



## COUNCIL MEETING NOTICE/AGENDA

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**DATE:** May 27, 2010

**TIMES:** 10:00 AM - 5:00 PM\*

(\*ending time for this meeting is approximate only and is intended solely for the purpose of travel planning only)

**PLACE:** Doubletree Hotel  
2001 Point West Way  
Sacramento, CA 95815  
916-929- 8855

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in the meeting, should contact Julian Garcia at: 916-322-9575 or email: [council@scdd.ca.gov](mailto:council@scdd.ca.gov). Requests must be received by 5:00 PM, Monday, May 17, 2010

### AGENDA FOR 5/27/10\*

[\*Note: Breaks will be announced as needed. Items may be taken out of order to ensure appropriate flow of meeting]

#### 10:00 A.M.

1. **CALL TO ORDER:** (M. Good)
2. **ESTABLISHMENT OF QUORUM:** (M. Good)
3. **WELCOME/INTRODUCTIONS:** (M. Good)

#### 4. **PUBLIC COMMENTS:**

[This section is for members of the public only; and is to provide the public an opportunity to comment and/or present information to the Council on any matter not on the agenda. Each member of the public will be afforded up to three minutes to speak. Written requests, if any, will be considered first. Additionally, the Council will provide a public comment period not to exceed seven minutes total for all public comments prior to Council action on each item.]

5. **APPROVAL OF MINUTES:** (M. Good)

The Council will review the minutes from the March 2010 meeting.

6. **APPROVAL OF COUNCIL MEETING DATES:** (M. Good)

The Council will review the meeting dates for 2011.

7. **CHAIR'S REPORT:** (M. Good)

8. **INTERIM EXECUTIVE DIRECTOR'S REPORT:** (L. Hoirup)

#### 9. **AGENCY REPORTS:**

- A. Health and Human Services Agency
- B. Department of Developmental Services
- C. Department of Rehabilitation

- D. Department of Education
- E. Department of Aging
- F. Department of Health Care Services

**10. COUNCIL ACTIONS AND DISCUSSION ITEMS:**

*The Council may take action based on information presented.*

- A. ADA 20<sup>TH</sup> ANNIVERSARY CELEBRATION: (L. Hoirup)
- B. EXECUTIVE COMMITTEE REPORT: (R. Knott)
- C. ADMINISTRATIVE COMMITTEE REPORT: (S. Dove)
- D. LEGISLATIVE AND PUBLIC POLICY COMMITTEE REPORT: (J. Aguilar)
- E. STRATEGIC PLANNING COMMITTEE REPORT: (O. Raynor) **BLUE**
- F. PROGRAM DEVELOPMENT COMMITTEE REPORT: (L. Cooley) **GREEN**
- G. SPONSORSHIP REQUESTS: (If needed) (M. Rosenberg)  
The Council will be asked to review and either approve or deny any Sponsorship Request(s). The Council allocates up to \$25,000 for Sponsorships every year.
- H. WAIVER REQUESTS: (If needed) (L. Hoirup) **YELLOW**  
The Council will be asked to review and either approve or deny any Waiver Request(s).
- I. AREA BOARD COUNCIL REPRESENTATIVE REPORTS: (L. Hoirup) **PINK**  
The Council regularly receives updated reports from all 13 Area Boards that highlight local priorities and activities.

**11. ADJOURNMENT****(M. Good)**

**NEXT COUNCIL MEETING:  
July 20-21, 2010  
SACRAMENTO  
DOUBLETREE HOTEL  
2001 POINT WEST WAY.  
SACRAMENTO, CA 95815  
916-929-8855**

**Minutes  
March Council Meeting  
Doubletree Hotel**

**March 16, 2010**

**Members Present**

Marcia Good      Terri Delgadillo  
Dan Owen        Shirley Dove  
Randi Knott      Jorge Aguilar  
Olivia Raynor    Leroy Shipp  
Lisa Cooley      Robin Hansen  
Jennifer Walsh   Bill Moore  
Michael Bailey   Emily Matlack  
Lori Kay         Ray Ceragioli  
Dan Boomer      Steve Silvius  
Jennifer Allen   Margaret Anderson  
Megan Juring

**Staff Present**

Laurie Hoirup  
Melissa Corral  
Julian Garcia  
Area Board Directors

**Not Present**

Catherine Blakemore    Patty O'Brien-Peterson    Robert Jacobs  
David Mulvaney         Lynn Daucher                Dean Lan  
Max Duley

**1. CALL TO ORDER**

The meeting was called to order by Council Chair Good on March 16, 2010 at 10:05 am.

**2. ESTABLISH QUORUM:**

Council Chair Good established that there was quorum to begin the meeting.

### **3. WELCOME/ INTRODUCTIONS**

Council Chair Good started introductions, which included the Council, staff and the public.

### **4. PUBLIC COMMENT**

Executive Director of People First of California, Joe Meadours has continued to train and graduate self advocates in their programs throughout the state; just recently Area Boards 7 and 8 and will be at AB 6 and 9.

### **5. APPROVAL OF MINUTES**

It was moved by Council Member Hansen, seconded by Council Member Dove, to approve the minutes from the March Council meeting. Motion carries.

### **6. CHAIR'S REPORT**

Council Chair Good stated that a management team has been created at Headquarters along with other positions that are being filled by staff to help us get through this period. A Selection Committee has been established and may have a vote for an Executive Director in July at the earliest. The Chair will also be attending the National Conference for the (NACDD).

### **7. EXECUTIVE DIRECTOR'S REPORT**

Interim Executive Director Hoirup reported that the QA project is on course under the direction of Roberta Newton. Staff is looking into remodeling HQ. Executive Director from AB12 has retired and Ruby Villanueva has been appointed as Interim Executive Director of AB 12. Max Duley and Michael Bailey have been appointed to the Council and a packet has been sent to the Governor's office for new appointments to AB 6 and 9. She attended two Federal DD partners meetings.

## **8. AGENCY REPORTS**

### **A. HEALTH AND HUMAN SERVICES AGENCY**

Council Member Juring reported on the Olmsted Advisory committee meeting which included a Legislative discussion, recommendations from the California Community Choices project, and an update on the Lanterman closure. The committee will also hear about the upcoming renewal of the Demonstration Waiver and will be looking at changes to the transition from long term care. The budget workgroup crafted a budget impact study which will study the impact of some of the budget reduction proposals.

### **B. DEPARTMENT OF DEVELOPMENTAL SERVICES (DDS)**

Council Member Delgadillo reported that most her time has been to develop a plan for the Lanterman closure. The budget advisory group discussed the implementation of the individual choice budget model and has asked to take the model and apply it to the consumers. Consumers have moved out of the Sierra Vista facility and are in the process of closure. The budget assumes that DDS will receive \$10M from Prop 10 commissions. DDS has reached an agreement with the Feds on a way to collect funding for transportation in day programs.

### **C. DEPARTMENT OF REHABILITATION (DOR)**

Council Member Moore reported that DOR has been awarded \$61.8 M in stimulus dollars and with that money has been able to hire 112 students and paid interns, 29 retired annuitants and awarded over \$20 M to private, non-profit and public agencies. DOR has also purchased video conferencing equipment for all of the offices. DOR has assisted 40 Counselors to enroll in Master's programs for rehab training.

### **D. DEPARTMENT OF EDUCATION (DOE)**

Council Member Boomer discussed the Section 19 data that was collected by DOE that is used to monitor school districts, determine trends and track programs. He also stated that the DD population has diminished

#### ***E. DEPARTMENT OF AGING***

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There was no report at this time.

#### ***F. DEPARTMENT OF HEALTH CARE SERVICE (HCS)***

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There was no report at this time.

### ***9. COUNCIL ACTIONS AND DISCUSSION ITEMS***

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#### ***A. LANTERMAN DEVELOPMENTAL CLOSURE***

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Staff Counsel Corral led a discussion on the process, regulations and a letter as an official response to the closure of the Lanterman Developmental Center.

#### ***B. CLOSED SESSION***

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It was moved by Council Member Aguilar, seconded by Council Member Silvius to accept the Council's recommendation. Motion carries

#### ***C. EXECUTIVE COMMITTEE REPORT***

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Vice Chair Knott reported the committee recommended that Laurie Hoirup be appointed as the Interim Executive Director, announced that a transition team has been put in place and are continuing to recruit for an Executive Director. AB287 was put on hold and an Ad-Hoc Committee was formed.

#### ***D. ADMINISTRATIVE COMMITTEE REPORT***

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Council Member Dove reported on the reorganization process, QA contract. The Headquarters office was burglarized, which items were taken and an arrest was made. The committee also requested an expenditure report from Michael for every council packet.

#### ***E. LEGISLATIVE AND PUBLIC POLICY COMMITTEE REPORT***

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It was moved by Council Member Silvius, seconded by Council Member Matlack to approve all three items: policy for Developmental Disabilities, policy for Special Education and policy on Housing for people with Developmental Disabilities. Council Members Raynor, Hansen, Knott, Boomer, Moore and Kay abstained. Motion carries

#### ***F. STATE PLAN AND STRATEGIC PLANNING COMMITTEE REPORT***

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Staff gave a summary of the program performance report of the State Plan. Staff also reported on the progress of the Strategic Plan that has been rolling out across the Area Boards, which some Area Boards have already completed and are awaiting approval.

#### ***G. PROGRAM DEVELOPMENTAL COMMITTEE REPORT***

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It was moved by Council Member Knott, seconded by Council Member Good to approve the recommendations of the committee. Council Member Dove abstained. Motion carries

#### ***H. SPONSORSHIP REQUEST***

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There were no Sponsorships at this time.

#### ***I. WAIVER REQUEST***

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There were not Waiver's requested at this time.

#### ***J. AREA BOARD REPRESENTATIVE REPORT***

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Several reports were handed out at the meeting while the rest of the reports were part of the Council packet.

### ***10. ADJOURNMENT***

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It was moved by Council Member Knott, seconded by Council Member Good to adjourn the meeting. Motion carries.

# 2011 Council Meeting Dates

January 19 – 20

March 15 – 16

May 24 – 25

July 26 – 27

September 20 – 21

November 15 – 16



**Detail Sheet for:  
LEGISLATIVE AND PUBLIC POLICY  
COMMITTEE REPORT**

**What is this agenda item about?**

The State Council on Developmental Disabilities will hear the Legislative and Public Policy Committee (LPPC) updates from the LPPC meeting that occurred on 4/8/10.

Three issues are being brought to the attention of the Council: development of a policy regarding the Lanterman Act, an update on the first meeting of the Special Education Stakeholder Workgroup, and recommended adoption of positions for bills. Additional issues may be briefly reviewed.

**What has the Council done about this so far?**

The Council has previously directed the LPPC to write policy papers for its review and approval. At the 3/16/10 meeting, the Council approved policies related to special education, employment, and housing. The purpose of these policies is to enable representatives of the Council to take timely action consistent with those policies without requiring prior Council approval.

The Council has previously discussed the current state and outcomes of special education services. The Council directed the LPPC to form a special education stakeholder workgroup to specifically document issues and make recommendations for the Council so that necessary actions may be taken to improve special education.

The Council regularly hears a report of LPPC activities and considers actions proposed by the LPPC regarding bills as needed.

**What needs to be decided at this meeting?**

The Council needs to decide if it will direct the LPPC to write a policy paper regarding the Lanterman Act for the Council's review and approval.

The Special Education Stakeholder Workgroup met on 5/11/10 for the first time. The Council will hear an update regarding this meeting and the Council may need to decide if it will take any action.

After discussing the bills LPPC reviewed and how they have been amended since that time, the Council needs to decide if it will adopt positions for bills and if so, direct staff appropriately.

**What is the committee or staff recommendation?**

Staff recommends that the Council directs the LPPC to write a policy paper regarding the Lanterman Act for its review and approval – this will enable representatives of the Council to take timely action consistent with the policy without requiring prior Council approval.

Staff recommends that the Council consider the update regarding the Special Education Stakeholder Workgroup and decide if further direction is necessary.

Staff recommends that the Council review the attached bill analyses, consider a presentation on recent amendments, and after consideration, adopt a position regarding each of the bills.

**Are there attachments?**

There are no attachments related to the policy regarding the Lanterman Act.

There are no attachments related to the Special Education Stakeholder Workgroup because the meeting has not occurred at the time of this writing. Additional materials may be distributed at the Council meeting.

Bill analyses are attached for the following bills:

- ACR 123 (Chesbro)
- SB 1256 (Hancock)
- SB 1129 (Wiggins)
- SB 1196 (Negrete McLeod)
- AB 1742 (Coto)
- AB 1841 (Buchanan)
- AB 2160 (Bass)
- AJR 31 (Buchanan)
- SB 1270 (Romero)
- SB 1315 (Romero)
- SB 1376 (Romero)
- SB 1283 (Steinberg)
- AB 1924 (Strickland, A.)
- AB 2274 (Beall)
- AB 2374 (Nestande)
- AB 2506 (Carter)



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- AB 2204 (Beall)
- AB 2702 (Chesbro)

Also attached are:

- a Senate legislative staff analysis regarding SB 1282 (Steinberg);
- a position letter for AJR 31 (Buchanan);
- the legislative report reviewed by the LPPC on 4/8/10; and,
- a legislative report as of 5/12/10.

A legislative report as of 5/26/10 will be distributed at the Council meeting. Other materials may be distributed then as well.



CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: ACR 123

Author: Assembly Member Chesbro

Subject: California Memorial Project Remembrance Day

Version: Amended, 4/8/10

Sponsor: Disability Rights California

Position Recommendation:	Priority Recommendation:
<input checked="" type="checkbox"/> Support	<input type="checkbox"/> High (Letter, Hearing Testimony, & Advocacy meeting with bill authors, legislative and department staff)
<input type="checkbox"/> Support if amended	<input type="checkbox"/> Medium (Letter & Hearing Testimony)
<input type="checkbox"/> Oppose	<input checked="" type="checkbox"/> Low (Letter only)
<input type="checkbox"/> Oppose unless amended	SCDD Policy Priority:
<input type="checkbox"/> Watch	N/A

**SUMMARY**

The bill creates California Memorial Project Remembrance Day, which would be celebrated each year on the third Monday in September. The purpose of this day is to honor and restore dignity to more than 45,000 people with disabilities who died in California developmental centers and state hospitals, but were buried in unmarked or numbered graves in mass sites. The markers for the numbered grave sites long ago disappeared and many records that identify where the bodies are buried have been misplaced or destroyed.

## **EXISTING LAW**

Existing law provides for people with disabilities to have the same rights as other citizens of the United States and the State of California, including the rights to dignity, privacy, and humane care [Welfare and Institutions Code (WIC) §4502(b)].

## **RECOMMENDATION AND SUPPORTING ARGUMENTS**

Support. This bill is an effort to restore dignity to individuals with disabilities whose remains are buried in gravesites on state institutions land.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position and writes appropriate letters to legislators.

## **SUGGESTED AMENDMENTS**

N/A

## **ANALYSIS**

The bill is a resolution that would create California Memorial Project Remembrance Day, which would be celebrated each year on the third Monday in September.

## **STAFF CONTACT**

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**CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Bill Number: SB 1256

Author: Senator Hancock

Subject: Ed Roberts Day

Version: Introduced

Sponsor: Senator Hancock

<b>Position Recommendation:</b> <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input checked="" type="checkbox"/> Letter only  <b>SCDD Policy Priority:</b> Education & Early Intervention, Cross-Cutting
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**SUMMARY**

This bill designates January 23<sup>rd</sup> of each year as “Ed Roberts Day” and calls for public schools to observe it as a day of special significance.

**EXISTING LAW**

Special days of significance are included in statute, such as Martin Luther King, Jr. Day or Cesar Chavez Day.

## **RECOMMENDATION AND SUPPORTING ARGUMENTS**

Support. Ed Roberts (1939 - 1995) was an extraordinary individual, international leader, and educator in the independent living and disability rights movement. By commemorating his life and accomplishments, public schools will educate students about Mr. Roberts and raise awareness about issues facing people with disabilities.

On 4/8/10, the Legislative & Public Policy Committee voted to recommend that the State Council on Developmental Disabilities considers a support position and writes appropriate letters to legislators.

## **SUGGESTED AMENDMENTS**

N/A

## **ANALYSIS**

This bill:

- describes the life, accomplishments, and contributions of Ed Roberts;
- designates January 23<sup>rd</sup> of each year as Ed Roberts Day;
- encourages public schools and educational institutions to observe and recognize the accomplishments of Ed Roberts and other Californians with disabilities; and,
- the Governor must annually proclaim January 23<sup>rd</sup> as Ed Roberts Day.

By educating students about the accomplishments of Ed Roberts and other Californians with disabilities, public awareness will be raised about the issues faced and contributions made by people with disabilities.

The staff analysis of the Senate Committee on Education noted that this bill raises the question of whether the Legislature should develop criteria and processes to determine special days of significance in schools to avoid the introduction of many, many special days.

This bill is supported by:

- California Federation of Teachers
- California Foundation for Independent Living Centers
- Center for Independent Living
- Developmental Disabilities Area Board 5
- Development Disabilities Council of Contra Costa

- University of California Berkeley Disabled Students' Union
- University of California, Berkeley Disabled Students' Program
- World Institute on Disability

No groups or individuals are known to oppose this bill.

**STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1129

Author: Senator Wiggins

Subject: Health Services: Sonoma Developmental Center

Version: Amended, 4/6/10

Sponsor: Unknown at the time of this analysis

Position Recommendation:	Priority Recommendation:
<input type="checkbox"/> Support	<input type="checkbox"/> Letter, hearing testimony, & meet
<input type="checkbox"/> Support if amended	with bill authors, legislative and
<input type="checkbox"/> Oppose	department staff
<input type="checkbox"/> Oppose unless amended	<input type="checkbox"/> Letter & hearing testimony
<input checked="" type="checkbox"/> Watch	<input type="checkbox"/> Letter
	SCDD Policy Priority:
	N/A

**SUMMARY**

This bill requires the Department of Developmental Services (DDS) to provide intensive behavioral treatment services to residents of Sonoma Developmental Center (SDC) and people with developmental disabilities who live in the surrounding community by an unspecified date.

**ANALYSIS**

Existing law establishes developmental centers run by DDS and the Medi-Cal program.

This bill makes the following declarations:

- “State developmental centers are an integral part of the system of care provided to consumers of services for the developmentally disabled.”
- “As a part of that system of care, state developmental centers have developed and maintained intensive behavioral treatment services of the highest quality.”
- “Consumers of services for the developmentally disabled who do not choose to live in the community have difficulty accessing intensive behavioral treatment supports.”

More importantly, this bill requires DDS to use Sonoma Developmental Center’s (SDC) intensive behavioral treatment services not only for SDC residents, but also for people with developmental disabilities who live in the community. This is conditioned upon DDS becoming a Medi-Cal provider so they can bill for these services, using a billing service if they so desire. The bill requires the administration of this program to be done using existing resources or through the pursuit of other funding sources to minimize the impact to the General Fund.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Watch. This bill contains potentially inflammatory or offensive language. Furthermore, it has already experienced substantial revisions and may do so throughout the legislative session.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities consider a support position and write appropriate letters to legislators. Since then, the bill was amended considerably – at that time the bill required DDS to make medical, dental, wheelchair repair/modification, orthopedic shoe services, and other health-related services at SDC available to residents with developmental disabilities who live in the surrounding community. Additionally, it did not contain the potentially inflammatory or offensive language.

## **SUGGESTED AMENDMENTS**

Were amendments considered for this bill, it would be suggested that such amendments should exclude the potentially inflammatory or offensive language.

## **POSITIONS**

This bill is supported by:

- California Association of Psychiatric Technicians
- California Association for the Retarded
- Developmental Services Network
- Mayor of Sonoma
- Service Employees Union – California State Council
- Sonoma County Board of Supervisors

No agencies or individuals are known to oppose this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1129

Author: Senator Wiggins

Subject: Health Services: Sonoma Developmental Center

Version: Amended, 5/4/10

Sponsor: Parent Hospital Association

<b>Position Recommendation:</b> <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input checked="" type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Community Supports, Health, Housing, Quality Assurance, Cross-Cutting
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**SUMMARY**

As amended, this bill makes recipients of regional center services eligible to temporarily receive behavioral treatment services through time-limited placement at Sonoma Developmental Center (SDC) when a (Welfare and Institutions Code Section 6500) court hearing is pending. After placement at SDC to receive the services, the person is prohibited from staying more than 6 months without a review by the regional center or SDC. On 5/10/10, this bill was placed in the Senate Committee on Appropriations' suspense file.

## **BACKGROUND**

In order for someone with a developmental disability to move from the community into a state developmental center, a court must review and order such placement. This is typically, but not always, accomplished through a hearing based on Welfare and Institutions Code Section 6500 – placement in a facility because the person is a danger to himself, herself, or others.

## **ANALYSIS**

This bill makes the following declarations:

- “State developmental centers are an integral part of the system of care provided to consumers of services for the developmentally disabled.”
- “As a part of that system of care, state developmental centers have developed and maintained intensive behavioral treatment services of the highest quality.”
- “Consumers of services for the developmentally disabled who do not choose to live in a state developmental center experience difficulty accessing intensive behavioral treatment supports.”

Some may find the second and/or third bullet points to be inflammatory or offensive.

As amended, this bill makes recipients of regional center services eligible to temporarily receive behavioral treatment services through time-limited placement at Sonoma Developmental Center (SDC) when a (Welfare and Institutions Code Section 6500) court hearing is pending, notwithstanding any other provision of law. After placement at SDC to receive the services, the person is prohibited from staying at SDC for more than 6 months without a review by the regional center or SDC.

The Senate Committee on Appropriations has placed this bill in the suspense file, likely resulting in it being dead, amended, or gutted and amended.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

It is recommended a watch position is adopted because this bill:

- has experienced significant changes;
- contains potentially inflammatory or offensive language; and,
- is presently in the Senate Committee on Appropriations’ suspense file, where it may experience future amendments.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position and writes appropriate letters to legislators. Since then, the bill was amended considerably – at the time of LPPC review the bill required DDS to make medical, dental, wheelchair repair/modification, orthopedic shoe services, and other health-related services at SDC available to residents with developmental disabilities who live in the surrounding community. Additionally, it did not contain the potentially inflammatory or offensive language.

### **SUGGESTED AMENDMENTS**

N/A

### **POSITIONS**

No agencies or individuals are known to support or oppose the most recent amended version of the bill.

### **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1196

Author: Senator Negrete McLeod

Subject: Lanterman Developmental Center

Version: Amended, 3/23/10

Sponsor: California Disability Services Association for SB 1196

<b>Position Recommendation:</b> <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input checked="" type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter only  <b>SCDD Policy Priority:</b> Quality Assurance
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**SUMMARY**

Relative to the proposed closure of Lanterman Developmental Center (LDC), this bill requires the Department of Developmental Services (DDS) to post all plans, other public documents, and notification of meetings on DDS' website within specified timelines.

**EXISTING LAW**

Existing law specifies the procedure DDS must follow regarding the closure of a developmental center. DDS announced on 1/29/10 that it was initiating a plan to close LDC.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Watch. This bill was originally introduced as a spot bill to close either or both Lanterman and Fairview Developmental Centers. Now this bill is related to the notifications DDS must make on its website concerning the proposed closure of LDC. Given the significant difference between current and prior versions of this bill, it is suggested a watch position is adopted until this bill has substantively stabilized.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position because at that time, it was a spot bill. Since then, the bill has been amended and considerably changed from the intent of the version reviewed by the LPPC.

## **SUGGESTED AMENDMENTS**

N/A

## **ANALYSIS**

Relative to the proposed closure of LDC, this bill requires DDS to:

- post any plans and other public documents to be posted on DDS' website within 72 hours after publication; and,
- post any meetings, teleconferences, and public access information at least 72 hours before the event.

The staff analysis indicates that DDS is meeting or exceeding its obligation to seek public input.

No agencies or individuals are known to support or oppose this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 1742

Author: Assembly Member Coto

Subject: Education: Special Education

Version: Amended, 3/15/10

Sponsor: Spectrum Center Students School

<p>Position Recommendation:</p> <p><input checked="" type="checkbox"/> Support</p> <p><input type="checkbox"/> Support if amended</p> <p><input type="checkbox"/> Oppose</p> <p><input type="checkbox"/> Oppose unless amended</p> <p><input type="checkbox"/> Watch</p>	<p>Priority Recommendation:</p> <p><input type="checkbox"/> Letter, hearing testimony, &amp; meet with bill authors, legislative and department staff</p> <p><input type="checkbox"/> Letter &amp; hearing testimony</p> <p><input checked="" type="checkbox"/> Letter</p> <p>SCDD Policy Priority: Education and Early Intervention, Quality Assurance</p>
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**SUMMARY**

This bill would permit nonpublic schools to include technology-based educational materials, services, and programs in accordance with each student’s individual education program (IEP).

**EXISTING LAW**

Existing law establishes nonpublic schools as an option to educate students in special education when a public school cannot meet that student’s unique needs.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Support. This bill expands the types of materials and services available to students in special education to include technology-based materials (such as computers, CDs, software, lesson plans, data bases).

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position and writes appropriate letters to legislators.

## **SUGGESTED AMENDMENTS**

The present language is permissive in nature. Were amendments considered for this bill, changing the language from permissive to mandatory would be recommended.

## **ANALYSIS**

Nonpublic schools must make available, pursuant to each student's IEP, services and programs such as college preparation courses, extracurricular activities, and career and vocational training. This bill permits nonpublic schools to include technology-based materials (such as computers, CDs, software, lesson plans, and data bases) as well.

This bill is supported by:

- California Association of Private Special Education Schools
- California Alliance of Child and Family Services

No agencies or individuals are known to oppose this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 1841

Author: Assembly Member Buchanan

Subject: Special education: parental consent

Version: Amended, 4/6/10

Sponsor: Superintendent of Public Instruction, Jack O'Connell

<b>Position Recommendation:</b> <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input checked="" type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Education & Early Intervention
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**SUMMARY**

By conforming California law to recent federal regulations, this bill forbids public agencies (formerly called local education agencies – LEAs – i.e., school districts) from filing due process against the family when families refuse the initial provision of special education or receive special education and subsequently refuse all special education services. However, if families withhold or revoke such consent, the public agency will have been deemed as having provided a free appropriate public education (FAPE). Lastly, public agencies are not required to remove references to the provision of special education services from the student’s educational records if the family’s consent is withheld for the initial provision of special education.

## **EXISTING LAW**

Existing law California law requires public agencies to request due process against a family when the consent has been provided for special education services, but then subsequently revokes consent for all special education services.

Existing federal regulations do not permit public agencies to request due process under such circumstances.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Support. This bill conforms California law to federal regulations.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position and writes appropriate letters to legislators.

## **SUGGESTED AMENDMENTS**

N/A

## **ANALYSIS**

This bill conforms California law to recently changed federal regulations that indicate:

- if a parent withholds consent for initial special education services, public agencies cannot file due process against the family; and,
- if a parent revokes consent to all special education services after they have been initially provided, services will immediately stop, the public agency must provide prior written notice, and public agencies cannot file due process against the family. However, public agencies will be deemed to have provided a FAPE.

Further, upon the revocation of consent, public agencies are not required to remove any references to prior receipt of special education services from the educational records of students who were in special education.

## **POSITIONS**

This bill is supported by:

- Superintendent of Public Instruction, Jack O'Connell
- California Teachers Association

- Disability Rights California

No agencies or individuals are known to oppose this bill.

**STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 2160

Author: Assembly Member Bass

Subject: Teacher credentialing: instruction to pupils with autism

Version: Amended, 4/6/10

Sponsor: California Alliance of Child and Family Services

<b>Position Recommendation:</b> <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input checked="" type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Education and Early Intervention
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**SUMMARY**

This bill proposes to continue provisions in statute that will otherwise sunset on January 1, 2012. The provisions permit local education agencies (LEAs) to assign teachers to work with students with autism who possess credentials and meet criteria defined in the bill.

**EXISTING LAW**

Existing law allows a teacher with a level 1 education specialist credential or a credential with an authorization to teach students with mild to moderate disabilities to teach students with autism. If the teacher consents to do so, the teacher must then

satisfy one of two requirements: either one year experience teaching students with autism before 9/1/07 or completed at least 3 semester units of coursework about autism by an academic organization as specified in the bill.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Oppose. Because of a lack of qualified teachers to teach the rising increase of students with autism, the Legislature passed law over two years ago that changed the criteria for teachers to instruct students with autism – from a moderate/severe disabilities specialist credential to a mild/moderate disabilities specialist credential. This short-term solution was intended to enable schools to have an adequate number of teachers to instruct students with autism while teachers sought and obtained the instruction and training necessary to meet the previous standards. This bill seeks to continue the short-term solution. Moreover, this bill raises the question of when a short-term solution becomes a permanent one.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities consider an oppose position, write appropriate letters to legislators, and provide hearing testimony.

## **SUGGESTED AMENDMENTS**

N/A

## **ANALYSIS**

Previous law required teachers who instructed students with autism to hold a moderate/severe disabilities specialist credential. Previous law also required the Commission on Teacher Credentialing (CTC) to convene a workgroup to examine the needs of special education programs and make appropriate recommendations to streamline the credentialing process of special education teachers.

Amongst its findings in the 12/07 report, the CTC noted that the demand for services for students with autism had steadily increased; however, authorization to teach students with autism was limited to teachers holding a moderate/severe disabilities specialist credential. To address the need for more teachers to instruct students with autism, the CTC workgroup recommended expanding the authorization to include teachers with a mild/moderate disabilities specialist credential and to redesign higher education programs so that all educational specialist credential candidates are prepared to teach students with autism. Thereafter, law was passed that enabled

teachers of students with autism to do so with a mild/moderate disabilities specialist credential.

If this bill does not pass, teachers of students with autism will need a moderate/severe disabilities specialist credential by January 1, 2012. If this bill does pass, the law will not sunset until January 1, 2014 and teachers of students with autism will continue to need only a mild/moderate disabilities specialist credential.

This bill is supported by:

- California Alliance of Child and Family Services
- California Association of Private Special Education School
- California School Boards Association.

No groups or individuals are known to oppose this bill.

### **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AJR 31

Author: Assembly Member Buchanan

Subject: Special education funding

Version: Amended, 4/6/10

Sponsor: California Department of Education Advisory Commission on Special Education

Position Recommendation:	Priority Recommendation:
<input type="checkbox"/> Support	<input type="checkbox"/> Letter, hearing testimony, & meet
<input type="checkbox"/> Support if amended	with bill authors, legislative and
<input type="checkbox"/> Oppose	department staff
<input type="checkbox"/> Oppose unless amended	<input type="checkbox"/> Letter & hearing testimony
<input type="checkbox"/> Watch	<input type="checkbox"/> Letter
<input checked="" type="checkbox"/> N/A – see	SCDD Policy Priority:
Recommendation section	Education & Early Intervention

**SUMMARY**

This bill proposes that the Legislature respectfully memorializes Congress and the President of the United States to enact legislation that fully funds special education.

**BACKGROUND**

Regarding special education, federal statute authorizes a maximum state funding entitlement of 40% of the average per pupil expenditure in public elementary and secondary schools. However, since special education laws were written, the bill indicates that Congress paid less than 8% of the excess cost to educate children with disabilities for many years, with current estimates between 13 and 25%. Schools,

parent groups, and groups who advocate for people with disabilities have tried for years to get Congress to increase appropriations up to the authorized 40% – this effort has become known as “fully funding special education”.

The analysis from the Assembly Committee on Education indicates that California’s \$5 billion budget for special education this fiscal year is funded by less than \$2 billion in federal funds. The bill indicates that were California’s special education programs fully funded, California would receive over \$3 billion annually.

## **ANALYSIS**

This bill requires the Chief Clerk of the Assembly to memorialize the federal Congressional California delegation, the President and Vice President of the United States, and others, to enact legislation that would fully fund special education.

If California is successful in obtaining full federal funding for special education, federal maintenance of effort requires California to continue funding special education at the same level, resulting in increased funding for special education. Such increased funding will enable California to augment efforts to meet the needs of students in special education and will demonstrate the federal government’s commitment to special education.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Recently, the State Council on Developmental Disabilities (SCDD) approved the Special Education Policy, which authorized specified actions. Based on that Policy, the SCDD and Legislative & Public Policy Committee Chairs sent a letter to appropriate legislators indicating support for this bill.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

This bill is supported by:

- California Alliance
- California Communities United Institute
- California School Employees Association, AFL-CIO
- California School Nurses Association

- California Speech-Language-Hearing Association
- California Teachers Association
- Coalition for Adequate Funding for Special Education
- Special Education Local Plan Area (SELPA) Administrators

No agencies or individuals are known to oppose this bill.

**STAFF CONTACT**

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State Council on Developmental Disabilities

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STATE OF CALIFORNIA  
Arnold Schwarzenegger,  
Governor

916.322.8481 Voice  
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April 8, 2010

The Honorable Joan Buchanan  
California State Assembly  
Capitol Building, Room 4167  
Sacramento, CA 95814

**RE: AJR 31 (Buchanan)  
Position: Support**

Dear Assembly Member Buchanan,

The State Council on Developmental Disabilities is a State agency mandated to protect and assert the legal, civil, and service rights of people with developmental disabilities in California. California has a system of 13 Area Boards, covering all regions of the state. It is on behalf of all Californians with a developmental disability that I write today to convey our support for AJR 31 (Buchanan).

Your bill requires the Chief Clerk of the Assembly to send a letter to the federal Congressional California delegation, the President and Vice President of the United States, and others. That letter would request Congress and the President to enact HR 1102 or otherwise fully fund special education.

If California is successful in obtaining full federal funding for special education, federal maintenance of effort requires California to continue funding special education at the same level, resulting in increased funding for special education. Such increased funding will enable California to augment efforts to meet the needs of students in special education and will demonstrate the federal government's commitment to special education. As special education is an intrinsic part of general education, receiving funding at the level envisioned by federal legislators affords students in special education the dignity and right to receive a free, appropriate public education.

We thank you for your consideration of our input. If you have any questions, please do not hesitate to contact us.

Sincerely,

Marcia Good  
Chairperson  
State Council on Developmental Disabilities

Jorge Aguilar  
Chairperson  
Legislative and Public Policy Committee

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."

cc: Honorable Members of the Assembly Education Committee  
Mr. Gerry Shelton, Chief Consultant, Assembly Education Committee  
Honorable Members of the Senate Education Committee  
Mr. James Wilson, Chief Consultant, Senate Education Committee

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."



CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1270

Author: Senator Romero

Subject: Public schools: parent empowerment

Version: Introduced

Sponsor: Unknown at the time of this analysis

Position Recommendation: <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input checked="" type="checkbox"/> Watch	Priority Recommendation: <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  SCDD Policy Priority: Education & Early Intervention
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**SUMMARY**

This is a spot bill pertaining to parent empowerment in schools.

**BACKGROUND**

Technical, nonsubstantive changes to bills typically mean changes to unimportant language in a bill, such as changing “that” to “which”.

**ANALYSIS**

This bill makes technical, nonsubstantive changes to Section 53300 of the California Education code.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Watch. This is presently a spot bill.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

This bill is opposed by:

- Association of California School Administrators

No agencies or individuals are known to support this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1315

Author: Senator Romero

Subject: Parent empowerment

Version: Introduced

Sponsor: Unknown at the time of this analysis

<b>Position Recommendation:</b> <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input checked="" type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Education & Early Intervention
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**SUMMARY**

This is a spot bill pertaining to parent empowerment.

**BACKGROUND**

N/A

**ANALYSIS**

This entirety of the bill reads, "It is the intent of the Legislature to enact legislation relating to parent empowerment."

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Watch. This is presently a spot bill.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

This bill is opposed by:

- Association of California School Administrators

No agencies or individuals are known to support this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1376

Author: Senator Romero

Subject: Career technical education: pilot preapprenticeship aerospace machining program

Version: Amended, 4/12/10

Sponsor: Senator Romero

Position Recommendation:	Priority Recommendation:
<input type="checkbox"/> Support	<input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff
<input type="checkbox"/> Support if amended	
<input type="checkbox"/> Oppose	<input type="checkbox"/> Letter & hearing testimony
<input type="checkbox"/> Oppose unless amended	<input type="checkbox"/> Letter
<input type="checkbox"/> Watch	
<input checked="" type="checkbox"/> None	SCDD Policy Priority: N/A

**SUMMARY**

This bill establishes, contingent on a federal appropriation, a pilot preapprenticeship aerospace machining program (pilot program), to be administered by the California Labor and Workforce Development Agency, for the purpose of preparing high school students to enter the aerospace machining workforce.

**BACKGROUND**

N/A

## **ANALYSIS**

This bill establishes, contingent on a federal appropriation, a pilot preapprenticeship aerospace machining program (pilot program), to be administered by the California Labor and Workforce Development Agency, for the purpose of preparing high school students to enter the aerospace machining workforce.

It is anticipated that this bill will not have a significant impact on students with developmental disabilities.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

It is recommended that this bill not be tracked because of its limited impact on students with developmental disabilities.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position. At that time, it had been a spot bill pertaining to career technical education. Since then, this bill was gutted and amended – the entire contents of the bill were removed and replaced with new content. The new bill appears to not have a significant impact on students with disabilities.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

No agencies or individuals are known to support or oppose this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: SB 1283

Author: Senator Steinberg

Subject: Health care coverage: grievance system

Version: Amended, 4/27/10

Sponsor: Senator Steinberg

<b>Position Recommendation:</b> <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input checked="" type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> N/A
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**SUMMARY**

This bill deletes the authority of the director of the Department of Managed Health Care (DMHC) to determine that additional time is necessary to review a grievance, and instead, requires DMHC to send written notice to the enrollee or subscriber of the final disposition within 30 days of receipt of all relevant information to make a coverage decision.

**BACKGROUND**

The DMHC oversees compliance of health care plans with state law. Existing law requires health plan providers/insurers to establish and maintain a grievance process.

Upon receiving a request to review a grievance, existing law requires DMHC to send a written notice of the final disposition of the grievance to the subscriber within 30 days, unless the director of DMHC determines that additional time is reasonably needed to complete the review.

In order to file a grievance with DMHC, the subscriber must first initiate the health plan provider's grievance and appeals process – which must be resolved within 30 days. After completing the health care provider's grievance process or participating in it for 30 days, the subscriber may then file a grievance with DMHC. DMHC's decisions are final, although the subscriber may take legal action if they so choose.

If a subscriber's dispute with an insurer is based upon the denial of services, the DMHC may send the case for independent medical review (IMR) whereby an independent medical doctor reviews the case. Once a determination is made through the IMR process, the DMHC director must adopt it. If the insurer's decision is overturned, the insurer must implement the IMR's findings within five days.

From 9/1/09 – 3/1/10, the DMHC Help Center processed 76 cases for the denial of services related to autism treatment complaints. Of these 76 cases, 32 were resolved within 30 days, 19 were resolved between 31-60 days, 12 were resolved between 61-90 days, and 11 were resolved after 90 days. Two cases were closed for insufficient data or were not applicable.

Delays in resolving disputes regarding health care coverage may result in delays in implementation of intensive, early intervention therapy for children with autism or autism spectrum disorders. Such delays may not only critically interfere with achieving optimal outcomes, they may also place undue fiscal and psychological hardship on families and consumers throughout the appeal process.

California's existing mental health parity law requires that private health plans and insurers provide medically necessary services for diagnosis, care, and treatment of people with autism and pervasive developmental disorders. However, the California Legislative Blue Ribbon Commission on autism found that many individuals still face barriers in accessing services.

In July 2009, a nonprofit public interest organization, Consumer Watchdog, successfully sued DMHC for wrongfully allowing insurers to refuse to pay for autism treatments. Until March 2009, subscribers were able to appeal an insurer's denial of applied behavior analysis (ABA) therapy, by undertaking IMR. Most IMR appeals resulted in favor of the patient.

In March 2009, DMHC issued a memo indicating that they would review ABA and other autism treatment denials through DMHC's own internal grievance system, as urged by insurers, rather than through the IMR process. The Los Angeles Superior Court, in October 2009, ruled against DMHC, citing that DMHC's memo constituted an illegal "underground regulation" because it violated sunshine laws that require state agencies to follow a public hearing process when the agency seeks to adopt or change state regulations.

## **ANALYSIS**

This bill removes the DMHC director's discretion to extend the timeframe beyond 30 days required by law to notify an enrollee or subscriber of the results of SMHC's review. Instead, it requires DMHC to send written notice to the enrollee or subscriber of the final disposition of the grievance within 30 days of receipt of all relevant information to make a coverage decision.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

It is recommended that a watch position is adopted so there is an opportunity to evaluate how this bill changes in the next few months.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position. At that time, it had been a spot bill pertaining to autism spectrum disorders and health care coverage. Since then, this bill was gutted and amended – the entire contents of the bill were removed and replaced with new content.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

N/A

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 1924

Author: Assembly Member A. Strickland

Subject: In-Home Supportive Services (IHSS): fraud

Version: Introduced

Sponsor: California District Attorneys Association

<b>Position Recommendation:</b> <input type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch <input checked="" type="checkbox"/> None	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Community Supports, Health, Housing, Quality Assurance, Transportation, Cross-Cutting
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**SUMMARY**

Existing law permits counties to investigate allegations of IHSS fraud with regard to an overpayment of \$500 or more. This bill deletes the \$500 provision – which would permit counties to investigate any allegation of fraud with respect to an overpayment. This bill is dead because it failed to pass out of the Assembly Committee on Human services.

**BACKGROUND**

N/A

## **ANALYSIS**

Existing law permits counties to investigate allegations of IHSS fraud with regard to an overpayment of \$500 or more. This bill deletes the \$500 provision – which would permit counties to investigate any allegation of fraud with respect to an overpayment. This bill is dead because it failed to pass out of the Assembly Committee on Human services.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

It is recommended that bill not be tracked because it is presently dead.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers an oppose position, writes appropriate letters to legislators, and provides hearing testimony. Since that time, this bill died because it failed to pass out of the Assembly Committee on Hman Services.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

No agencies or individuals are known to support or oppose this bill.

## **STAFF CONTACT**

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 2274

Author: Assembly Member Beall

Subject: In-Home Supportive Services program

Version: Introduced

Sponsor: Service Employees International Union (SEIU)

<b>Position Recommendation:</b> <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input type="checkbox"/> Letter & hearing testimony <input checked="" type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Community Supports, Health, Housing, Quality Assurance, Transportation, Cross-Cutting
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**SUMMARY**

This bill permits an IHSS recipient who receives IHSS through the Section 1115 Medicaid waiver to select any qualified person to be their IHSS provider.

**BACKGROUND**

Existing law:

- establishes the IHSS program to provide personal care and home care so recipients remain in their own homes and avoid unnecessary institutionalization, and

- permits IHSS recipients who receive their services through a contract or managed care provider to select their IHSS provider from qualified staff of the contract or managed care provider.

IHSS recipients have the right to choose their own provider if they receive their services from an individual provider. Some recipients, however, receive their services through contract or managed care providers. In those circumstances, however, recipients may select any qualified person to provide IHSS services.

California is currently in the process of renewing its Section 1115 Medicaid waiver, which is due to expire 7/31/10. These federal waivers authorize demonstration programs to assist people avoid unnecessary institutionalization and maximize the efficient use of community services and supports. IHSS recipients with parent or spouse providers receive IHSS services under the Section 1115 waiver.

Although the specifics of the Section 1115 waiver have not yet been determined, the sponsor of the bill has noted that “major changes to programs within short timeframes – the 1115 waiver amendments are on a course for summer 2010 – can result in accidental omissions that potentially harm people who rely on the programs being changed.” Thus, the author says, this bill is necessary simply to ensure that the right of IHSS recipients to choose their own provider will not be interrupted or interfered with through any new program model that may be authorized under California’s new Section 1115 waiver.

## **ANALYSIS**

This bill permits an IHSS recipient who receives IHSS through the Section 1115 Medicaid waiver to select any qualified person to be their IHSS provider.

The author indicates that this bill is necessary to ensure IHSS recipients under the Section 1115 waiver will maintain their right to choose their own IHSS provider in case changes are made to the waiver.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Support. This bill ensures IHSS recipients under the Section 1115 waiver will maintain their right to choose their own provider.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position. At that time, details regarding this bill were unavailable, but have since come to light.

### **SUGGESTED AMENDMENTS**

N/A

### **POSITIONS**

This bill is supported by:

- Service Employees International Union (SEIU)

No agencies or individuals are known to oppose this bill.

### **STAFF CONTACT**

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**CALIFORNIA STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES**

Bill Number: AB 2374

Author: Assembly Member Nestande

Subject: In Home Supportive Services: pilot project

Version: Amended, 4/5/10

Sponsor: Assembly Member Nestande

<b>Position Recommendation:</b>	<b>Priority Recommendation:</b>
<input type="checkbox"/> Support	<input type="checkbox"/> Letter, hearing testimony, & meet
<input type="checkbox"/> Support if amended	with bill authors, legislative and
<input type="checkbox"/> Oppose	department staff
<input type="checkbox"/> Oppose unless amended	<input type="checkbox"/> Letter & hearing testimony
<input checked="" type="checkbox"/> Watch	<input type="checkbox"/> Letter
	<b>SCDD Policy Priority:</b> Health, Housing, Quality Assurance

**SUMMARY**

As a pilot project which includes participation in up to five counties, this bill authorizes IHSS recipients who receive 20 or more hours per week to choose if they wish to receive their IHSS services from an individual provider, contracting agency, or public authority. This bill is currently in the Assembly Committee on Appropriations' suspense file.

## **BACKGROUND**

Counties deliver IHSS services in one of three ways, or by a combination of the three different ways. The counties decide which method or combination of methods it will provide IHSS services.

The vast majority of IHSS recipients (56 of 58 counties) receive their services from an individual provider, who is an independent contractor that is interviewed, hired, and fired by the recipient. The employer of record in this arrangement is a county-operated public authority or nonprofit consortium. Another way in which IHSS services are provided is through contracts between the county and a home care agency (about six counties provide IHSS services in this manner). Lastly, counties employ their own care providers to deliver services to recipients.

These methods provide a different level of choice to the recipient. IHSS recipients who receive their services through an individual provider have the most provider choice. Recipients who receive their services through a contracted home care agency or a county that employs its own care providers have less choice about their individual caretakers. In all three methods, the recipient does not have to engage in employer tasks such as withholding taxes because the care provider is employed by another entity.

## **ANALYSIS**

Recipients do not necessarily have a choice in the manner in which they receive their IHSS services; if a county chooses to provide services solely through county employed care providers, the recipient may not necessarily have the choice of who their individual provider may be. Because of this, AB 1674 (Jones) was enacted in 2008. It established a pilot project in five consenting counties, starting on 1/1/09, whereby IHSS recipients who received more than 20 hours per week of IHSS services could choose to receive their services through a contracting nonprofit or proprietary agency or by an individual provider through a public authority. The pilot would expand recipient choices by allowing them to choose to continue using the existing method used by the county or instead choose a nonprofit or for-profit contractor.

As introduced, this bill originally would have expanded participation in the pilot to all IHSS recipients, rather than only those who require 20 or more hours of IHSS services per week. As amended, however, this bill extends the start date to 1/1/11, and requires the establishment of the pilot in “up to” five consenting counties, rather than “in five consenting counties” as stated in current law.

The Assembly Committee on Appropriations has indicated that the original pilot created in AB 1674 has an estimated cost of \$350,000 General Fund per year. Additionally, the Assembly staff analysis noted a few critical pieces of information:

- no county has elected to participate in the pilot created by AB 1674;
  - this bill extends the start date of the pilot which would give counties more time to participate in it;
  - this bill allows less than five counties to participate in the pilot;
- absent the extension to the start date in this bill, the \$350,000 per year would likely remain within the general fund;
- 56 of 58 counties operate a public authority to provide IHSS services; and,
- six counties contract out a portion of their IHSS caseload to private agencies.

The Assembly Committee on Appropriations has placed this bill in the suspense file, likely resulting in it being dead, amended, or gutted and amended.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

Watch. Given that no counties elected to participate in the pilot created in AB 1674 and the vast majority of counties permit IHSS recipients to choose their own providers through the county public authority, it is difficult to demonstrate a need sufficient to move this bill out of the Assembly Committee on Appropriations' suspense file.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position. At that time, it was not in the suspense file.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

No agencies or individuals are known to support or oppose this bill.

## **STAFF CONTACT**

Christofer Arroyo, Community Program Specialist II, 818/543-4631,  
[christofer.arroyo@scdd.ca.gov](mailto:christofer.arroyo@scdd.ca.gov)



CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 2506

Author: Assembly Member A. Strickland

Subject: Mental health: medical transportation services

Version: 4/23/10

Sponsor: Unknown at the time of this analysis

Position Recommendation:	Priority Recommendation:
<input type="checkbox"/> Support	<input type="checkbox"/> Letter, hearing testimony, & meet
<input type="checkbox"/> Support if amended	with bill authors, legislative and
<input type="checkbox"/> Oppose	department staff
<input type="checkbox"/> Oppose unless amended	<input type="checkbox"/> Letter & hearing testimony
<input type="checkbox"/> Watch	<input type="checkbox"/> Letter
<input checked="" type="checkbox"/> None	SCDD Policy Priority:
	N/A

**SUMMARY**

As introduced, this was a spot bill pertaining to the improvement of involuntary treatment for those who are placed in a facility that provides mental health services. Currently, this bill is dead. It had been amended such that it created requirements designed to improve transportation services for people with mental illness.

**BACKGROUND**

N/A

## **ANALYSIS**

This bill failed to meet the deadline to move out of the Assembly Committee on Health and it is therefore dead.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

It is recommended that this bill not be tracked because it is dead.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a watch position. At the time of review, this was still a spot bill.

## **SUGGESTED AMENDMENTS**

N/A

## **POSITIONS**

N/A

## **STAFF CONTACT**

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BILL ANALYSIS

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SENATE RULES COMMITTEE	SB 1282
Office of Senate Floor Analyses	
1020 N Street, Suite 524	
(916) 651-1520 Fax: (916)	
327-4478	
-----

THIRD READING

Bill No: SB 1282  
Author: Steinberg (D)  
Amended: 4/28/10  
Vote: 21

SENATE BUS., PROF. & ECON. DEVEL. COMMITTEE : 5-3,  
5/3/10

AYES: Negrete McLeod, Correa, Florez, Oropeza, Yee  
NOES: Wyland, Aanestad, Walters  
NO VOTE RECORDED: Calderon

SUBJECT : Applied behavior analysis services: California  
Behavioral  
Certification Organization

SOURCE : Author

DIGEST : This bill creates the California Behavioral  
Certification Organization (CBCO) and provides for the  
certification of applied behavior analysts and applied  
behavior analyst assistants by the CBCO.

ANALYSIS :

Existing law

1. Licenses and regulates the practice of psychotherapy  
performed by marriage and family therapists (MFTs),  
licensed educational psychologists (LEPs), and licensed

clinical social workers (LCSWs) by the Board of Behavioral Sciences (BBS) within the Department of Consumer Affairs (DCA). Beginning January 1, 2012, the BBS will additionally license professional clinical counselors (LPCCs).

2. Licenses and regulates various health care professions including physicians and surgeons, psychologists, speech-language pathologists, occupational therapists, physical therapists by the various healing arts boards within the DCA.
3. California law does not license, certify or specifically regulate applied behavioral analysis services.

This bill:

1. Provides that "applied behavior analysis services" includes the following functions:
  - A. Designing, implementing, and evaluating systematic instructional and environmental modifications to produce social improvements in the behavior of individuals or groups.
  - B. Applying the principles, methods, and procedures of behavior analysis.
  - C. Utilizing contextual factors and establishing operations, antecedent stimuli, positive reinforcement, other consequences, and other behavior analysis procedures to help people develop new behaviors, increase or decrease existing behaviors, and emit behaviors under specific environmental conditions.
  - D. Assessing functional relations between behavior and environmental factors.
  - E. Using procedures based on scientific research

and the direct observation and measurement of behavior and environment.

