there is a lack of money, the secretary administers money in the best way he can and those people that really do not need transportation are not receiving. He continued if they are looking for strong action, it may take another lawsuit.

Floyd Willis said that public transit may not provide the geographic coverage for many NEMT trips especially those that require door-to-door assistance. He said that it would

be great if public transit could handle trips with able patients who can use mass transit and he asked if a private provider can complete an application to become a Medi-Cal-recognized NEMT transportation provider for patients who require assistance.

Judith Norman answered that a private provider can complete the necessary paperwork in attempt to become a Medical transportation provider.

Floyd Willis asked if that process requires any pre-conditions on the part of the county to allow that or if it is a statewide availability to transit providers.

Judith Norman answered that there are two methods: through the local county agency to obtain permission or through applying directly to the state for the same certification. She said that both are lengthy processes and the stipulations about the responsibilities of the private provider are similar to public rules, including licenses and vehicle maintenance. She continued that many providers lack reporting capability to complete the standards. Ms. Norman said that the local government agency requirements are very political as they may not wish to incorporate many providers.

Floyd Willis said that there are one or two providers that dropped out of the program due to another issue of the lengthy reimbursement process.

David Cyra said that depending on the locale, they may put a limit on the number of providers in the area which would lead to a decline in applications by new providers. He said that through NCSL's research they moved around the definition of public transportation by going to specific designations. He said if there is fixed route transportation, access is available wherever the transportation stops but with a specific designation it is similar to a contract of service with a taxi cab. He said similar to Medical, they only have to approve the destination.

Lynn Daucher asked if Medical approves the destination without looking into who the provider is as long as they are certified.

David Cyra answered yes or through some agreement like San Diego which was established because it makes sense and saves money on the trip. He said that it is similar to taking an ambulance for \$500 or a stretcher vehicle for \$300.

Lynn Daucher asked if this is to bypass the public transportation prohibitions.

Judith Norman answered yes and they know that there is one precedent set. She said that they would have to approach the LGAs as a group because the local level is unaware of these opportunities.

Lynn Daucher asked if she goes to her DHCS contact and discusses this issue will she stop something that has been successful or is there any danger if it has been approved in San Diego.

David Cyra said that in the mid-80s this was done for troubled youth and they gave them a bus pass which saved \$300,000 a month by switching from specialized to public transit. He said that when they approached the Department of Health and Human Services, they said that the issue was that they did not know where the youth was

traveling with the bus pass. He said that they save money if they only consider the alternative but the bean counters want to know if the destination is approved.

Lynn Daucher asked if Medical certifies public transit and if San Diego is a private specialized group with a contract.

David Cyra answered that they are a quasi –public entity.

Judith Norman said it is operated by North County Transit but on the ADA side and also at MTS.

David Cyra said that Max Calder was probably influential in getting this approved.

Lynn Daucher asked if the statement “public transportation cannot be used” only refers to bus usage.

Judith Norman said that this is the only locale she is aware of where public transportation is approved. She said that she has found that it is difficult for both private and public transportation providers to become certified, as it is the same process.

David Cyra said that the hero in San Diego is Janet Ducrotia, as she is the one that took advantage of an opportunity at the local Medical office. He said that Dan Fox in Tulare County sold public transit subsidized bus passes to the Department of Health and Human Services offices. He said that approximately 75 out of 150 went to this department at a discounted rate and the office distributes them to their clients.

Lynn Daucher asked if it is funded by Medical.

David Cyra answered yes, it is the Medical office who purchases passes but he did not see results of the program which was two years ago.

Lynn Daucher said that if her contact at DHCS uses San Diego as a model in publicizing that would be one good thing but the negative issue is that they have to become certified.

David Cyra said that it is good for the customer but bad for the department because they do not want to spend the money. He said that once they open it up to the bus passes, they will run out of money much quicker.

