

Introduction to 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. Also included is information on California's Early Start Program for children from birth until 36 months of age.

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 (IEPs)
Learning Disabilities
Resolving Disagreements
504 Plans
Regional Centers
Speech and Language Difficulties
Transition to Adulthood
School Problems

AN OVERVIEW

Regional Centers

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. Eligibility involves determining if someone has at least one of five disabilities and if this disability is considered a "substantial disability" which causes "significant functional limitations." For children from birth to 36 months, there are different eligibility criteria.

Once someone is found 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 Individual Program Plan (IPP) is written identifying needs, establishing goals, and describing services or supports that will be purchased by Regional Center as well those that are provided by other agencies such as schools, medical professionals, etc. An Individual Family Service Plan (IFSP) is completed for an eligible child under the age of three.

The Lanterman Act, which requires Regional Centers to develop the IPP, has very strong language about ensuring that families have choices, are part of the decision-making, and are 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. Limits were placed on respite and how behavior support services are delivered. Some services are no longer allowed: social/recreation activities, camp, or non-medical therapies. Exceptions are permitted if the identified needs are considered intense. In-depth information on these changes is available at www.disabilityrightsca.org.

Regional Center Eligibility

There are several criteria that must be met for someone to be found eligible Regional Center services. 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. For individuals age 3 and older, 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 "5th category").

Also, 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

Regional Center decides if the limitations are met for the age of the person. Normally only the first five of the major life activities apply to children. For children under age 3, see the section on the Early Start Program (page 5) and the Department of Developmental Services website on Early Start eligibility (dds.ca.gov/early_start).

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 give you an initial response to 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 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** (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

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 his or her disability impacts your family. For example, you might mention that your child: is unable to sleep at night, is unable to participate in family outings, is having difficulty with toilet training, drools, or has tantrums.

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

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 may need 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.

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 **Overview: Regional Centers**, page 2).

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

Early Start Program

In California, the Regional Center agency responsible for carrying out a federal law that ensures that infants and toddlers with disabilities receive services to help their development. These services must be family-centered and be coordinated between agencies. Children from birth to 36 months can be referred to a Regional Center to see if they are eligible.



Eligibility changed in 2010. Children must have either a specified level of delay or have what is called an “established risk condition” which has a high chance of developmental delay. Children under 24 months are eligible if they have a developmental delay of 33% in one or more of the following areas: cognitive, communication, social or emotional, adaptive, or physical/ motor development. Child 24–36 months must have either a 50% delay in one of those areas or 33% in two or more areas. Established risk conditions can include various developmental syndromes such as Down syndrome.

Within 45 days of a referral to the Early Start Program, a case manager is assigned, parents are asked to sign consents to do assessments, and assessments of the child are completed. The focus is on the child’s strengths and needs and on the parents’ concerns and priorities.

If a child is eligible, an **Individual Family Service Plan (IFSP)** is developed which lists services for the child. Services are given either at home or in a community setting. Family support services are also part of an IFSP. Services can include: assistive technology; audiology; health, diagnostic, and nutrition services; occupational or physical therapy; speech pathology; special instruction; and transportation. The law lists and defines services.

Services are either arranged by or purchased by the Regional Center or local school district. Family Resource Centers such as Matrix Parent Network provide family support services.

There is no cost for evaluations or assessments. Necessary therapies are paid for by private or public insurance. Services not paid for by insurance will be provided by or purchased by the Regional Center or the school.

The Early Start Program must be family-centered. This means the family is part of all discussions about their child’s needs and possible services. An IFSP includes goals and information about when and where services will be provided. As children get close to their 3rd birthday, the IFSP team will plan for a smooth transition to what happens when leaving Early Start. See our Transition to Preschool packet.

If a child is *not* found eligible for Early Start, the Regional Center assessment may find that he or she may qualify for the Prevention Resource and Referral Services (PRRS) program. Matrix, as the Family Resource Center, is the lead agency for these services.

When You Disagree with the 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.
- Information on the Fair Hearing Process is available at www.dds.ca.gov/complaints and 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: if you did not receive proper notice, if timelines were not followed, or if you were not allowed to participate in meetings. Information on how to do this is available at www.dds.ca.gov/complaints/.

IPP Worksheet

Child's Name _____

Disability or Special Need(s) _____

Write a short paragraph describing your child. You can talk about his/her likes, dislikes, something about his/her personality, how she/he enjoys spending time, relationships with siblings or other family members, or favorite things to do.

Name three areas of strength for your child.

1. _____
2. _____
3. _____

Name three areas that worry you.

1. _____
2. _____
3. _____

Think about information you have been given about you child, the assessments you have read, and your knowledge about your child. **What areas of need should be addressed** in the non-educational setting?

In each of the following areas, try writing a broad goal and 1–2 objectives that you would like included on the IPP.

Goal for Work/School: _____

Objectives: _____

Supports: _____

Goal for Living/Family Supports: _____

Objectives: _____

Supports: _____

Goal for Health: _____

Objectives: _____

Supports: _____

Goal for Fun and Leisure: _____

Objectives: _____

Supports: _____

Other Goals: _____

Objectives: _____

Supports: _____

Based on your understanding of your child's disability and the implication for care and supervision, **what services and supports** do you think your child needs, and why? (Example: respite, day care, adaptive equipment, behavioral services, diapers, etc.)

List any other things you think should be added to the IPP. Remember, for minors, IPPs must include objectives which address a family's support plan. (Examples: respite, counseling, behavioral services, etc.)

Is there any other information about your child that is important for the IPP team to know, such as special healthcare needs, changes in your family situation, short-term special needs (illnesses, pregnancy, deaths, etc.)?

Things you need to do before your child's IPP meeting to be ready. (Example: obtain copies of assessments, calculate hours needed for daycare or respite, etc.)

Questions to be answered or need for additional information before the IPP.

Now you are ready to be an active and informed participant in your child's IPP!

*Adapted from CARE Parent Network Worksheet
by Area 4 Board on Developmental Disabilities*