F. Determining whether a nonlicensed or noncertified individual shall be deemed as qualified to perform all of the functions under this subdivision subject to his or her supervision.

G. Excludes from the specified functions: psychological testing, neuropsychology, psychotherapy, sex therapy, psychoanalysis, hypnotherapy, and long-term counseling.

H. Applies the definition regardless of the source of payment or reimbursement.

2. Establishes the CBCO and specifies that the CBCO shall be a nonprofit corporation exempt from taxation under Section 501(c)(3) of Title 26 of the United States Code. Provides that the CBCO may commence authorized activities once it has submitted a request to the Internal Revenue Service and the Franchise Tax Board seeking the exemption. Authorizes the CBCO to take any reasonable actions to carry out the responsibilities and duties in the chapter, including, but not limited to, hiring staff and entering into contracts.

3. Provides that the CBCO shall include the following members:

A. Two representatives from each professional society, association, or other entity whose membership is comprised of applied behavior analysts and that has a membership in California or on a national basis of at least 1,000 individuals for the last three years and that requires its members to abide by a code of ethics.

B. Additional persons shall be included on the

board of directors as established by the CBCO bylaws.

- C. Additional members of the board of directors may include certified behavior analysts and at least two consumer or public members.
4. Provides that the CBCO shall establish certification fees that are reasonably related to the cost of providing services and carrying out its ongoing responsibilities and duties.
  5. Provides that the meetings of the CBCO shall be subject to the Bagley-Keene Open Meetings Act.
  6. Requires the CBCO to issue an "applied behavior analyst" certificate to an applicant who submits a written application, pays the required fees, and provides satisfactory evidence that he or she meets either of the following requirements:
    - A. Holds a current, valid certification in applied behavior analysis from the Behavior Analyst Certification Board (BACB) or another organization accredited by the National Commission for Certifying Agencies (NCCA) or American National Standards Institute (ANSI) whose mission is to meet professional credentialing needs identified by behavior analysts, governments, and consumers of behavior analysis services.
    - B. Possesses a master's or doctorate degree in applied behavior analysis or a related field, and demonstrates three years of experience in the last five years of providing those functions specified in Item #1) above, to individuals, either as an independent professional or as an employee of an organization.
  7. Requires the CBCO to issue an "applied behavior analyst

assistant" certificate to an applicant who submits a written application, pays the required fees, and provides satisfactory evidence that he or she meets either of the following requirements:

A. Holds a current, valid certification as an assistant behavior analysis from the BACB or another organization accredited by the NCCA or ANSI whose mission is to meet professional credentialing needs identified by behavior analysts, governments, and consumers of behavior analysis services.

B. Possesses a bachelor's degree in applied behavior analysis or a related field, and demonstrates three years of experience in the last five years of providing those functions specified in Item #2) above, to individuals, either as an independent professional or as an employee of an organization.

8. Provides that a certificate shall be subject to renewal in a manner prescribed by the CBCO and shall expire unless renewed every two years. Further, authorizes the CBCO to provide for the late renewal of a certification.

9. Authorizes the CBCO to receive factual information as a condition of taking any action, and to conduct oral interviews or make any investigation deemed necessary to establish the accuracy of any information.

10. Provides that an applied behavior analyst shall maintain that certification only by meeting the CBCO requirements for continuing education and ethical standards.

11. Prohibits the CBCO from issuing certificates prior to September 1, 2011.

12. Provides for the CBCO to require an applicant to submit fingerprints, and establish a procedure consistent with state law to obtain background information on

applicants.

13. Authorizes the CBCO to discipline a certificate holder, as specified, and establishes various grounds for discipline against a certificate holder or for denial of a certificate to an applicant.
14. Provides that discipline or denial of a certificate or registration by CBCO must be in keeping with specific procedures, and that denial or discipline not in keeping with the procedures is void and without effect.
15. Provides that it is an unfair business practice for any person to advertise or represent to the public, that he or she is certified, registered, or licensed by a governmental agency as an applied behavior analyst or applied behavior analyst assistant.
16. Provides that it is an unfair business practice for any person to hold himself or herself out or use the title of "certified applied behavior analyst" or "certified applied behavior analyst assistant" or any other term, such as "licensed," "registered," "CABA" or "CABAA" or any term that implies or suggests that the person is certified as an applied behavior analyst or applied behavior analyst assistant without meeting the certification requirements.
17. Requires the CBCO to make available to the public the current status certificate holders; requires the CBCO to maintain on its Internet Website information updated annually related to implementation of the chapter.
18. Provides that nothing under this law shall be construed to:
  - A. Prevent behavior analysis service providers who are vendorized by one of the California Regional Centers or hold state accredited nonpublic agency status from developing, providing, or supervising

applied behavior analysis consistent with the requirements of their Regional Center vendorization or nonpublic agency certification or accreditation, provided their practice of behavior analysis is commensurate with their level of training and experience, and they do not hold themselves out to the public by any title or description stating or implying that they are Certified Behavior Analysts, that they are "certified" to practice behavior analysis if they are not in fact certified, or that they are recognized or certified by the state to practice applied behavior analysis.

- B. Require certification, licensure, recognition, or authorization to provide applied behavior analysis services nor to add to or increase requirements for providing those services.

19. Subjects the CBCO to the "sunset review process" conducted by the Joint Committee on Boards, Commissions, and Consumer Protection (Joint Committee), and accordingly sunsets these provisions on January 1, 2017.

### Background

Autism and Autism Spectrum Disorder (ASD) . Autism and ASDs are neurodevelopment disorders that typically last throughout a person's lifetime and may cause significant impairments in language, communications, play and social interactions, abnormalities in behaviors, and other physical manifestations. ASDs represent the spectrum of these disabilities and include Autistic Disorder (or classic autism), Asperger Syndrome, Pervasive Developmental Syndrome and others. ASD manifests itself in various ways, including difficulty in using and understanding language; poorly developed social skills; over- and-under sensitivity to sound, sight, taste, touch or smell; repetitive behaviors; difficulty with changes in surroundings or routines; and uneven skill development.

Increase of ASDs . According to the Centers for Disease Control and Prevention (CDC), more children than ever before are being classified as having ASDs. It is unclear, however, how much of this increase may be attributed to changes in identifying and classifying ASDs. The CDC states, that by current standards ASDs are the second most common serious developmental disability after mental retardation/intellectual impairment, but still less common than other conditions that affect children's development, such as speech and language impairments, learning disabilities, and attention deficit/hyperactivity disorder (ADHD). According to data from the California Health Interview Survey, it is estimated that more than 36,000 children age 3-11 had autism in 2005. The State Department of Developmental Services (DDS) indicates that the population of persons with autism in California's developmental services system rose by 634 percent from 1987 and 2002, and nearly doubled in the four years from 1998 to 2002.

ASDs is the fastest growing serious developmental disability and now impacts one out of every 150 children in the United States; also, most school districts in California have seen a doubling of students with ASDs in the past five years.

Resources for Families with Autistic Children . Children with autism are served by a number of government and private entities: regional centers and the Department of Developmental Services; schools, school districts, and the Department of Education. Health care service plans and insurers are required under mental health parity laws to provide benefits on a par with physical illness, although coverage of specific benefits and treatments has been unclear. In addition, the California Center for Autism and Developmental Disabilities Research and Epidemiology (CADDRE), a government-provider partnership, conducts surveillance and research on ASD, as well as creates information on autism in multiple languages.

Lanterman Act and Regional Centers . In the late 1960s and '70s, the Lanterman Act established California's system of care for persons with developmental disabilities, including ASD, which consists of 21 regional centers and five state developmental centers where people are assessed for developmental disabilities and, if they qualify, are served for life by a regional center. Children age three and older may be served through this system.

A Senate Human Services Committee analysis of AB 1478 of 2006 (an autism-related measure) notes that, over the last decade, overall regional center caseload has grown by 68.9 percent, as compared to the state's overall growth rate of 17.2 percent for a comparable period. The Department of Developmental Service's Fact Book for 2005, indicates that currently 15.1 percent of the regional center caseload is described as autistic while only 5.3 percent were so described a decade ago.

Early Start . Implemented by DDS and regional centers, in collaboration with the Department of Education, local education agencies, and other state agencies, the Early Start program serves children under the age of three, who may receive early intervention services if they have a developmental delay in either cognitive, communication, social or emotional, adaptive, or physical and motor development, including vision and hearing, or have certain risk conditions for these delays.

Under Early Start, eligible individuals may receive screening and assessment; case management; family training, counseling, and home visits; health, nutrition, nursing, physical therapy, psychological, speech and language, and transportation services, among other services.

Local Education Agencies . Children age three to 21 may receive specialized instruction and related services through local education agencies, through the development of an individualized education program.

FISCAL EFFECT : Appropriation: No Fiscal Com.: No  
Local: No

SUPPORT : (Verified 5/5/10)

Alliance of California Autism Organizations (if amended)  
Behavioral intervention Association (if amended)  
Center for Autism and Related Disorders (if amended)  
Sacramento based ABC Schools (if amended)

OPPOSITION : (Verified 5/5/10)

California Association of Health Plans  
California Psychological Association

ARGUMENTS IN SUPPORT : According to the author's office, "Currently there are no standards, criteria, or professional requirements that indicate the level of education, training, experience and other professional factors that reflect on the background and qualifications of individuals who currently provide ABA services. Furthermore, the ABA profession lacks any form of recognition or standing within the California Business and Professions Code. During the past decade, there has been increasing evidence that ABA therapy is an important and valuable therapeutic intervention in the treatment of medical conditions such as ASD. Consequently, there has been an extensive increase in the practices of this profession throughout California. However, consumers may face significant difficulties and challenges in making an informed decision with regard to these programs and services. Specifically, some consumers may lack adequate information by which they can choose an ABA provider and/or ABA services in an informed manner. Consequently, in some cases, these ABA programs may be designed, supervised, and/or implemented by individuals who lack the appropriate training and educational background. SB 1282 is an initial step in providing professional standards and guidelines for ABA services that will assist consumers in making more informed decisions."

ARGUMENTS IN OPPOSITION : This bill is opposed by the California Association of Health Plans (CAHP), who states that those dealing with developmental disabilities and mental health conditions often need additional supportive services to help them with housing, everyday living skills and education. Unfortunately, the state lacks clear guidelines for who is responsible for providing many of these services, creating great confusion for families and those living with developmental disabilities and mental illness. CAHP opposes the bill because it appears to require health plans to pay for educational services in addition to the health care and mental health care that health plans already provide. Shifting responsibility for educational and other non-medical services to health plans would create a costly new mandate that would cause already increasing health insurance costs to skyrocket, according to CAHP.

CAHP is concerned that while the bill focuses on the certification of providers of ABA, the bill links those providers to payments by health plans and insurers. CAHP states that because ABA helps children learn everyday life and social skills, most health plans do not consider educational services like ABA to be a covered service under the terms and conditions of their contracts, and notes that the American Academy of Pediatrics lists ABA as an educational service

JJA:do 5/5/10 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

\*\*\*\* END \*\*\*\*



CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Bill Number: AB 2204

Author: Assembly Member Beall

Subject: Developmental services: stakeholder groups

Version: Amended, 4/5/10

Sponsor: None at the time of this analysis

<b>Position Recommendation:</b> <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> Letter, hearing testimony, & meet with bill authors, legislative and department staff <input checked="" type="checkbox"/> Letter & hearing testimony <input type="checkbox"/> Letter  <b>SCDD Policy Priority:</b> Community Supports, Quality Assurance, Cross-Cutting
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**SUMMARY**

This bill requires DDS, when creating stakeholder groups, to take into account the state’s ethnic, sexual orientation, gender identity, geographic, and socioeconomic diversity and to make best efforts to ensure that the stakeholder groups collectively reflect the interests of the state’s diverse population.

**BACKGROUND**

Using DDS data, research has demonstrated disparities in regional center spending

on services between ethnicities, even when controlling for client needs.<sup>1</sup> These studies show that ethnicity does have a statistically significant relationship to regional center services expenditures, even while controlling for legitimate cost factors.<sup>2</sup> Furthermore, data based on surveying people with developmental disabilities and their families (as opposed to data based on dollars spent) demonstrate several significant ethnic differences in issues such as receipt of services, the need for additional resources, and satisfaction with supports.<sup>3</sup>

The author of the bill contends that if nothing else, these data show that there is at least the perception of many people who receive regional center services and their families that their services are not being provided equitably and their needs are not being met equitably. Explicit recognition in the Lanterman Act that diversity must be considered in convening stakeholder groups is one step in ensuring that all segments of the state's diverse population are included in discussions of fiscal and policy issues affecting the delivery of services to all Californians with developmental disabilities.

Several provisions in the Lanterman Act direct DDS to convene or consult with stakeholder organizations or groups (such as AB 9 x4).

## **ANALYSIS**

This bill requires that, in convening stakeholder groups, DDS takes into account the state's diversity in designated categories (ethnic, sexual orientation, gender identity, geographic, and socioeconomic) and uses best efforts to include stakeholder groups that collectively reflect the interests of the state's diverse population. If a Legislature report is required as a part of an activity involving stakeholders, DDS will be required to describe how stakeholder diversity was taken into account.

## **RECOMMENDATION & SUPPORTING ARGUMENTS**

A support position is recommended because the measures in this bill are the first step to ensure that all segments of the state's diverse population are included in discussions of fiscal and policy issues affecting the delivery of services to all Californians with developmental disabilities.

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<sup>1</sup> Harrington, C. & Kang, T., Disparities in service utilization and expenditures for individuals with developmental disabilities, *Disability & Health Journal*, 1:184, 190 (2008)

<sup>2</sup> Purchase of Service Study II: Final Report Summary, DDS, Report to the Legislature (December 2003)

<sup>3</sup> *Ibid.*

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position, writes appropriate letters to legislators, and provides hearing testimony.

### **SUGGESTED AMENDMENTS**

N/A

### **POSITIONS**

This bill is supported by:

- The Arc of California
- Disability Rights California
- USC University Center for Excellence in Developmental Disabilities (UCEDD)

No agencies or individuals are known to oppose this bill.

### **STAFF CONTACT**

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**CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Bill Number: AB 2702

Author: Assembly Member Chesbro

Subject: Developmental services: planning teams

Version: Introduced

Sponsor: ARC of California

<p>Position Recommendation:</p> <p><input checked="" type="checkbox"/> Support</p> <p><input type="checkbox"/> Support if amended</p> <p><input type="checkbox"/> Oppose</p> <p><input type="checkbox"/> Oppose unless amended</p> <p><input type="checkbox"/> Watch</p>	<p>Priority Recommendation:</p> <p><input checked="" type="checkbox"/> High (Letter, Hearing Testimony, &amp; meeting with bill authors, legislative and department staff)</p> <p><input type="checkbox"/> Medium (Letter &amp; Hearing Testimony)</p> <p><input type="checkbox"/> Low (Letter only)</p> <p>SCDD Policy Priority: Education &amp; Early Intervention, Housing, Quality Assurance, Recreation, Transportation, Cross-cutting</p>
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**SUMMARY**

This bill enhances the role of and determinations made by the planning teams of IFSPs, IPPs, and decision making. It impacts many of the laws that changed portions of the Lanterman Act in 2009, eliminating or reducing unilateral determinations made by regional centers.

**EXISTING LAW**

This bill amends the many sections of the Lanterman Act and Government Code

which provide for individual family service plan (IFSP) and individual program plan (IPP) processes, procedures, and determinations.

## **RECOMMENDATION AND SUPPORTING ARGUMENTS**

Support. Although this bill impacts many different statutory sections, the proposed changes expand decision making opportunities of planning teams and consequently reduce the unilateral decision making of regional centers. It is anticipated that this will result in a greater degree of self-determination, choice, and control for consumers and families relative to IFSPs, IPPs, and regional center provided services.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position with amendments encouraged, write appropriate letters to legislators, provide hearing testimony, and meet with appropriate legislators.

## **SUGGESTED AMENDMENTS**

The LPPC recommended that amendments be encouraged so that adequate notice is provided to consumers and families so that they are aware that exceptions exist for the recent Lanterman Act and Government Code changes.

## **ANALYSIS**

Specifically, this bill:

- requires the **IFSP planning team, not regional center**, to consider:
  - the use of group training for parents on behavior intervention techniques, in lieu of some or all of the in-home parent training component of the behavior intervention services;
  - the purchase of neighborhood preschool services and needed qualified personnel, in lieu of infant development programs;
- when developing, reviewing, or modifying an IFSP or IPP, **it is now the planning team that determines the following:**
  - regional center will not fund private specialized transportation services for adults who can safely use public transportation, when that transportation is available;
    - a regional center will fund transportation for a minor living at the family home only if the family cannot provide the transportation and the family

provides an explanation in writing to the **planning team, not regional center**;

- the least expensive service meets the consumers' needs;
- upon recommendation from the **planning team, the regional center**:
  - will determine if someone meets the exception criteria for a suspended service (camping, social recreation services, educational activities, and nonmedical therapies);
  - may pay more than the typical cost of childcare for children with developmental disabilities who live with their parents;
- in order to maintain children with developmental disabilities in their families' home, **the planning team, not regional center**, must consider every possible way to assist families to do so;
- **pursuant to an IPP**, the regional center may purchase or provide vouchers for diapers for children who are over 3 years of age;
- **planning teams, not regional centers**, will:
  - only provide for ABA or IBI that reflects evidence-based practices, promote positive social behaviors, and reduces behaviors that that interfere with learning and social interactions;
  - only provide for ABA or IBI when parents participate;
  - not provide ABA or IBI instead of respite, day care, or school services;
  - discontinue providing ABA and IBI when goals are achieved;
  - not provide reimbursement to parents for participating in a behavioral services treatment program;
- for supported living, the regional center cannot pay for rent, mortgage or lease, except when **the planning team** verifies in writing that doing so is necessary to meet the person's care needs are documented in the IPP; and,
- although the regional center does not have to provide supportive services if someone refuses to apply for IHSS, **the planning team, not the regional center executive director**, can waive this if extraordinary circumstances exist and it is included in the IPP.