Judith Norman said that they return to the fact that cost is an issue. She said that she believes the mechanism is there and can be worked with but it must be a collective effort. She said that the LGAs in the region should work together and maintain limitations so they do not overextend.

Lynn Daucher said that if control mechanisms are in place then they are not opening up eligibility to serve the same population at a lower cost.

Judith Norman said that they must address these issues collectively because many people are not involved.

David Cyra suggested a soft approach in a pilot project because currently they are unaware of the real costs because it is not done in the state. He said that San Diego is specialized transit but they need to examine a subsidized bus pass. He continued that if they can prove that they can spend \$20 on a bus pass with twice as many trips instead of \$40 in specialized transit they are cutting costs.

Lynn Daucher said that the legislature and governor agreed to put Medical under managed care and in the private sector the Kaisers and Medical home providers do provide transportation in a capitated rate. She said that it would be important if this happens to allow the capitated rate to pay for transportation.

David Cyra said that there is a great amount of people who can ride public transit and Medical talks about lowest trip costs so they cannot go wrong when comparing a \$2 fixed route trip to a specialized \$40 trip.

Lynn Daucher said that they are currently paying nothing for these trips.

Laura Williams said that they must remember the basic fact that Medical only pays for medical appointment transportation when there is no other transportation available. She said that this is the eligibility rule that must first be met. She continued that they approve destinations because they ensure that these are for medical appointments only. Ms. Williams said that the Medicaid rule is that the broker has to provide a full month pass for the same amount or less than the medical trips before they have to provide only medical trips and they can only provide to and from medical appointments when there are no other options.

Ms. Williams continued that there is discussion because right now local paratransit agencies provide transportation to agency groups, which is a funded agency program who should not be receiving paratransit rides at the same rate as disabled persons in the community because agencies should contract for a rate that covers the full cost not just the capitated rate. She stated that that cost should be measured against the Medical rates that have been contracted for. Ms. Williams said that everyone tends to walk away because of the complications and there is potentially a small population that lacks transportation to and from medical appointments. She said that the first barrier is to convince the local social worker that people need medical appointment transportation.

David Wilder said that it might be interesting to ask Medicaid managed care programs providing transportation what they are realizing at cost savings with more frequent trips to appointments versus emergency rides. He said that they will provide transportation for regular healthy visits in hopes of long term cost savings.

Laura Williams agreed and said that these are good cost saving ideas and good health outcomes for a coordinated approach.

Kimberly Gayle asked if they are discussing asking the actual managed care facilities.

David Wilder answered that they should ask the Medicare providers" IHP, Cal Optima, Molina.

Lynn Daucher said that there might be some national studies on these elements.

Judith Norman said that the problems are found within the record keeping by the providers who frequently do not know their transportation costs. She said that one of the recommendations that came out of the study was to implement a record-keeping pilot program.

Laura Williams said that on the information that the consultants provided and on the Medicaid site, they discuss providing through a brokerage. She said that there are limitations but it avoids the statewide limitations that most Medicaid waivers require so they can use regional pilots. She said that the documentation might have recommended a pilot of a brokering system to determine if there is a cost saving and maybe using a mixed county with large rural and urban areas would be an excellent place to obtain good cost data.

Lynn Daucher stated that this idea has the advantage of being an LAO recommendation and she thinks that gives credibility.

Judith Norman said that this is in place as alternative five and Ms. Williams is discussing a regional rather than state application of this alternative.

Laura Williams said that this can be used as a pilot to determine if it is worth implementing statewide because it might cost money in other counties.

Lynn Daucher said that LAO says it saves between 15-35% and they also say that the broker has the ability to screen of companies and subcontractors to get away from the Medical certification issue.

Legislative Update

Judith Norman said that alternative five will be addressed on slide 23. She said that the first two alternatives are discussing the same issues and they understand that cost is a problem. She said that she does not think it is the regulation but rather the implementation that is important. She continued that they must move to coordinating and helping the state agency to give guidance to show that this can happen.

