



## Regional Center Services

Regional Centers are private, non-profit corporations that have contracts with the California Department of Developmental Services (DDS). They are the providers of services to meet the requirements set out in a California law called the Lanterman Act.

The Centers provide supports and services for children and adults with Developmental Disabilities. There are 21 regional centers in California and each one serves a different area of the state so that anyone in California who is eligible can receive the services they need.

Eligibility for regional centers is different than eligibility for special education. This packet of information will provide information on who is eligible, how to apply for eligibility, the supports and services that are available, the Individual Program Plan, and what to do if you disagree with the regional center.

### **Other Packets and HELP sheets are available on topics related to:**

Advocacy and Communication  
ADHD/ADD  
Asperger Syndrome  
Assessment  
Autism  
Behavior  
Bullying  
School Discipline  
Individual Education Plans (IEP)  
Learning Disabilities  
Resolving Disagreements  
504 Plans  
Regional Centers  
Speech and Language Difficulties  
Transition to Adulthood  
School Problems

*Matrix Parent Network and Resource Center  
Serving Marin, Napa, Solano and Sonoma Counties  
Empowering families of children with special needs to understand and access the systems that serve them.*

[www.matrixparents.org](http://www.matrixparents.org)

94 Galli Drive, Suite C, Novato, CA 94949

1615 West Texas Street, Suite 4, Fairfield, CA 94533

1 (800) 578-2592

## Regional Centers - An Overview

Children and their families and adults with developmental disabilities have rights that are protected in the **Lanterman Act**. This act is part of California's Welfare and Institutions Code (WIC). The law says that people with developmental disabilities have the same rights as any other Californian as well as the additional right to:

- Make choices that respect the individual's or family's preferences and needs
- Supports for families so that their children can live at home if that is desired
- Receive services that help someone have a life that is typical for someone their age without a disability
- Receive services and supports that help an individual participate in their community and help maximize the potential of the person with the developmental disability

In California, children and adults with **developmental disabilities** may be eligible for services from regional centers. Someone may be eligible if they have at least one of 5 disabilities. This disability must be considered a "substantial disability" and cause "significant functional limitations."

Once someone is eligible for regional center services, a case manager is responsible for identifying, planning, coordinating and purchasing services and supports for children and adults with developmental disabilities and their families. An **IPP** or **Individual Program Plan** is written. The IPP must identify needs and goals and describe the services or supports that will be purchased by the regional center. It is important to also describe services provided by other agencies such as schools, medical professionals, etc.

The Lanterman Act, which requires regional centers to develop the IPP, has very strong language that says that families must have choices and be part of the decision-making in the IPP. Families must be supported in whatever way is needed so that their child can live at home, be part of the community and have as typical a life as possible.

Families of children who are 3 to 17 years old are responsible for paying for some of the services they receive. This is called Family Cost Participation or parental co-pay which is determined on an income-based sliding scale.

As of July 2009, a number of changes were made to the Lanterman Act. Regional centers are no longer allowed to pay for social/recreation activities, camp (unless it is meeting an identified need for out-of-home respite) or non-medical therapies. Additionally there are limits on the amount of respite that is available and how behavior support services are delivered. Exceptions are permitted if the identified needs are considered intense. In-depth information on these changes is available at [www.disabilityrightsca.org](http://www.disabilityrightsca.org)

## Regional Center Eligibility

Eligibility requires several things. The child or adult must have a **developmental disability** that started before age 18, and is expected to continue forever. The disability must be considered substantial and not only physical. It also cannot only be psychiatric. There are five categories of disability that may result in eligibility:

1. cognitive impairment
2. autism
3. cerebral palsy
4. epilepsy
5. “other disabling conditions” similar to cognitive disability (known as the “5<sup>th</sup> category”).

The person’s disability must require planning and coordination among different agencies. It should be noted that an individual may have a psychiatric disability **in addition to** a developmental disability and still be eligible.

When considering if someone has a **Substantial Disability**, regional center will look at whether or not the disability causes **significant functional limitations** in three or more of the following major life activities:

1. Self-care
2. Receptive and expressive language
3. Learning
4. Mobility
5. Self-direction
6. Ability to live independently
7. Economic self-sufficiency

The Regional center decides if, depending on the age of the person, the functional limitations are significant. Normally only the first five of the major life activities apply to children.