## **STAFF CONTACT**

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**CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Bill Number: AB 2702

Author: Assembly Member Chesbro

Subject: Developmental services: planning teams

Version: Amended, 4/20/10

Sponsor: ARC of California

<b>Position Recommendation:</b> <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support if amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose unless amended <input type="checkbox"/> Watch	<b>Priority Recommendation:</b> <input type="checkbox"/> High (Letter, Hearing Testimony, & meeting with bill authors, legislative and department staff) <input checked="" type="checkbox"/> Medium (Letter & Hearing Testimony) <input type="checkbox"/> Low (Letter only)  <b>SCDD Policy Priority:</b> Education & Early Intervention, Housing, Quality Assurance, Recreation, Transportation, Cross-cutting
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**SUMMARY**

This bill has been amended such that when an IPP/IFSP is developed, changed, or reviewed, all decisions must be made by the planning team.

**EXISTING LAW**

Existing law indicates that under many different circumstances, the regional center must consider certain information or make determinations before it makes a decision.

Existing law also indicates that decisions about services and supports in IPPs/IFSPs are made by the planning team.

## **RECOMMENDATION AND SUPPORTING ARGUMENTS**

Support. This bill indicates that when IPPs/IFSPs are developed, changed, or reviewed, decisions must be made by the planning team (pursuant to Welfare and Institutions Code §4646 or Government Code §95020), although other provisions of law may modify this.

On 4/8/10, the Legislative & Public Policy Committee (LPPC) voted to recommend that the State Council on Developmental Disabilities considers a support position, writes appropriate letters to legislators, provides hearing testimony, and meets with appropriate legislators.

## **SUGGESTED AMENDMENTS**

The previous version of the bill used stronger language to expand decision making opportunities of planning teams and consequently reduced the unilateral decision making of regional centers. To the extent that it is possible, it is suggested this bill is amended to reflect its former language. For more information on how this bill has been amended, please see the bill analysis for the “Introduced” version of this bill.

## **ANALYSIS**

This bill simply indicates that when an IPP/IFSP is developed, modified, or reviewed, decisions must be made pursuant to Section 4646 of the Lanterman Act and Section 95020 of the Government Code, although other provisions of law may modify this.

## **POSITIONS**

This bill is supported by:

- The Arc of California

No agencies or individuals are known to support or oppose this bill.

**STAFF CONTACT**

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# Legislative & Public Policy Committee Legislative Report as of 4/7/2010

## Civil Rights

### [ACR 123](#) ([Chesbro](#)) **California Memorial Project Remembrance Day.** (A-03/18/2010 [html](#) [pdf](#))

**Introduced:** 02/12/2010

**Last Amend:** 03/18/2010

**Status:** 03/25/2010-From committee: Be adopted. (Ayes 10. Noes 0.) (March 25).

**Location:** 03/22/2010-A THIRD READING

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/08/10 30 ASM ASSEMBLY THIRD READING FILE

**Summary:** This measure would proclaim the 3rd Monday of each September as California Memorial Project Remembrance Day in California, to honor and restore dignity to individuals who lived and died in California institutions.

### [SB 1256](#) ([Hancock](#)) **Ed Roberts Day.** (I-02/19/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:**

**Status:** 03/25/2010-Read second time. To third reading.

**Location:** 03/25/2010-S THIRD READING

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/08/10 28 SEN SENATE BILLS-THIRD READING FILE

**Summary:** Existing law requires the Governor to proclaim certain days each year for specified reasons. Existing law also designates particular days each year as having special significance in public schools and educational institutions and encourages those entities to conduct suitable commemorative exercises on those dates. This bill would provide that the Governor proclaim January 23 of each year as Ed Roberts Day, would designate that date as having special significance in public schools and educational institutions, and would encourage those entities to conduct suitable commemorative exercises on that date.

## Criminal Justice

### [AB 438](#) ([Beall](#)) **Persons with developmental disabilities: criminal proceedings: diversion.** (A-04/21/2009 [html](#) [pdf](#))

**Introduced:** 02/24/2009

**Last Amend:** 04/21/2009

**Status:** 08/27/2009-In committee: Held under submission.

**Location:** 08/27/2009-S APPR. SUSPENSE FILE

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law, the Lanterman Developmental Disabilities Services Act, grants persons with developmental disabilities the right to receive treatment and services to meet their needs, regardless of age or degree of disability, at each stage of life. Existing law requires that the state pay for these services through contracts with various private nonprofit corporations for the operation of regional centers for the developmentally disabled, and requires regional centers to develop an individual program plan for each consumer that sets

forth the treatment and services to be provided for the consumer. This bill would make these procedures also applicable for an offense that is charged or reduced to a nonviolent felony, as defined, or a serious felony, as defined, and would delete the exclusion for those previously diverted. This bill contains other related provisions and other existing laws.

**Position:** Support  
**Priority:** Medium

**SB 110** [\(Liu\)](#) **People with disabilities: victims of crime.** (A-01/26/2010 [html](#) [pdf](#))

**Introduced:** 01/28/2009  
**Last Amend:** 01/26/2010  
**Status:** 02/11/2010-To Coms. on PUB. S. and HUM. S.  
**Location:** 02/11/2010-A PUB. S.

<a href="#">2YR/Dead</a>   <a href="#">1st Desk</a>   <a href="#">1st Policy</a>   <a href="#">1st Fiscal</a>   <a href="#">1st Floor</a>   <a href="#">2nd Desk</a>   <a href="#">2nd Policy</a>   <a href="#">2nd Fiscal</a>   <a href="#">2nd Floor</a>   <a href="#">Conf./Conc.</a>   <a href="#">Enrolled</a>   <a href="#">Vetoed</a>   <a href="#">Chapters</a>

**Summary:** Existing law regulates the investigation and prosecution of crimes against a dependent adult, which is defined to include a person who is between 18 and 64 years of age, inclusive, and who has a physical or mental limitation which restricts his or her ability, or substantially restricts his or her ability, to carry out normal activities or to protect his or her rights, including, but not limited to, a person who has a physical or developmental disability or whose physical or mental abilities have diminished, or significantly diminished, because of age. Under existing law, the term also includes any person between 18 and 64 years of age, inclusive, who is admitted as an inpatient to certain 24-hour health facilities. This bill would rename these teams "elder and dependent adult death review teams" and would expand the authority of these teams to cover dependent adult death abuse, and neglect, as specified. This bill contains other related provisions and other existing laws.  
**Position:** Support

## Developmental Center

**SB 1129** [\(Wiggins\)](#) **Health services: Sonoma Developmental Center.** (A-04/06/2010 [html](#) [pdf](#))

**Introduced:** 02/18/2010  
**Last Amend:** 04/06/2010  
**Status:** 04/06/2010-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on HUMAN S.  
**Location:** 04/06/2010-S HUM. S.

<a href="#">2YR/Dead</a>   <a href="#">1st Desk</a>   <a href="#">1st Policy</a>   <a href="#">1st Fiscal</a>   <a href="#">1st Floor</a>   <a href="#">2nd Desk</a>   <a href="#">2nd Policy</a>   <a href="#">2nd Fiscal</a>   <a href="#">2nd Floor</a>   <a href="#">Conf./Conc.</a>   <a href="#">Enrolled</a>   <a href="#">Vetoed</a>   <a href="#">Chapters</a>

**Calendar:** 04/13/10 1:30 p.m. - Room 3191 SEN HUMAN SERVICES  
**Summary:** Existing law vests in the State Department of Developmental Services jurisdiction over various state developmental centers, including the Sonoma Developmental Center, for the medical and nursing care of patients with developmental disabilities. Existing law imposes various functions and duties on the Director of Developmental Services with respect to the provision of services for the care and protection of persons with developmental disabilities. This bill would require the director to provide , prior to an unspecified date, intensive behavioral treatment services at the Sonoma Developmental Center, through the center's operation of an outpatient clinic, to persons with developmental disabilities who reside at the center, and also to individuals residing in community settings in the surrounding area . This bill contains other related provisions.

**SB 1196** [\(Negrete McLeod\)](#) **Lanterman Developmental Center.** (A-03/23/2010 [html](#) [pdf](#))

**Introduced:** 02/18/2010  
**Last Amend:** 03/23/2010  
**Status:** 04/01/2010-Set for hearing April 13.  
**Location:** 03/25/2010-S HUM. S.

<a href="#">2YR/Dead</a>   <a href="#">1st Desk</a>   <a href="#">1st Policy</a>   <a href="#">1st Fiscal</a>   <a href="#">1st Floor</a>   <a href="#">2nd Desk</a>   <a href="#">2nd Policy</a>   <a href="#">2nd Fiscal</a>   <a href="#">2nd Floor</a>   <a href="#">Conf./Conc.</a>   <a href="#">Enrolled</a>   <a href="#">Vetoed</a>   <a href="#">Chapters</a>

**Calendar:** 04/13/10 1:30 p.m. - Room 3191 SEN HUMAN SERVICES

**Summary:** Existing law vests the State Department of Developmental Services with jurisdiction over specified state developmental centers , including the Lanterman Developmental Center , to be used as a developmental center for the provision of services to people with developmental disabilities. Existing law specifies the procedure that the department is required to use in the closure of a developmental center . This bill would require plans and other public documents, and notice of public meetings or teleconferences, relative to the proposed closure of the Lanterman Developmental Center, to be posted on the department's Internet Web site, as specified .

## Education/Special Education

**AB 661** (**Torlakson**) **Special education: behavioral intervention plans: mandate claim: funding.** (I-02/25/2009 [html](#) [pdf](#))

**Introduced:** 02/25/2009

**Last Amend:**

**Status:** 01/31/2010-Failed Deadline pursuant to Rule 61(b)(3). (Last location was 2 YEAR on 6/8/2009)

**Location:** 01/31/2010-A DEAD

[2YR/Dead](#) | [1st Desk](#) | [1st Policy](#) | [1st Fiscal](#) | [1st Floor](#) | [2nd Desk](#) | [2nd Policy](#) | [2nd Fiscal](#) | [2nd Floor](#) | [Conf./Conc.](#) | [Enrolled](#) | [Vetoed](#) | [Chapters](#)

**Summary:** Existing law requires the Superintendent of Public Instruction, on or before September 1, 1992, to develop, and the State Board of Education to adopt, regulations, as specified, governing the use of behavioral interventions for individuals with exceptional needs receiving special education and related services. Existing law prescribes the calculations to be made to determine the amount of General Fund moneys to allocate to each special education local plan area. This bill would require the Superintendent to perform various calculations to increase the amount of funding per unit of average daily attendance for each special education local plan area, as specified. The bill would appropriate \$65,000,000 from the General Fund to the Superintendent in augmentation of a specified item of the Budget Act of 2009 for purposes of providing that increased funding. The bill also would appropriate \$10,000,000 from the General Fund to the Superintendent for allocation on a one-time basis to county offices of education and special education local plan areas, as specified. The bill would direct that \$85,000,000 be appropriated from the General Fund on a one-time basis in each of the 2011-12 to 2016-17 fiscal years, inclusive, except as provided, to the Superintendent for allocation to school districts on a per-pupil basis. The Superintendent would be required to use specified calculations to compute the allocation for each school district. The bill would deem the funding described in this paragraph as payments in full satisfaction of, and in lieu of, any reimbursable mandate claims resulting from the statement of decision of the Commission on State Mandates regarding the Behavioral Intervention Plans Mandated Cost Test Claim. This bill contains other related provisions.

**Position:** Watch

**AB 1742** (**Coto**) **Education: special education.** (A-03/15/2010 [html](#) [pdf](#))

**Introduced:** 02/08/2010

**Last Amend:** 03/15/2010

**Status:** 03/16/2010-Re-referred to Com. on ED.

**Location:** 03/16/2010-A ED.

[2YR/Dead](#) | [1st Desk](#) | [1st Policy](#) | [1st Fiscal](#) | [1st Floor](#) | [2nd Desk](#) | [2nd Policy](#) | [2nd Fiscal](#) | [2nd Floor](#) | [Conf./Conc.](#) | [Enrolled](#) | [Vetoed](#) | [Chapters](#)

**Summary:** Existing law requires a nonpublic, nonsectarian schools that provides special education and related services to an individual with exceptional needs in any of the grades from kindergarten through grade 12 to certify in writing to the Superintendent of Public Instruction that it meets specified requirements, including the requirement that it will not accept a pupil with exceptional needs if it cannot provide the services outlined in the pupil's individualized education program, as specified. This bill would specify that required

standards-based, core curriculum and instructional materials used to provide the special education and related services may include technology-based materials, as specified.

**[AB 1841](#) ([Buchanan](#)) Special education: parental consent.** (A-04/06/2010 [html](#) [pdf](#))

**Introduced:** 02/12/2010

**Last Amend:** 04/06/2010

**Status:** 04/06/2010-Read second time and amended. Ordered returned to second reading.

**Location:** 04/06/2010-A SECOND READING

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Calendar:** 04/08/10 1 ASM ASSEMBLY SECOND READING FILE

**Summary:** Existing law, in defining the term "consent" for purposes of the provision of special education and related services to individuals with exceptional needs, includes in that definition a statement that a parent or guardian understands that granting consent is voluntary and he or she may revoke that consent at any time. Existing law provides that revocation of consent is not retroactive to negate an action that occurred after consent was given and prior to the revocation. This bill, in addition, would provide that a public agency is not required to amend the education records of a child to remove any reference to the child's receipt of special education and services if the child's parent or guardian submits a written revocation of consent after the initial provision of special education and related services to the child. This bill contains other related provisions and other existing laws.

**[AB 2160](#) ([Bass](#)) Teacher credentialing: instruction to pupils with autism.** (A-04/06/2010 [html](#) [pdf](#))

**Introduced:** 02/18/2010

**Last Amend:** 04/06/2010

**Status:** 04/06/2010-Read second time and amended.

**Location:** 04/06/2010-A APPR.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** The Commission on Teacher Credentialing is authorized to issue teaching and services credentials, and is required to establish standards and procedures for the issuance and renewal of credentials. Existing law authorizes a local educational agency or school to assign a teacher who holds a level 1 education specialist credential to provide instruction to pupils with autism, subject to specified requirements. Existing law makes those provisions inoperative 2 years after the commission adopts regulations relating to the requirements for obtaining a specialist credential in special education, or on August 31, 2011, whichever occurs first, and repeals those provisions on January 1, 2012. This bill would delete the provision requiring the education special credential to be a level 1 credential, would extend the inoperative date to October 1, 2013, and would repeal those provisions on January 1, 2014. The bill would express various findings and declarations of the Legislature, and would delete obsolete provisions.

**[AJR 31](#) ([Buchanan](#)) Special education funding.** (A-04/06/2010 [html](#) [pdf](#))

**Introduced:** 02/04/2010

**Last Amend:** 04/06/2010

**Status:** 04/06/2010-Amended. To Consent Calendar.

**Location:** 04/06/2010-A CONSENT CALENDAR

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Calendar:** 04/08/10 45 ASM CONSENT CALENDAR-FIRST LEGISLATIVE DAY  
ASSEMBLY MEASURES

**Summary:** This measure would respectfully memorialize the Congress and the President of the United States to enact one of the bills pending before Congress that would fully fund the federal Individuals with Disabilities Education Act.

**Position:** Support

**SB 682 (Padilla) Individuals with exceptional needs: academic and occupational training: pilot program.** (A-06/24/2009 [html](#) [pdf](#))

**Introduced:** 02/27/2009

**Last Amend:** 06/24/2009

**Status:** 08/27/2009-Set, second hearing. Held in committee and under submission.

**Location:** 08/27/2009-A APPR. SUSPENSE FILE

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law requires the Superintendent of Public Instruction to establish the capacity to provide transition services such as employment and academic training, strategic planning, interagency coordination, and parent training for a broad range of individuals with exceptional needs, including autism spectrum disorders and other disabilities. This bill, contingent upon the availability of federal funds for this purpose, would authorize a county office of education or consortium of county offices of education to establish pilot programs for the purposes of providing combined academic and occupational training to secondary school pupils with autism spectrum disorders and other exceptional needs. The bill would require a county office of education or consortium of county offices of education that establishes a pilot program pursuant to these provisions to submit an evaluation containing specified information about the program to the State Department of Education, the Assembly Committee on Education, and the Senate Committee on Education on or before January 1, 2014. These provisions would be repealed on January 1, 2015 .