MAP PAC Questions and Comments

Lynn Daucher said that they may want to pilot this program as well if they have cost issues and there are two pilots that they are talking about.

Floyd Willis said that he likes the brokering pilot project to have private providers certified to be a conveyance for door-to-door recipients. He said that they are the larger number of people who may be able to access fixed route services but they have molded to bus passes and making medical connections because this is not provided. He said that this is to resolve current problems with fixed route. He continued that if it was piloted in a way to cut past the certification process to showcase brokering, they might crack the door on this issue.

Judith Norman said that relative to alternative five, they can explore a hybrid brokerage and perhaps in finalizing the plan they can decide its terms. She said that this is after all, an implementation plan.

Floyd Willis said that it is also an example of where government paves the way research-wise for brokerage services of coordination as the model for a particular funding stream. He said that they pave the way for others to gravitate outside of Medical, which would be a policy to implement with local leadership.

Lynn Daucher asked what if the ADRC was in place as the implementing body.

Floyd Willis said that it could depend at least on making options known and could very well be an ADRC. He said that CTSA is more likely to be the better tangible arranger to establish MOUs and help providers understand what population they are serving and dispatching. He said that ADRC could route people to where the brokering is taking place.

Lynn Daucher said that it would boost the CTSA if they had the ability to do this and this responsibility would be very important.

Floyd Willis agreed and said that it gives credence and might help to designate the CTSA's for those that have not.

David Cyra reminded to not limit this designation to the CTSA's because they could very well have an aging center as a mobility manager and an ADRC could be a mobility manager underneath a CTSA.

Floyd Willis said that because the CTSA can be any nonprofit organization and they will call them regional mobility centers in the future. He said that the ADRC wanted to become such an entity.

Judith Norman said that she spoke with Ms. Gayle about regional and sub-regional entities facilitating mobility management. She said that it is something they will write about in the implementation.

David Cyra said that there are currently 26 mobility managers in the state from various entities, including public transit agencies and human service agencies and there is some health as well.

Judith Norman said that ADA is establishing a mobility management office in Los Angeles and their modus operandi is ultimately the brokerage groups.

Lynn Daucher said that her contact at DHCS said that there is something in the works on the TAR process but given the state budget will not happen overnight but they do recognize that it is a cumbersome process. She said that there is light at the end of the tunnel but not immediately.

Judith Norman said that this process is even more cumbersome on the agency itself than those submitting applications. She said that this is great information from an administrative standpoint.

Legislative Update

Judith Norman continued with slide 22 and discussed developing opportunities for providers to participate in the coordination process. She said that it is difficult for them to

obtain certification and some do not wish to go through the process. She said that this is just a matter of need for more education.

Ms. Norman continued to alternative four and discussed providing future opportunities for involvement. She said that they should clarify involvement opportunities.

MAP PAC Questions and Comments

Floyd Willis said that the CTSA's are supposed to convene with providers and interested parties to discuss coordination, training events, goals and issues, and it is natural for the CTSA to lead and involve providers.

Judith Norman said that there is a mechanism established for these meetings.

Virginia Webster said that the CTSA has monthly meetings and NEMT transporters refuse to attend meetings.

Judith Norman said that it is difficult to get providers to meetings because they do not see the goal and there is no money available.

Legislative Update

Judith Norman continued with slide 23 and discussed the hybrid NEMT brokerage. She said that LAO is suggesting this and they will try to examine if this process can be implemented in a regional setting and investigate the implications for the state. She said that they will start at a regional until they can move to a state level.

MAP PAC Questions and Comments

Kimberly Gayle said that she must think about this option because it is beyond the ability of Caltrans implementation.

Lynn Daucher said that it would be DHCS through Medical.

Floyd Willis asked if they are talking about brokerage pilots playing out at the local level.

Kimberly Gayle said that they would have to get approval to utilize funding in a different way from Medical.

Floyd Willis said that if this authority clears for a brokerage model, those areas that would become the pilot would have to go through a bidding process to be selected.