If you are applying for eligibility, it is important and helpful to provide copies of school records, medical records and any assessments about your child. Regional center should answer your request within 15 days and they may want to do additional assessments. They must tell you if your child is eligible **within 120 days** of the initial intake (if the child is 3 years or older). An IPP must be developed within 60 days of completing the assessment that determined eligibility.

## The Individual Program Plan

The Individual Program Plan or IPP determines services for your child and your family. This is a very key document. Take time to be part of the process to develop it. Include everything that you believe is critical to your child and family. This is your opportunity to make sure that this plan has information about your child's areas of need and what you think could help your child and your family. Preparing for this meeting is an important activity.

IPPs are developed by looking at different "domains" or areas of your child's life. These include, among other areas:

- Health
- Education
- Family support
- Living Arrangements

Include all information that relates to each area even if you think regional center might not be able to provide help. You want a complete picture of your child and how their disability impacts your family. Examples that are important to include in the IPP: your child is drooling, he is unable to sleep at night, she is unable to participate in family outings.

The IPP asks "*how are things now?*" and "*how would you like them to be?*" When answering the second question you can ask for support to change or improve how things are currently for your child and your family. There may be a variety of supports or services that can help get to "*how you would like them to be.*" Have a discussion about this and come up with ideas. If you do not ask, you may not be offered supports that could benefit your child or your family.

What services must the IPP include?

- direct services for your child such as therapy or behavior supports
- family support services such as respite and day care

Regional centers are directed to be flexible and creative in addressing the needs of families, so services are not limited by the listing in the law. However, due to changes effective July 2009, regional centers cannot purchase some services (see **Regional Centers - Overview**)

All services must be built on goals and objectives. This is very similar to Individual Education Plans for special education. Regional centers are required to write goals and objectives that can measure progress or monitor progress. Due to the nature of a disability, there may not be progress. Instead, monitoring the effectiveness of the service is needed. An example would be respite. A parent needs respite to provide relief from caring for their child. This goal would be measured by determining if the parent was in fact receiving relief, rather than a measure of progress for the child.

**Remember**, the IPP and the goals, objectives and services should help your child be part of the community, participate in typical activities, maximize their potential and support you in raising them at home.



## When You Disagree with Regional Center

### Fair Hearing

You as a parent or guardian have the right to appeal any decision made by the regional center if you feel that the decision is not in your child's best interest. If you disagree with a regional center decision, you may:

- Ask for a meeting with the supervisor or multidisciplinary team. This is optional but may resolve the problem without any further due process.
- Ask your service coordinator for the decision in writing and for the procedure to appeal their decision. Regional Centers must provide a written “Notice of Proposed Action” at least 30 days prior to any decision made without your consent to reduce, change or end current services or terminate eligibility. A Notice of Proposed Action must be provided within 5 days if regional center refuses to include a new service or support in the Individual Program Plan. They must provide you with the Request for Fair Hearing form as well as information on advocacy assistance. Notices must be sent by certified mail.
- Complete the Request for Fair Hearing form and send it to the regional center which will send a copy to the Office of Administrative Hearings. You may request a Voluntary Informal Meeting and/or Mediation when you send in the Request for Fair Hearing. The Informal Meeting must be held within 10 days of your request and the Mediation, if the Regional Center agrees to participate, must be held within 30 days of your request. The State Level Formal Fair Hearing must be held within 50 days of receipt of your request for the hearing. Fair hearings require substantial preparation on your part.
- If you are appealing a decision to end or change a service, it is important that you respond to the Notice of Proposed Action within 10 days of receiving the Notice. By doing this you will continue to receive the service until the appeal is resolved. This is known as “aid paid pending.” Appeals must be filed within 30 days of receiving a Notice of Proposed Action.
- Contact the Office of Clients’ Rights Advocacy or the Area Board on Developmental Disabilities for your area for advocacy resources. Matrix has a web-based training on Accessing Regional Center Services at [www.matrixparents.org](http://www.matrixparents.org).
- Information on the Fair Hearing Process is available at [www.dds.ca.gov/complaints/](http://www.dds.ca.gov/complaints/) and [www.oah.dgs.ca.gov/DDS+Mediation+and+Hearings/](http://www.oah.dgs.ca.gov/DDS+Mediation+and+Hearings/)

### Complaint

If you believe that regional center is not following the law, you can file a “4731 Complaint.” Examples of when to do this would be: not receiving proper notice, timelines not followed, or not being allowed to participate in meetings. Information on how to do this is available at [www.dds.ca.gov/complaints/](http://www.dds.ca.gov/complaints/).