**Position:** Support

**SB 1270 (Romero) Public schools: parent empowerment.** (I-02/19/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:**

**Status:** 03/04/2010-To Com. on RLS.

**Location:** 03/04/2010-S RLS.

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law requires a local educational agency to implement one of several specified reforms for a school not identified as a persistently lowest achieving school that, after one full school year, fails to meet specified criteria and has a specified amount of parents and guardians of pupils sign a petition requesting the local educational agency to implement at least on fo the alternative governance arrangements. This bill would make technical, nonsubstantive changes to these provisions.

**SB 1315 (Romero) Parent empowerment.** (I-02/19/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:**

**Status:** 03/04/2010-To Com. on RLS.

**Location:** 03/04/2010-S RLS.

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law requires a local educational agency to implement one of several specified reforms for any other school which, after one full school year, is subject to corrective action pursuant to a specified provision of federal law and continues to fail to make adequate yearly progress, and have an Academic Performance Index score of less than 800, and where at least 1/2 of the parents or legal guardians of pupils attending the school, or a combination of at least 1/2 of the parents or legal guardians of pupils attending the school and the elementary or middle schools that normally matriculate into a middle or high school, as applicable, sign a petition requesting the local educational agency to implement one of the alternative governance arrangements, unless the local educational agency makes a finding in writing why it cannot implement the recommended arrangement and instead designates in writing which of the other alternative governance arrangements it will implement in the subsequent school year. This bill would state the intent of the Legislature to enact legislation relating to parent empowerment.

**Notes:** This is a spot bill.

**SB 1376 (Romero) Career technical education.** (1-02/19/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:**

**Status:** 03/04/2010-To Com. on RLS.

**Location:** 03/04/2010-S RLS.

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law permits the governing board of a high school district, as specified, the governing board of a joint powers regional occupational center or program, or the county superintendent of schools that conducts a county-operated regional occupational center or program to establish and maintain cooperative career technical education programs or community classrooms as part of a career technical education course. Existing law requires the Superintendent of Public Instruction to adopt rules and regulations relating to cooperative career technical education programs and community classrooms, as specified. This bill would express the intent of the Legislature to enact legislation relating to career technical education.

**Notes:** This is a spot bill.

## Employment

**AB 287 (Beall) Persons with developmental disabilities: employment.** (C-10/11/2009 [html](#) [pdf](#))

**Introduced:** 02/13/2009

**Last Amend:** 09/02/2009

**Status:** 10/11/2009-Chaptered by the Secretary of State, Chapter Number 231, Statutes of 2009

**Location:** 10/11/2009-A CHAPTERED

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law, the Lanterman Developmental Disabilities Services Act, grants persons with developmental disabilities the right to receive services and supports to meet their needs. Existing law requires that the State Department of Developmental Services contract with private nonprofit corporations for the operation of regional centers to obtain services and supports for an individual with a developmental disability in accordance with his or her individual program plan (IPP). This bill would encourage the individual program planning team to discuss school-to-work opportunities for consumers commencing at 14 years of age. This bill contains other related provisions and other existing laws.

**Priority:** High

**SB 755 (Negrete McLeod) State contracts: participation goals: persons with developmental disabilities business enterprises.** (A-05/21/2009 [html](#) [pdf](#))

**Introduced:** 02/27/2009

**Last Amend:** 05/21/2009

**Status:** 01/22/2010-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 6/2/2009)

**Location:** 01/22/2010-S DEAD

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law establishes participation goals for various enterprises to participate in contracts with state departments awarded for construction, services, materials, supplies, equipment, alterations, repairs, or improvements. This bill would establish statewide participation goals of not less than 1% for persons with developmental disabilities business enterprises to participate in contracts awarded by a state agency for goods and services, and require, until June 30, 2014, that each state agency awarding contracts take specified actions to encourage that participation, as provided. This bill contains other related provisions and other existing laws.

**Position:** Watch

## Health Care

**[AB 214](#)** (**Chesbro**) **Health care coverage: durable medical equipment.** (A-04/23/2009 [html](#) [pdf](#))

**Introduced:** 02/03/2009

**Last Amend:** 04/23/2009

**Status:** 01/31/2010-Failed Deadline pursuant to Rule 61(b)(3). (Last location was 2 YEAR on 6/2/2009)

**Location:** 01/31/2010-A DEAD

[2YR/Dead](#) | [1st Desk](#) | [1st Policy](#) | [1st Fiscal](#) | [1st Floor](#) | [2nd Desk](#) | [2nd Policy](#) | [2nd Fiscal](#) | [2nd Floor](#) | [Conf./Conc.](#) | [Enrolled](#) | [Vetoed](#) | [Chaptered](#)

**Summary:** Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of that act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, health care service plans and health insurers are required to offer specified types of coverage as part of their group plan contracts or group policies. This bill would require a health care service plan and a health insurer to provide coverage for durable medical equipment, as defined, as part of their plan contracts or health insurance policies. This bill contains other related provisions and other existing laws.

**Position:** Support

**Priority:** Medium

**[SB 1283](#)** (**Steinberg**) **Health care coverage: autism.** (I-02/19/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:**

**Status:** 03/04/2010-To Com. on RLS.

**Location:** 03/04/2010-S RLS.

[2YR/Dead](#) | [1st Desk](#) | [1st Policy](#) | [1st Fiscal](#) | [1st Floor](#) | [2nd Desk](#) | [2nd Policy](#) | [2nd Fiscal](#) | [2nd Floor](#) | [Conf./Conc.](#) | [Enrolled](#) | [Vetoed](#) | [Chaptered](#)

**Summary:** Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A willful violation of the act constitutes a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide coverage for the diagnosis and medically necessary treatment of severe mental illnesses, including, but not limited to, pervasive developmental disorder or autism, under the same terms and conditions applied to other medical conditions, as specified. This bill would state the intent of the Legislature to enact legislation to provide clarification on the duties imposed upon health care service plans and health insurers, under the existing mental health parity law, to provide medically necessary services for the diagnosis and treatment of autism spectrum disorders.

**Notes:** This is a spot bill.

## Housing

**[SB 812](#)** (**Ashburn**) **Developmental services: housing.** (A-01/13/2010 [html](#) [pdf](#))

**Introduced:** 02/27/2009

**Last Amend:** 01/13/2010

**Status:** 02/11/2010-To Coms. on L. GOV. and H. & C.D.

**Location:** 02/11/2010-A L. GOV.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Existing law requires the local government to make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element. This bill would require the local government, as part of the above-described effort, to obtain, assess, and analyze appropriate information on the housing needs of individuals with developmental disabilities within the community . By expanding the duties of local jurisdictions in relation to the general plans, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Support if Amended

## In Home Supportive Services (IHSS)

[AB 378](#) **(Cook)** In-Home Supportive Services: provider training. (A-05/04/2009 [html](#) [pdf](#))

**Introduced:** 02/23/2009

**Last Amend:** 05/04/2009

**Status:** 09/11/2009-To inactive file on motion of Senator Romero.

**Location:** 09/11/2009-S INACTIVE FILE

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. Under existing law, the functions of a nonprofit consortium contracting with the county, or a public authority established for this purpose, include providing training for providers and recipients. This bill would require each public authority or nonprofit consortium, in consultation with its advisory committee and stakeholders, to develop training standards and core topics for the provided training .

**Position:** Support

**Priority:** Low

[AB 682](#) **(Lowenthal, Bonnie)** In-Home Supportive Services program: fraud. (A-09/03/2009 [html](#) [pdf](#))

**Introduced:** 02/26/2009

**Last Amend:** 09/03/2009

**Status:** 09/03/2009-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

**Location:** 09/03/2009-S APPR.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. This bill would, instead, require that the criminal background checks be conducted at the provider's expense, unless the nonprofit consortium or public authority agrees to pay for the criminal background check in which case the department shall seek federal financial participation, to the extent possible, to cover costs associated with conducting the criminal background check. This bill contains other related provisions and other existing laws.

**Position:** Watch

[AB 1924](#) **(Strickland, Audra)** In-Home Supportive Services: fraud. (I-02/16/2010 [html](#) [pdf](#))

**Introduced:** 02/16/2010

**Last Amend:**

**Status:** 03/23/2010-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 03/04/2010-A HUM. S.

[Redacted]	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their home. The IHSS program is administered by counties under the general supervision and guidance of the State Department of Social Services. Existing law contains provisions relating to the duties of the State Department of Social Services, the State Department of Health Care Services, and the counties relating to IHSS fraud. This bill would delete the limitation on a county's authority to investigate suspected fraud in connection with the provision or receipt of supportive services to overpayments of \$500 or less. This bill contains other existing laws.

**[AB 2274](#) (Beall) In-Home Supportive Services program.** (I-02/18/2010 [html](#) [pdf](#))

**Introduced:** 02/18/2010

**Last Amend:**

**Status:** 03/11/2010-Referred to Com. on HUM. S.

**Location:** 03/11/2010-A HUM. S.

[Redacted]	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/13/10 1:30 p.m. - State Capitol, Room 437 ASM HUMAN SERVICES

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law allows a recipient who receives services through either a contract or a managed care provider, subject to program requirements, to select any qualified person, as defined, to provide care. This bill would also allow a person who receives services as part of an entity authorized by a specified waiver under the federal Social Security Act to select any qualified person to provide care.

**[AB 2374](#) (Nestande) In-Home Supportive Services: pilot project.** (A-04/05/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:** 04/05/2010

**Status:** 04/05/2010-From committee chair, with author's amendments: Amend, and re-refer to Com. on HUM. S. Read second time and amended.

**Location:** 04/05/2010-A HUM. S.

[Redacted]	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/13/10 1:30 p.m. - State Capitol, Room 437 ASM HUMAN SERVICES

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. This bill would, instead, require the pilot project to commence January 1, 2011, and would authorize the pilot project to be established in not more than 5 consenting counties. This bill contains other existing laws.

**[SB 142](#) (Maldonado) In-home supportive services: provider timesheets.** (A-07/06/2009 [html](#) [pdf](#))

**Introduced:** 02/11/2009

**Last Amend:** 07/06/2009

**Status:** 07/06/2009-Read second time. Amended. Re-referred to Com. on APPR.

**Location:** 07/06/2009-A APPR.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. This bill would require the department, on or before December 31, 2011, to develop procedures to ensure that an IHSS provider receives a list specifying the approved duties to be performed for each recipient under the provider's care and a complete list of supportive service tasks available under the IHSS program. This bill contains other existing laws.

**Position:** Oppose

**Priority:** Medium

## Mental Health

**AB 2506** ([Strickland, Audra](#)) **Mental health: involuntary treatment.** (I-02/19/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:**

**Status:** 02/22/2010-Read first time.

**Location:** 02/19/2010-A PRINT

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law, the Lanterman-Petris-Short Act, provides for the involuntary detention and treatment for up to 72 hours of any person with a mental disorder who, as a result of the mental disorder, is a danger to others or to himself or herself, or is gravely disabled. This bill would state the intent of the Legislature to enact legislation that would improve the requirements for involuntary treatment of individuals with mental disorders who are placed into a mental facility pursuant to these provisions. This bill contains other existing laws.

**Notes:** This is a spot bill.

## Other

**AB 302** ([Beall](#)) **Deadly weapons: prohibited persons: reports.** (A-01/21/2010 [html](#) [pdf](#))

**Introduced:** 02/17/2009

**Last Amend:** 01/21/2010

**Status:** 01/21/2010-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HUMAN S.

**Location:** 01/21/2010-S HUM. S.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law prohibits the purchase, receipt, possession, or control of firearms for a period of 5 years by persons that have been admitted to a mental health facility on the basis of their being a threat to themselves or others or as a result of being certified for intensive treatment. Existing law requires a mental health facility that admits a person described above to immediately report specified information to the Department of Justice with respect to the person. This bill would require, commencing July 1, 2012, that those reports be submitted electronically, as specified.

**Notes:** This bill was amended into a completely different bill. It was previously a DRC sponsored bill that would have required DDS to collect data from regional centers. The data would then be used to determine if purchase of service funds are being spent equitably among the state's linguistically and ethnically diverse population.

**[AB 1758](#) (Ammiano) County wraparound services program. (A-03/25/2010 [html](#) [pdf](#))**

**Introduced:** 02/08/2010

**Last Amend:** 03/25/2010

**Status:** 04/05/2010-Re-referred to Com. on APPR.

**Location:** 04/05/2010-A APPR.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wraparound services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family-like setting possible. The pilot project also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties. This bill would remove the designation of this program as a pilot project and make conforming changes. This bill contains other related provisions and other existing laws.

**[SB 1282](#) (Steinberg) Applied behavior analysis services: California Behavioral Certification**

**Organization.** (A-03/23/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:** 03/23/2010

**Status:** 03/25/2010-Re-referred to Com. on B., P. & E.D.

**Location:** 03/25/2010-S B., P. & E.D.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/19/10 1:30 p.m. and upon adjournment of session - Room 3191 SEN BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

**Summary:** Existing law provides for the licensure and regulation of various healing arts practitioners, including, but not limited to, marriage and family therapists, clinical social workers, educational psychologists, and professional clinical counselors, by the Board of Behavioral Sciences in the Department of Consumer Affairs. This bill would provide for the certification or registration of specified applied behavior analysis practitioners by a California Behavioral Certification Organization, which would be a nonprofit organization meeting specified requirements, and would impose certain duties on the organization. The bill would specify which individuals would be considered as qualified to practice applied behavior analysis services, and would prohibit an individual from holding himself or herself out as a practitioner unless he or she has complied with the act or another applicable licensing provision or is otherwise certified by certain nationally recognized entities. The bill would authorize the organization to establish specified curriculum and continuing education standards, and establish a certification and registration process, in conjunction with the California Association for Behavior Analysis (CalABA). The bill would require CalABA to implement the certification or registration process until the organization is established. The bill would set forth other disciplinary standards and hearing requirements .

## Regional Center

**[AB 140](#) (Beall) Developmental disabilities. (C-08/06/2009 [html](#) [pdf](#))**

**Introduced:** 01/20/2009

**Last Amend:**

**Status:** 08/06/2009-Chaptered by Secretary of State - Chapter 84, Statutes of 2009.

**Location:** 08/06/2009-A CHAPTERED

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities. Under existing law, the regional centers purchase needed services for individuals with developmental disabilities through approved service providers or arrange for their provision through other publicly funded agencies. This bill would establish procedures for the resolution of disputes between a regional center and a generic agency, as defined, over provision of, or payment for, services that are contained in an individualized family service plan or individual program plan for any child under 6 years of age.

**Position:** Support

**Priority:** Medium

**[AB 2204](#) (Beall) Developmental services: stakeholder groups.** (A-04/05/2010 [html](#) [pdf](#))

**Introduced:** 02/18/2010

**Last Amend:** 04/05/2010

**Status:** 04/05/2010-From committee chair, with author's amendments: Amend, and re-refer to Com. on APPR. Read second time and amended.

**Location:** 04/05/2010-A APPR.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with local , nonprofit regional centers to provide various services and supports to individuals with developmental disabilities. The department is required to consult with stakeholders for various reasons, including, but not limited to, coordinating client advocacy, planning programs, and creating alternative service delivery models to obtain services and supports. This bill would require the department, in convening stakeholder groups pursuant to the act, to take into account the state's ethnic, sexual orientation, gender identity, geographic, and socioeconomic diversity and to use best efforts to include stakeholder groups that, collectively, reflect the interests of the state's diverse population. The bill would also require the department to include in appropriate reports to the Legislature a description of how it has complied with the requirement of stakeholder group diversity.

**[AB 2702](#) (Chesbro) Developmental services: planning teams.** (A-04/05/2010 [html](#) [pdf](#))

**Introduced:** 02/19/2010

**Last Amend:** 04/05/2010

**Status:** 04/05/2010-From committee chair, with author's amendments: Amend, and re-refer to Com. on HUM. S. Read second time and amended.

**Location:** 04/05/2010-A HUM. S.

2YR/Dead | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Calendar:** 04/13/10 1:30 p.m. - State Capitol, Room 437 ASM HUMAN SERVICES

**Summary:** Existing law, the California Early Intervention Services Act, provides a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, and interagency programs that are responsible for providing appropriate early intervention services and support to all eligible infants and toddlers, as defined, and their families and requires an eligible infant or toddler receiving services under the act to have an individualized family service plan (IFSP). This bill would require a regional center to ensure, at the time of the development, scheduled review, or modification of an IFSP or IPP, that the plan is made pursuant to the relevant statute . This bill contains other existing laws.

**[SBX8 4](#) (Committee on Budget and Fiscal Review) Social services.** (C-03/08/2010 [html](#) [pdf](#))

**Introduced:** 01/20/2010

**Last Amend:** 02/25/2010

**Status:** 03/08/2010-Chaptered by the Secretary of State, Chapter Number 4, Statutes of 2010

**Location:** 03/08/2010-S CHAPTERED

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Summary:** Existing law establishes the State Department of Developmental Services and sets forth its powers and duties, including, but not limited to, administration of the Lanterman Developmental Disabilities Services Act, which requires the department to allocate funds to private nonprofit regional centers for the provision of community services and support for persons with developmental disabilities and their families and sets forth the duties of regional centers in that regard. This bill would extend these exemptions until June 30, 2011. This bill contains other related provisions and other existing laws.

Total rows: 34



# Legislative & Public Policy Committee

## Legislative Report

### as of 5/13/2010

#### Civil Rights

**ACR 123** (Chesbro) California Memorial Project Remembrance Day. (A-04/08/2010 [html](#) [pdf](#))

**Status:** 04/12/2010-In Senate. To Com. on RLS.

**Current Location:** 04/12/2010-S RLS.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** This measure would proclaim the 3rd Monday of each September as California Memorial Project Remembrance Day in California, to honor and restore dignity to individuals who lived and died in California institutions.