Lynn Daucher said that there would be some kind of a fair process that would occur.

Floyd Willis said that he cannot see in a piloted approach that the state would select any area that is not a CTSA.

Kimberly Gayle said that on the health and human services side there is a lack of education on how transportation decisions are made. She said that this is a different pot of money and they must include an education component to the most viable entity to implement the pilot.

Floyd Willis said that if they want their model to work, they must be in a region with this understanding already in place.

Kimberly Gayle said that they committed in the beginning to make this information available to decision makers for a framework to move forward with these projects.

Lynn Daucher said that if the pilot project proposal is detailed with completed criteria, the two secretaries will also receive background information to decide on an approval.

Kimberly Gayle said that in the Bay Area there is an MPO as the CTSA and she does not want to preclude entities that are doing good things but not designated as a CTSA.

Lynn Daucher said that she suggests that she invites the people at DHCS that are knowledgeable to join their conversation to flush through these issues.

Judith Norman said that much of this is health and human services oriented and there is an educational process to help them understand its importance. She said that they are delivering health care services, which cannot be delivered if the client cannot get there.

Lynn Daucher said that they want to talk to them sooner rather than later to obtain their support.

Kimberly Gayle said that she must think about this because it is another arm under HHS and they need to confer with the decision makers on the best approach.

Judith Norman said that this makes her think about the alternatives and they wanted to present this to the MAP PAC to obtain input but it is an HHS rather than DMT issue.

Kimberly Gayle said that they can identify interested parties in participating as potential pilot locations and construct a profile on certain areas to cover. She said that, for instance, if they ask what the program might look like, they can present a scenario.

Judith Norman said that they need to know what they are proposing and feel it out with the criteria so it does not preclude either side of the issues. She said that they can then let it go relative to the approval process. She said that the CTSA issues and involvements have been present throughout all elements of the study but they must recognize that they want to effectuate coordination as the goal.

Floyd Willis said that this is another example of integrating state planning and departmental statutes, laws, and regulations, and when it is cross-threaded it is important that it be strong without any fragmentation. He said that this is an example of logistics and mechanics from transportation marrying up with health and medical. He said that the CTSA is statutorily designed to deal with these issues, whether it is children, rehab, behavioral health, or aging. He said that the worst thing would be to employ another entity where there is a CTSA already present.

Legislative Update

Judith Norman continued to page 25 and discussed insurance costs issues. She said that insurance and liability needs and risks are problematic and have been for quite

some time. She said that CTA and CalACT have implemented some elements and the analysis is based on sharing assets and vehicles to enhance coordination.

Ms. Norman said that slide 27 contains NCSL's solution to this alternative from Caltrans and other guidance, which includes remedies like insurance cooperatives and paratransit providers. She said that they will continue to flush out these options and it is a matter of educating people in these areas. She said that when they discuss pilots they must examine real-life pilots with people who want to work together and are not limited by insurance issues. She continued that they need more data to establish these pilot programs. She asked for comments on this alternative and where they might find case studies on this

MAP PAC Questions and Comments

David Wilder said that Georgia has a program where everyone shares vehicles. He said that there was a presentation done by CalACT on this program. He said that it was a broker who provided the transportation and agencies put the people on the vehicles.

David Cyra said that over 20 years ago, Wisconsin DOT sponsored best practice insurance pools and formed one for large urban transit and one for smaller agencies and saved thousands of dollars. He said that they brought these to different places in the state so any insurance pool would be a great place to examine and borrow techniques.

Judith Norman said that they will highlight many documents in their final document to include in their report and recommendations. She said that this can be done and it is important to highlight the various methods in which they can implement this program. She said that Flex Car or Zip Car is an interesting program to look at in order to understand their insurance and risk options.

Lynn Daucher asked if it was possible to implement a state pool where people can buy in and take these options into account. She said that school districts have self-insurance cooperatives.

