



Golden Gate Regional Center

Serving people with developmental disabilities since 1966

August 6, 2009

Dear Families and Those Served by GGRC:

The State of California continues to experience unprecedented fiscal deficits, some of which may affect the services that you or your family member receives from Golden Gate Regional Center (GGRC). We are writing to inform you of those changes. As always, decisions about the services and supports received by a person are determined on an individual basis using the Individual Program Plan (IPP) or Individual Family Service Plan (IFSP) process.

Should you have any questions or concerns about how these changes will impact you personally, please contact your Social Worker or Service Coordinator at GGRC. The following changes to the Lanterman Act and Early Start statutes went into effect July 28, 2009:

1. Group Training - When developing, reviewing, or modifying IFSPs or IPPs for children, the law now requires GGRC to mandate group training for parents on behavior intervention techniques and the exceptions for parental participation in the intervention program. If any of these changes result in a change to your IFSP/IPP, you will receive a Notice of Action (NoA) by certified mail that explains the change, the effective date, and your appeals rights. This would include an opportunity for a meeting to consider whether you may be exempted from this requirement.
2. Behavioral Service Standards - Establishes specific service standards for purchasing applied behavioral analysis and/or intensive behavior intervention services for all persons served by GGRC, including those 0-3 years of age. The standards address the need for a behavioral assessment, intervention plan, GGRC purchase criteria, parental participation, and periodic review of the service. If any of these changes result in a change to your IFSP/IPP, you will receive a Notice of Action (NoA) by certified mail that explains the change, the effective date, and your appeals rights. This would include an opportunity for a meeting to consider whether you may be exempted from this requirement.
3. Alternative Funding Sources - Prohibits GGRC from purchasing any service that would otherwise be available from specified insurance and public health programs when the person or family is eligible for such coverage but chooses not to pursue it. The programs specified include Medi-Cal, Medicare, the Civilian Health and Medical Program for Uniform Services, In-Home Support Services, California Children's Services, private insurance, and health care service plans.

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Your GGRC social worker or service coordinator will be able to assist you with making application to any programs for which you might be eligible.

4. Medical/Dental Services - Prohibits GGRC from purchasing medical or dental services for a person over age three without proof of denial from Medi-Cal, private insurance, or health care service plan and verification that the person or family is pursuing an administrative appeal of such denial, unless GGRC determines the denial does not merit appeal. However, GGRC may pay for such services: (1) when coverage is being pursued, but before a denial is made; (2) pending a final administrative decision on the appeal, if the family has provided verification that an administrative appeal is being pursued; (3) until the commencement of services by the plan. If you are currently receiving these services funded by GGRC, you will be asked for proof of denial from MediCal, private insurance or the Health Plan if this is not already in the GGRC record. If GGRC determines an appeal should be made and you decline to file, you will receive an NoA stating that your service will stop in 30 days as a result of your declining to appeal.
5. Respite Service Standards - Limits the amount of respite care that GGRC may purchase to 21 days of out-of-home respite per year and 90 hours of in-home respite per quarter. The regional center may grant an exception from the respite limits if it is demonstrated that the intensity of the person's care and supervision needs are such that additional respite is necessary to maintain the person in the family home, or there is an extraordinary event that impacts the family member's ability to meet the care and supervision needs of the person. These standards went into effect July 28, 2009 and shall remain in effect only until the Individual Choice Budget (ICB) model is implemented. The ICB model is currently under development by DDS and an exact date for implementation is not known at this time.
6. Supported Living Services (SLS) - Requires that the planning team of a person receiving SLS confirm that all appropriate and available sources of natural and generic supports have been utilized to the fullest extent possible; that regional centers utilize the same SLS provider for persons residing in the same domicile, provided that each person's particular needs can still be met pursuant to his or her IPP; and that the person, and any roommate, make all rent, mortgage, or lease payments and be responsible for household expenses.

The law also specifies the conditions under which a regional center may make rent, lease or mortgage payments or assist with household expenses for a person in SLS not to exceed six months, with certain exceptions. To do so, the regional center executive director must verify in writing that making the rent, mortgage, or lease payments or paying for household expenses is required to meet the specific care needs unique to the individual as set forth in an addendum to the IPP, and is required when a person's demonstrated medical, behavioral, or psychiatric condition presents a health and safety risk to himself or herself, or another. In addition, during the time period that a regional center is making rent, mortgage, or lease payments, or paying for household expenses, the SLS vendor must assist the person in accessing all sources of generic and natural supports consistent with the needs of the person. The regional center shall not make rent, mortgage, or lease payments on a supported living home or pay for household expenses for more than six months, unless the regional center finds that it is necessary to meet the individual person's particular needs pursuant to the IPP. The regional center shall review

a finding of necessity on a quarterly basis and the regional center executive director shall annually verify in an addendum to the IPP that the requirements noted above continue to be met.