**Position:**

**Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position and writes a letter to the bill author and appropriate legislators.

**SB 1256** (Hancock) Ed Roberts Day. (I-02/19/2010 [html](#) [pdf](#))

**Status:** 05/03/2010-In Assembly. Read first time. Held at Desk.

**Current Location:** 05/03/2010-A DESK

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law requires the Governor to proclaim certain days each year for specified reasons. Existing law also designates particular days each year as having special significance in public schools and educational institutions and encourages those entities to conduct suitable commemorative exercises on those dates. This bill would provide that the Governor proclaim January 23 of each year as Ed Roberts Day, would designate that date as having special significance in public schools and educational institutions, and would encourage those entities to conduct suitable commemorative exercises on that date.

**Position:**

**Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position and writes a letter to the bill author and appropriate legislators.

## Criminal Justice

**AB 438** (Beall) Medi-Cal: treatment authorization requests. (A-05/05/2010 [html](#) [pdf](#))

**Status:** 05/06/2010-Withdrawn from committee. Re-referred to Com. on RLS.

**Current Location:** 05/06/2010-S RLS.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and pursuant to which, health care services are provided

to qualified low-income persons. This bill would state the intent of the Legislature to enact legislation that would implement reforms to the Medi-Cal TAR process, as specified. This bill contains other existing laws.

**Position:** Support

**Priority:** Letter & Hearing Testimony

**SB 110 (Liu) People with disabilities: victims of crime.** (A-01/26/2010 [html](#) [pdf](#))

**Status:** 02/11/2010-To Coms. on PUB. S. and HUM. S.

**Current Location:** 02/11/2010-A PUB. S.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law regulates the investigation and prosecution of crimes against a dependent adult, which is defined to include a person who is between 18 and 64 years of age, inclusive, and who has a physical or mental limitation which restricts his or her ability, or substantially restricts his or her ability, to carry out normal activities or to protect his or her rights, including, but not limited to, a person who has a physical or developmental disability or whose physical or mental abilities have diminished, or significantly diminished, because of age. Under existing law, the term also includes any person between 18 and 64 years of age, inclusive, who is admitted as an inpatient to certain 24-hour health facilities. This bill would rename these teams "elder and dependent adult death review teams" and would expand the authority of these teams to cover dependent adult death abuse, and neglect, as specified. This bill contains other related provisions and other existing laws.

**Position:** Support

**Priority:**

## Developmental Center

**SB  
1129**

**(Wiggins) Health services: Sonoma Developmental Center.** (A-05/04/2010 [html](#) [pdf](#))

**Status:** 05/11/2010-Placed on APPR suspense file.

**Current Location:** 05/10/2010-S APPR. SUSPENSE FILE

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with private nonprofit regional centers to provide or purchase services and supports for persons with developmental disabilities. This bill would make a consumer from any regional center eligible to receive temporary intensive behavioral intervention services at the Sonoma Development al Center through the center's existing behavioral treatment units in specified circumstances. The bill would require the regional center to make the determination of whether to provide those services and would specify that the consumer is prohibited from remaining in the Sonoma Developmental Center for a period exceeding 6 months without a review by the regional center and the Sonoma Developmental Center . This bill contains other related provisions and other existing laws.

**Position:**

**Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position and writes a letter to the bill author and appropriate legislators.

**SB  
1196**

**(Negrete McLeod) Lanterman Developmental Center.** (A-03/23/2010 [html](#) [pdf](#))

**Status:** 05/03/2010-In Assembly. Read first time. Held at Desk.

**Current Location:** 05/03/2010-A DESK

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law vests the State Department of Developmental Services with jurisdiction over specified state developmental centers , including the Lanterman

Developmental Center , to be used as a developmental center for the provision of services to people with developmental disabilities. Existing law specifies the procedure that the department is required to use in the closure of a developmental center . This bill would require plans and other public documents, and notice of public meetings or teleconferences, relative to the proposed closure of the Lanterman Developmental Center, to be posted on the department's Internet Web site, as specified .

**Position:**

**Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a watch position.

## Education/Special Education

### [AB 661](#) (Torlakson) Special education: behavioral intervention plans: mandate claim: funding.

(1-02/25/2009 [html](#) [pdf](#))

**Status:** 01/31/2010-Failed Deadline pursuant to Rule 61(b)(3). (Last location was 2 YEAR on 6/8/2009)

**Current Location:** 01/31/2010-A DEAD

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law requires the Superintendent of Public Instruction, on or before September 1, 1992, to develop, and the State Board of Education to adopt, regulations, as specified, governing the use of behavioral interventions for individuals with exceptional needs receiving special education and related services. Existing law prescribes the calculations to be made to determine the amount of General Fund moneys to allocate to each special education local plan area. This bill would require the Superintendent to perform various calculations to increase the amount of funding per unit of average daily attendance for each special education local plan area, as specified. The bill would appropriate \$65,000,000 from the General Fund to the Superintendent in augmentation of a specified item of the Budget Act of 2009 for purposes of providing that increased funding. The bill also would appropriate \$10,000,000 from the General Fund to the Superintendent for allocation on a one-time basis to county offices of education and special education local plan areas, as specified. The bill would direct that \$85,000,000 be appropriated from the General Fund on a one-time basis in each of the 2011-12 to 2016-17 fiscal years, inclusive, except as provided, to the Superintendent for allocation to school districts on a per-pupil basis. The Superintendent would be required to use specified calculations to compute the allocation for each school district. The bill would deem the funding described in this paragraph as payments in full satisfaction of, and in lieu of, any reimbursable mandate claims resulting from the statement of decision of the Commission on State Mandates regarding the Behavioral Intervention Plans Mandated Cost Test Claim. This bill contains other related provisions.

**Position:** Watch

**Priority:**

### [AB 1538](#) (Ma) Pupil discipline: restraint. (A-05/13/2009 [html](#) [pdf](#))

**Status:** 01/31/2010-Failed Deadline pursuant to Rule 61(b)(3). (Last location was THIRD READING on 1/26/2010)

**Current Location:** 01/31/2010-A DEAD

	2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law requires the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, regulations governing the use of behavioral interventions with individuals with exceptional needs receiving special education and related services. This bill would prohibit an educational provider from using physical restraint, as defined, on a pupil who is an individual with exceptional needs for the purpose of coercion, punishment, convenience, or retaliation by staff, or as an extended procedure beyond an immediate emergency, and would specify conditions under which an educational provider would be authorized to use physical restraint. This bill contains other related provisions.

**Position:** Support

**Priority:** Letter & Hearing Testimony

### [AB](#) (Coto) Education: special education. (A-03/15/2010 [html](#) [pdf](#))

[1742](#)**Status:** 05/10/2010-Read second time. To Consent Calendar.**Current Location:** 05/10/2010-A CONSENT CALENDAR

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptured
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**Calendar Events:** 05/13/10 174 ASM CONSENT CALENDAR-SECOND LEGISLATIVE DAY ASSEMBLY MEASURES

**Summary:** Existing law requires a nonpublic, nonsectarian schools that provides special education and related services to an individual with exceptional needs in any of the grades from kindergarten through grade 12 to certify in writing to the Superintendent of Public Instruction that it meets specified requirements, including the requirement that it will not accept a pupil with exceptional needs if it cannot provide the services outlined in the pupil's individualized education program, as specified. This bill would specify that required standards-based, core curriculum and instructional materials used to provide the special education and related services may include technology-based materials, as specified.

**Position:****Priority:****Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position and writes a letter to the bill author and appropriate legislators.[AB  
1841](#)**(Buchanan) Special education: parental consent.** (A-04/06/2010 [html](#) [pdf](#))**Status:** 04/29/2010-Referred to Coms. on ED. and JUD.**Current Location:** 04/29/2010-S ED.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptured
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**Calendar Events:**

**Summary:** Existing law, in defining the term "consent" for purposes of the provision of special education and related services to individuals with exceptional needs, includes in that definition a statement that a parent or guardian understands that granting consent is voluntary and he or she may revoke that consent at any time. Existing law provides that revocation of consent is not retroactive to negate an action that occurred after consent was given and prior to the revocation. This bill, in addition, would provide that a public agency is not required to amend the education records of a child to remove any reference to the child's receipt of special education and services if the child's parent or guardian submits a written revocation of consent after the initial provision of special education and related services to the child. This bill contains other related provisions and other existing laws.

**Position:****Priority:****Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position and writes a letter to the bill author and appropriate legislators.[AB  
2160](#)**(Bass) Teacher credentialing: instruction to pupils with autism.** (A-04/06/2010 [html](#) [pdf](#))**Status:** 05/06/2010-Referred to Com. on ED.**Current Location:** 05/06/2010-S ED.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptured
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**Calendar Events:**

**Summary:** The Commission on Teacher Credentialing is authorized to issue teaching and services credentials, and is required to establish standards and procedures for the issuance and renewal of credentials. Existing law authorizes a local educational agency or school to assign a teacher who holds a level 1 education specialist credential to provide instruction to pupils with autism, subject to specified requirements. Existing law makes those provisions inoperative 2 years after the commission adopts regulations relating to the requirements for obtaining a specialist credential in special education, or on August 31, 2011, whichever occurs first, and repeals those provisions on January 1, 2012. This bill would delete the provision requiring the education special credential to be a level 1 credential, would extend the inoperative date to October 1, 2013, and would repeal those provisions on January 1, 2014.

The bill would express various findings and declarations of the Legislature, and would delete obsolete provisions.

**Position:** **Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes an oppose position, writes a letter to the bill author and other appropriate legislators, and provides hearing testimony.

**AJR 31 (Buchanan) Special education funding.** (A-04/06/2010 [html](#) [pdf](#))

**Status:** 04/08/2010-In Senate. To Com. on RLS.

**Current Location:** 04/08/2010-S RLS.

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Calendar Events:**

**Summary:** This measure would respectfully memorialize the Congress and the President of the United States to enact one of the bills pending before Congress that would fully fund the federal Individuals with Disabilities Education Act.

**Position:** Support **Priority:** Letter

**SB 682 (Padilla) Individuals with exceptional needs: academic and occupational training: pilot program.** (A-06/24/2009 [html](#) [pdf](#))

**Status:** 08/27/2009-Set, second hearing. Held in committee and under submission.

**Current Location:** 08/27/2009-A APPR. SUSPENSE FILE

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Calendar Events:**

**Summary:** Existing law requires the Superintendent of Public Instruction to establish the capacity to provide transition services such as employment and academic training, strategic planning, interagency coordination, and parent training for a broad range of individuals with exceptional needs, including autism spectrum disorders and other disabilities. This bill, contingent upon the availability of federal funds for this purpose, would authorize a county office of education or consortium of county offices of education to establish pilot programs for the purposes of providing combined academic and occupational training to secondary school pupils with autism spectrum disorders and other exceptional needs. The bill would require a county office of education or consortium of county offices of education that establishes a pilot program pursuant to these provisions to submit an evaluation containing specified information about the program to the State Department of Education, the Assembly Committee on Education, and the Senate Committee on Education on or before January 1, 2014. These provisions would be repealed on January 1, 2015 .

**Position:** Support **Priority:**

**SB 1270 (Romero) Public schools: parent empowerment.** (I-02/19/2010 [html](#) [pdf](#))

**Status:** 03/04/2010-To Com. on RLS.

**Current Location:** 03/04/2010-S RLS.

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Calendar Events:**

**Summary:** Existing law requires a local educational agency to implement one of several specified reforms for a school not identified as a persistently lowest achieving school that, after one full school year, fails to meet specified criteria and has a specified amount of parents and guardians of pupils sign a petition requesting the local educational agency to implement at least on fo the alternative governance arrangements. This bill would make technical, nonsubstantive changes to these provisions.

**Position:** **Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a watch position.

**SB (Romero) Parent empowerment.** (I-02/19/2010 [html](#) [pdf](#))

**1315****Status:** 03/04/2010-To Com. on RLS.**Current Location:** 03/04/2010-S RLS.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law requires a local educational agency to implement one of several specified reforms for any other school which, after one full school year, is subject to corrective action pursuant to a specified provision of federal law and continues to fail to make adequate yearly progress, and have an Academic Performance Index score of less than 800, and where at least 1/2 of the parents or legal guardians of pupils attending the school, or a combination of at least 1/2 of the parents or legal guardians of pupils attending the school and the elementary or middle schools that normally matriculate into a middle or high school, as applicable, sign a petition requesting the local educational agency to implement one of the alternative governance arrangements, unless the local educational agency makes a finding in writing why it cannot implement the recommended arrangement and instead designates in writing which of the other alternative governance arrangements it will implement in the subsequent school year. This bill would state the intent of the Legislature to enact legislation relating to parent empowerment.

**Position:****Priority:****Notes:** This is a spot bill. On April 8, 2010, LPPC recommended that SCDD takes a watch position.**SB  
1376****(Romero) Career technical education: pilot preapprentice aerospace machining program.** (A-05/05/2010 [html](#) [pdf](#))**Status:** 05/11/2010-Placed on APPR suspense file.**Current Location:** 05/10/2010-S APPR. SUSPENSE FILE

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law establishes the Health Science and Medical Technology Project, administered by the State Department of Education to provide competitive grant funds to California public schools to enhance existing or establish new health-related career pathway programs. This bill would state findings and declarations of the Legislature regarding California's aerospace workforce and trends in California's high schools. The bill would create a pilot preapprentice aerospace machining program, administered by the California Labor and Workforce Development Agency to provide career technical education to high school pupils in the form of machining and related curriculum that can be applied to various manufacturing industries in California, including, but not limited to, aerospace manufacturing, as specified. The program would be funded by a direct federal appropriation, that would be deposited into the Machinist Investment Fund, which would be created by this bill. The bill would provide that implementation of the program would be contingent upon receipt of sufficient federal funding. Grants would be competitively awarded to community colleges based upon specified criteria, including their ability to address the existing local and regional industry manufacturing needs, while providing meaningful career technical education opportunities for at-risk youth. The bill would require the Chancellor's Office of the California Community Colleges system to develop preapprenticeship curriculum in aerospace technology, and machining technology generally. The model curriculum would be required to result in the issuance of a certificate of completion stating that the holder has completed curriculum that meets specified criteria. The bill would specify that, consistent with federal guidelines, each community college shall complete an evaluation of its participation in the pilot program on or before the end date of the grant award, and submit the evaluation to the chancellor's office by that date. The chancellor's office would be required to compile the information provided by the participating community colleges, and to submit an evaluation to the Legislature by December 1, 2013. The bill would provide that its provisions would remain in effect until January 1, 2015. This bill contains other related provisions.

**Position:****Priority:****Notes:** This is a spot bill. On April 8, 2010, LPPC recommended that SCDD takes a watch position.

## Employment

### [AB 287](#) (Beall) **Persons with developmental disabilities: employment.** (C-10/11/2009 [html](#) [pdf](#))

**Status:** 10/11/2009-Chaptered by the Secretary of State, Chapter Number 231, Statutes of 2009

**Current Location:** 10/11/2009-A CHAPTERED

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law, the Lanterman Developmental Disabilities Services Act, grants persons with developmental disabilities the right to receive services and supports to meet their needs. Existing law requires that the State Department of Developmental Services contract with private nonprofit corporations for the operation of regional centers to obtain services and supports for an individual with a developmental disability in accordance with his or her individual program plan (IPP). This bill would encourage the individual program planning team to discuss school-to-work opportunities for consumers commencing at 14 years of age. This bill contains other related provisions and other existing laws.

**Position:**

**Priority:** Letter, Hearing Testimony, & Meet with Legislative Staff

### [SB 755](#) (Negrete McLeod) **State contracts: participation goals: persons with developmental disabilities business enterprises.** (A-05/21/2009 [html](#) [pdf](#))

**Status:** 01/22/2010-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 6/2/2009)

**Current Location:** 01/22/2010-S DEAD

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law establishes participation goals for various enterprises to participate in contracts with state departments awarded for construction, services, materials, supplies, equipment, alterations, repairs, or improvements. This bill would establish statewide participation goals of not less than 1% for persons with developmental disabilities business enterprises to participate in contracts awarded by a state agency for goods and services, and require, until June 30, 2014, that each state agency awarding contracts take specified actions to encourage that participation, as provided. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:**

## Health Care

### [AB 214](#) (Chesbro) **Health care coverage: durable medical equipment.** (A-04/23/2009 [html](#) [pdf](#))

**Status:** 01/31/2010-Failed Deadline pursuant to Rule 61(b)(3). (Last location was 2 YEAR on 6/2/2009)

**Current Location:** 01/31/2010-A DEAD

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of that act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, health care service plans and health insurers are required to offer specified types of coverage as part of their group plan contracts or group policies. This bill would require a health care service plan and a health insurer to provide coverage for durable medical equipment, as defined, as part of their plan contracts or health insurance policies. This bill contains other related provisions and other existing laws.