Clay Kempf said that California has Nonprofits United which was a CalACT project that created an insurance pool for nonprofit paratransit providers. He said that they would be worth talking to as it is a group of agencies coming together to establish a cost manageable insurance pool with progressive methods to share vehicles.

Judith Norman said that this is an informational issue as it is not concretely provided to people.

David Cyra commented that program copied a program that began in Oregon.

Judith Norman said that she will flush out some of these issues to discover the relevant points to include in their study. She said that they need to direct people to things that are working already.

Kimberly Gayle said that all information that is provided will be made readily available to members.

Legislative Update

Judith Norman continued with Next Steps on slide 29, in which they want to receive and integrate the MAP PAC comments to draft reports which will be posted. She said that they want to complete the draft and legislative report and post it to the website. She said that they will arrange a CTSA workshop emphasis for the next MAP PAC meeting. She said that they intend to present the stateside implementation plan with incorporation of MAP PAC comments. Ms. Norman continued that they plan to highlight three to four items they can implement and recommend for the coordinated plans along with additional guidance and clarity.

MAP PAC Questions and Comments

David Cyra said that in reviewing the current material, he does not recall seeing any information pointing to a statewide coordination council.

Kimberly Gayle said that this was planned as part of the implementation once they identified future action and strategies and through that effort they will identify the best entity to carry that forward and incorporate it into the state strategic implementation plan.

David Cyra asked if the idea is still there. He said it is successful in states that implement.

Kimberly Gayle said that they backed off in the beginning because they wanted to make a case for what they do, what role they play and what issues they address. She said that they have identified issues and they must identify the best entity fit to resolve these issues. She said that rather than starting with an agency they are building a case from the bottom up for who would be best fit for implementation.

Judith Norman said that they have to know what it is that needs to be done because they have found many alternatives are going in different directions which would be the responsibility of another entity.

Ms. Norman thanked the committee members for their input in the meeting.

Next Meeting

Kimberly Gayle stated that the next meeting is scheduled for Wednesday, April 14, 2010 in Southern California. She said that the last meeting is scheduled for June 16 as the project concludes June 30.

Ms. Gayle said that she has committed to continue with MAP PAC meetings after that date with the same forum but without the consultant team. She said that she hopes the strategic implementation plan will guide them beyond the study period because it is time for implementation. Ms. Gayle said that she is unsure of recommendation of a new bureaucracy due to the fiscal crisis, and they might identify for the future when the climate is better. She said that they will have this presentation at the last meeting and she hopes to finalize all documents by the next meeting. She asked that committee members provide input in order to finalize these documents.

David Cyra said that he would like to offer a friendly amendment to change the “C” in CTSA to coordinated from consolidated. He said that this makes sense with what is happening in the state along with reduced available funds.

Floyd Willis asked if this is a topic of discussion within the workshop.

Kimberly Gayle said that the overall goal of the meeting is to support the function that improves coordination with in their areas.

Floyd Willis said that form follows function and the name is just a form.

Kimberly Gayle said that they will have the discussion but they must focus on supporting entities to improve coordination and support mobility managers as well as SSTAC and CAMP committees. She said that there are many things going on they continue to learn about them as they continue along.

Adjournment

The meeting adjourned at 1:45 p.m.

Attachment A

MAP PAC Meeting Attendees Wednesday, February 17, 2009

In-Person Meeting Attendees

Kimberly Gayle, Chair
Lynn Daucher, Co-Chair
David J. Cyra
Jean Foletta
David Ball
Tracy Frost
Jane Perez

Telephone Meeting Attendees

Bill Doyle
Romeo Estrella
Tom Hicks
Frances Jacobs
Clay Kempf
Jacklyn Montgomery
Rosa De Leon Park
Pat Piras
Virginia Webster
Nina Weiler-Harwell
David Wilder
Laura Williams
Floyd Willis

MAP PAC Study Consultants

Judith Norman
Ray Clay
CJ Smith
Jim Reed