7. In-home Support Services (IHSS) - Prohibits GGRC from: (1) purchasing IHSS-type supportive services for persons who qualify for IHSS, but who refuse to apply for IHSS; (2) purchasing SLS to supplant IHSS; or (3) paying a rate for services that exceeds the IHSS hourly rate for a person served whose application for IHSS is pending. County IHSS rates will be posted on the home page of www.dds.ca.gov.
8. Uniform Holiday Schedule - Effective August 1, 2009, establishes 14 uniform mandatory holidays that apply to work activity programs, activity centers, adult development centers, behavior management programs, social recreation programs, adaptive skills trainers, infant development programs, program support groups (day service), socialization training programs, client/parent support behavior intervention training programs, community integration training programs, community activities support services, creative arts programs and transportation services. GGRC is prohibited from compensating these programs for providing services to persons on any of the established holidays. The 14 holidays are January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, Thanksgiving Day, December 25, and the four business days between December 25 and January 1 and will remain in effect until changed by a program directive from the Director of DDS.
9. Least Costly Service - Requires GGRC to purchase services from the least-costly available provider of comparable quality service, including the cost of transportation, who is able to meet the person's needs consistent with the IFSP/IPP. The person served shall not be required to use the least costly provider if it will result in a change from an existing provider of services or supports to more restrictive or less integrated services or supports. Determination of appropriate services and supports will be made at the next regularly scheduled review of the person's IFSP/IPP.
10. Experimental Treatments - Prohibits GGRC from purchasing experimental treatments, therapeutic services, or devices that have not been clinically determined or scientifically proven to be effective or safe, or for which risks and complications are unknown. Experimental treatments or therapeutic services include experimental medical or nutritional therapy when the use of the product for that purpose is not a general physician practice.
11. Transportation - Establishes four limitations in purchasing transportation services, as follows: (1) prohibits the funding of private specialized transportation services for adults who can safely access and utilize public transportation, when that transportation is available; (2) requires GGRC to fund the least expensive transportation modality that meets the person's needs, as set forth in the IPP or IFSP; (3) requires GGRC to fund transportation, when required, from the person's residence to the lowest-cost vendor which provides the service that meets the person's needs, as set forth in the person's IPP or IFSP; and (4) prohibits GGRC from purchasing transportation services for a minor child living in the family residence, unless the family of the child provides sufficient

written documentation to GGRC demonstrating an inability to provide the transportation service. These changes will be implemented at the time of development, review or modification of the IFSP/IPP.

12. Neighborhood Pre-Schools - When developing, reviewing, or modifying IFSPs or individual program plans (IPPs) for children, requires GGRC to consider using neighborhood preschools and funding needed qualified personnel in lieu of purchasing infant development programs (IDP). For children currently attending an IDP, the pre-school option will be discussed at the next regularly scheduled review of the child's IFSP/IPP.
13. Purchase of Specified Services - Prohibits GGRC from purchasing the following services until such time as the ICB model is implemented: camping services and associated travel expenses, social recreation activities, except for those vendored as community-based day programs, educational services for children aged 3 through 17, and non-medical therapies, including but not limited to, specialized recreation, art, dance, and music. Individual exceptions may be granted by GGRC in extraordinary circumstances when GGRC determines that the service is a primary or critical means for ameliorating the physical, cognitive, or psychosocial effects of the person's developmental disability, or the service is necessary to enable the person to remain in his or her home and no alternative service is available to meet the person's need.

As always, GGRC will continue to serve as the safety net for you and your family. Together, we will navigate these difficult times while ensuring that the people served by GGRC live lives that are productive and meaningful to them. If you prefer to receive information from GGRC by email, please send your email address to Judy Leonard at jleonard@ggrc.org.

Sincerely,

A handwritten signature in cursive script that reads "James L. Shorter" with a stylized initial "JL" below the name.

James L. Shorter
Executive Director

JLS/wjt