**Position:** Support

**Priority:** Letter & Hearing Testimony

### [SB 1283](#) (Steinberg) **Health care coverage: grievance system.** (A-04/27/2010 [html](#) [pdf](#))

**Status:** 05/11/2010-Placed on APPR suspense file.

**Current Location:** 05/10/2010-S APPR. SUSPENSE FILE

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A willful violation of the act constitutes a crime. Existing law requires every health care service plan to establish and maintain a grievance system approved by the department under which enrollees and subscribers may submit a grievance to the plan. Existing law authorizes a subscriber or enrollee to submit his or her grievance to the department for review after completing the grievance process or after having participated in that process for at least 30 days. Existing law requires the department to send a written notice of the final disposition of the grievance to an enrollee or subscriber within 30 days of receiving the request for review, unless the director determines that additional time is reasonably necessary to fully review the grievance. This bill would delete the authority of the director to determine that additional time is necessary to review a grievance, and instead require the department to send the written notice of the final disposition within 30 days of receipt of all relevant information that is necessary to make a coverage decision. The bill would require the department to specify the necessary information on its Internet Web site and on each application used for filing a grievance with the department. This bill contains other related provisions and other existing laws.

**Position:**

**Priority:**

**Notes:** This is a spot bill. On April 8, 2010, LPPC recommended that SCDD takes a watch position.

## Housing

**SB 812 (Ashburn) Developmental services: housing.** (A-01/13/2010 [html](#) [pdf](#))

**Status:** 02/11/2010-To Coms. on L. GOV. and H. & C.D.

**Current Location:** 02/11/2010-A L. GOV.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:** 06/16/10 1:30 p.m. - State Capitol, Room 447 ASM LOCAL GOVERNMENT

**Summary:** The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Existing law requires the local government to make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element. This bill would require the local government, as part of the above-described effort, to obtain, assess, and analyze appropriate information on the housing needs of individuals with developmental disabilities within the community. By expanding the duties of local jurisdictions in relation to the general plans, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Support if Amended **Priority:**

## In Home Supportive Services (IHSS)

**AB 378 (Cook) In-Home Supportive Services: provider training.** (A-05/04/2009 [html](#) [pdf](#))

**Status:** 09/11/2009-To inactive file on motion of Senator Romero.

**Current Location:** 09/11/2009-S INACTIVE FILE

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity

for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. Under existing law, the functions of a nonprofit consortium contracting with the county, or a public authority established for this purpose, include providing training for providers and recipients. This bill would require each public authority or nonprofit consortium, in consultation with its advisory committee and stakeholders, to develop training standards and core topics for the provided training .

**Position:** Support

**Priority:** Letter

**[AB 682](#) (Lowenthal, Bonnie) In-Home Supportive Services program: fraud. (A-09/03/2009 [html](#) [pdf](#))**

**Status:** 09/03/2009-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

**Current Location:** 09/03/2009-S APPR.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. This bill would, instead, require that the criminal background checks be conducted at the provider's expense, unless the nonprofit consortium or public authority agrees to pay for the criminal background check in which case the department shall seek federal financial participation, to the extent possible, to cover costs associated with conducting the criminal background check. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:**

**[AB 1924](#)**

**(Strickland, Audra) In-Home Supportive Services: fraud. (I-02/16/2010 [html](#) [pdf](#))**

**Status:** 05/07/2010-Failed Deadline pursuant to Rule 61(b)(6). (Last location was HUM. S. on 3/4/2010)

**Current Location:** 05/12/2010-A DEAD

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their home. The IHSS program is administered by counties under the general supervision and guidance of the State Department of Social Services. Existing law contains provisions relating to the duties of the State Department of Social Services, the State Department of Health Care Services, and the counties relating to IHSS fraud. This bill would delete the limitation on a county's authority to investigate suspected fraud in connection with the provision or receipt of supportive services to overpayments of \$500 or less. This bill contains other existing laws.

**Position:**

**Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes an oppose position, writes a letter to the bill author and appropriate legislators, and provides hearing testimony.

**[AB 2274](#)**

**(Beall) In-Home Supportive Services program. (I-02/18/2010 [html](#) [pdf](#))**

**Status:** 05/06/2010-In Senate. Read first time. To Com. on RLS. for assignment.

**Current Location:** 05/06/2010-S RLS.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law allows a recipient who receives services through either a contract or a managed

care provider, subject to program requirements, to select any qualified person, as defined, to provide care. This bill would also allow a person who receives services as part of an entity authorized by a specified waiver under the federal Social Security Act to select any qualified person to provide care.

**Position:** **Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a watch position.

[AB  
2374](#)

**(Nestande) In-Home Supportive Services: pilot project.** (A-04/05/2010 [html](#) [pdf](#))

**Status:** 04/28/2010-In committee: Set, first hearing. Referred to APPR. suspense file.

**Current Location:** 04/28/2010-A APPR. SUSPENSE FILE

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. This bill would, instead, require the pilot project to commence January 1, 2011, and would authorize the pilot project to be established in not more than 5 consenting counties . This bill contains other existing laws.

**Position:** **Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a watch position.

[SB 142](#) **(Maldonado) In-home supportive services: provider timesheets.** (A-07/06/2009 [html](#) [pdf](#))

**Status:** 07/06/2009-Read second time. Amended. Re-referred to Com. on APPR.

**Current Location:** 07/06/2009-A APPR.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. This bill would require the department, on or before December 31, 2011, to develop procedures to ensure that an IHSS provider receives a list specifying the approved duties to be performed for each recipient under the provider's care and a complete list of supportive service tasks available under the IHSS program . This bill contains other existing laws.

**Position:** Oppose

**Priority:** Letter & Hearing Testimony

## Mental Health

[AB  
2506](#)

**(Carter) Mental health: medical transportation services.** (A-04/08/2010 [html](#) [pdf](#))

**Status:** 04/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was HEALTH on 4/12/2010)

**Current Location:** 04/23/2010-A DEAD

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar Events:**

**Summary:** Existing law, the Bronzan-McCorquodale Act, contains provisions governing the operation and financing of community mental health services for the mentally disordered in

every county through locally administered and locally controlled community mental health programs. Existing law requires the board of supervisors of every county, or the boards of supervisors of counties acting jointly, as prescribed, to establish a community mental health service to cover the entire area of the county or counties. Existing law requires each community mental health service to establish a mental health board, with specified powers and duties. The mental health board may be established as an advisory board or a commission, depending on the preference of the county. This bill would require each mental health board or commission to facilitate the development and implementation of a written memorandum of understanding (MOU) between emergency and nonemergency medical transportation entities, local law enforcement, Medi-Cal managed care mental health plans, general acute care hospitals, and acute psychiatric hospitals, to provide for the delivery of emergency and nonemergency medical transportation services for individuals with mental illness. This bill would require that the MOU be developed and implemented not later than one year after the date that this measure becomes effective. If the mental health board or commission fails to facilitate the development and implementation of the MOU within the specified time, the bill would require the board of supervisors in each county, or the boards of supervisors of counties acting jointly, to develop and implement the MOU. By increasing county duties with respect to community mental health services, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:****Priority:**

**Notes:** This is a spot bill. On April 8, 2010, LPPC recommended that SCDD takes a watch position. Since the LPPC decision, the bill has been gutted and amended.

## Other

**SB**  
**1282**

### **(Steinberg) Applied behavior analysis services: California Behavioral Certification**

**Organization.** (A-04/28/2010 [html](#) [pdf](#))

**Status:** 05/04/2010-Read second time. To third reading.

**Current Location:** 05/04/2010-S THIRD READING

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered	

**Calendar Events:** 05/13/10 42 SEN SENATE BILLS-THIRD READING FILE

**Summary:** Existing law provides for the licensure and regulation of various healing arts practitioners, including, but not limited to, marriage and family therapists, clinical social workers, educational psychologists, and professional clinical counselors, by the Board of Behavioral Sciences in the Department of Consumer Affairs. This bill would , commencing September 1, 2011, and until January 1, 2017, provide for the certification of specified applied behavior analysts and applied behavior analyst assistants by a California Behavioral Certification Organization, which would be a nonprofit organization meeting specified requirements, and would impose certain duties on the organization. The bill would require applicants for certification to meet specified requirements, to pay fees required by the organization, and to submit fingerprints to the organization for purposes of obtaining background information, and would authorize the organization to take certain disciplinary action against certificate holders for specified reasons. The bill would make it an unfair business practice for a person to state, advertise, or represent that he or she is certified or licensed by a governmental agency as an applied behavior analyst or an applied behavior analyst assistant, or to use certain titles or other terms implying that he or she is certified under these provisions unless he or she is so certified. The bill would make its provisions subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection .

**Position:****Priority:**

**Notes:** On April 8, 2010, LPPC recommended that SCDD takes a watch position.

## Regional Center

**AB 140 (Beall) Developmental disabilities.** (C-08/06/2009 [html](#) [pdf](#))

**Status:** 08/06/2009-Chaptered by Secretary of State - Chapter 84, Statutes of 2009.

**Current Location:** 08/06/2009-A CHAPTERED

2YR/Dead	1st Desk	1st	1st Fiscal	1st Floor	2nd Desk	2nd	2nd	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered	

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**Calendar Events:**

**Summary:** Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities. Under existing law, the regional centers purchase needed services for individuals with developmental disabilities through approved service providers or arrange for their provision through other publicly funded agencies. This bill would establish procedures for the resolution of disputes between a regional center and a generic agency, as defined, over provision of, or payment for, services that are contained in an individualized family service plan or individual program plan for any child under 6 years of age.

**Position:** Support**Priority:** Letter & Hearing Testimony**AB  
2204****(Beall) Developmental services: stakeholder groups.** (A-04/05/2010 [html](#) [pdf](#))**Status:** 05/06/2010-Referred to Com. on HUMAN S.**Current Location:** 05/06/2010-S HUM. S.

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered		

**Calendar Events:** 06/08/10 1:30 p.m. - Room 3191 SEN HUMAN SERVICES

**Summary:** Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with local , nonprofit regional centers to provide various services and supports to individuals with developmental disabilities. The department is required to consult with stakeholders for various reasons, including, but not limited to, coordinating client advocacy, planning programs, and creating alternative service delivery models to obtain services and supports. This bill would require the department, in convening stakeholder groups pursuant to the act, to take into account the state's ethnic, sexual orientation, gender identity, geographic, and socioeconomic diversity and to use best efforts to include stakeholder groups that, collectively, reflect the interests of the state's diverse population. The bill would also require the department to include in appropriate reports to the Legislature a description of how it has complied with the requirement of stakeholder group diversity.

**Position:****Priority:****Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position, writes a letter to the bill author and appropriate legislators, and provides hearing testimony.**AB  
2702****(Chesbro) Developmental services: planning teams.** (A-04/20/2010 [html](#) [pdf](#))**Status:** 05/10/2010-Read second time. To third reading.**Current Location:** 05/10/2010-A THIRD READING

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered		

**Calendar Events:** 05/13/10 67 ASM ASSEMBLY THIRD READING FILE

**Summary:** Existing law, the California Early Intervention Services Act, provides a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, and interagency programs that are responsible for providing appropriate early intervention services and support to all eligible infants and toddlers, as defined, and their families and requires an eligible infant or toddler receiving services under the act to have an individualized family service plan (IFSP). This bill would , instead, require a regional center to ensure, at the time of the development, scheduled review, or modification of an IFSP or IPP, that the plan is made pursuant to the relevant statute. This bill contains other existing laws.

**Position:****Priority:****Notes:** On April 8, 2010, LPPC recommended that SCDD takes a support position, encourages amendments, writes a letter to the bill author and appropriate legislators, provides hearing testimony, and meets with the bill author and appropriate legislators.**SBX8 4 (Committee on Budget and Fiscal Review) Social services.** (C-03/08/2010 [html](#) [pdf](#))**Status:** 03/08/2010-Chaptered by the Secretary of State, Chapter Number 4, Statutes of 2010

**Current Location:** 03/08/2010-S CHAPTERED

2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Calendar Events:**

**Summary:** Existing law establishes the State Department of Developmental Services and sets forth its powers and duties, including, but not limited to, administration of the Lanterman Developmental Disabilities Services Act, which requires the department to allocate funds to private nonprofit regional centers for the provision of community services and support for persons with developmental disabilities and their families and sets forth the duties of regional centers in that regard. This bill would extend these exemptions until June 30, 2011. This bill contains other related provisions and other existing laws.

**Position:**

**Priority:**



## **Detail Sheet for: Strategic Plan & State Plan**

### **What is this agenda item about?**

The Council will get an update from staff regarding the progress on the Area Board Strategic Plans and next steps for the development of the SCDD 2012-2016 State Plan.

### **What has the Council done about this so far?**

Through Council directive, all Area Boards have completed the Area Board Strategic Plan Workshop, which is the first step in developing the Area Board Strategic Plan.

Currently, Area Board 2 and 13 have their Area Board Strategic plans open for public input/comment. After the input/comment period is closed, the Area Board members will consider the input provided by the community and will approve their Area Board Strategic Plan.

Area Boards: 4, 6, 7, 8, 11, and 12 are in the development stage, where they are drafting goals, benchmarks and strategies. Area Board 11 and 12 will soon have their Area Board Strategic Plan open for the public input/comment period.

After July 30, 2010, staff will commence the State Plan drafting and will have the council review and approve a draft version of the State Plan at the November Council meeting.

### **What needs to be decided at this meeting?**

This is information only.

### **What is the committee or staff recommendation?**

SCDD staff recommends the continual support of the State Plan activities and the Area Board Strategic Plan development.

### **Are there attachments?**

Yes, attached to this detail sheet you will find (3) document: 1) a Strategic Plan and State Plans Timeline of events, 2) a picture-model timeline showing the progress of the Area Boards Strategic Plan development, and 3) a gnat chart with dates of the Area Board Strategic Plan progress.

<b>Strategic and State Plans TIMELINE (2012-2016)-Draft</b>				
<b>Month</b>	<b>Council</b>	<b>Area Boards</b>	<b>SCDD Staff</b>	<b>Other</b>
<b>January 2010</b> ✓	January 27 Council Mtg: Timeline for 2012-2017 State Plan; update on AB Strategic Plan Workshops	Strategic Plan Workshops- AB 8: 1/13/10 AB 4: 1/30/10	AB Strategic Plan development.	-Raw data from ABs and from the community will be collected on an ongoing basis for State Plan Development.
<b>February 2010</b> ✓		Strategic Plan Workshop- AB 6: 2/6/10	Met with Dr. Raynor-State Plan overview and etc...	-Raw data from ABs and from the community will be collected on an ongoing basis for State Plan Development.
<b>March 2010</b> ✓	March 16 Council Mtg: -PPR update -AB Strategic Plan update	Strategic Plan Workshop- AB 11: 3/2/10 AB 7: 3/25/10 <b>Deadline for all 13 Area Boards to have done a Strategic Plan Workshop</b>		-Raw data from ABs and from the community will be collected on an ongoing basis for State Plan Development.  -Meet with SPC Chair-Dr. Raynor
<b>April 2010</b> ✓	2012-2016 State Plan development: data collected from the Area Boards and state and local agencies will be used to prepare the State Plan.  <b>AB BSG Reports, Consumer and Stakeholder surveys: (Oct.-09-Mar.-10) Due on the 30<sup>th</sup>!</b>  <b>State Plan Amendment Preparation: Drafting 2009-2010</b>			
<b>May 2010</b>	May 27 Council Mtg: Update on Progress  2012-2016 State Plan development: data collected from the Area Boards and state and local agencies will be used to prepare the State Plan.			
<b>June 2010</b>			<b>State Plan Development</b>	iTACC Conf.: 6/23-25/10.
<b>July 2010</b>	July 20-21 Council Mtg:	<b>All Area Board Strategic Plans- Approved</b>	<b>State Plan Development</b>  *PPR Drafting for Dec. Submission.	<i>Grant Cycle 33 (M)</i>
<b>August 2010</b>		<b>All Area Board Strategic Plans- Approved</b>	<b>State Plan Development</b>  *PPR Drafting for Dec. Submission.	<b>State Plan Amendments Due: Aug. 15, 2010</b>
<b>September 2010</b>	Sep. 21-22 Council Mtg: *TBD Strategic Committee Mtg. Sep. 7-9		<b>State Plan Development</b>	PPR Development: grants, C-S surveys, BSG, CRA/VAS, QA

October 2010	Draft of 5-Year State Plan 2012-2016	<b>AB BSG Reports, Consumer &amp; Stakeholder surveys: Due on the 29<sup>th</sup>! (Apr.-10-Oct.-10)</b>	Draft of online data-reporting and contact management system.	Start of the last year of the 5 year of State Plan (2007-2011)
November 2010	Nov. 16-17 Council Mtg: <i>Action-</i> <b>-Approval of Consolidated Draft Version of 5-Year State Plan for 2012-2016</b> <b>-Approval to open the Plan for Public Comment Input</b>			<b>Draft of PPR submission</b>
December 2010			<b>Public Comment Period: Open- 2012-2016 State Plan to be posted online (Survey Monkey)</b>	<b>PPR DUE! 12-31-2011</b>

## DRAFT 2010-2011 State Plan TIMELINE

Month	Council	Area Boards	Staff	Other
January 2011	<b>Council Mtg: Public Comment Forums for 2012-2016</b> -To be held in N. CA, S. CA and Central Valley.		-State Plan Development <b>-Public Comment Forums for 2012-2016 State Plan</b> -To be held in N. CA, S. CA and Central Valley.	
February 2011	<b>Public Comment Forums for 2012-2016</b> -To be held in N. CA, S. CA and Central Valley.		<b>State Plan Development</b>	
March 2011	Final Draft of 5-Year State Plan 2012-2016			
April 2011				
May 2011	<b>Council Mtg: <i>Action-</i> Approve 5-Year State Plan 2012-2016</b>			
June 2011				<b>*-5-Year State Plan 2012-2016 <u>must be posted online and disseminated to the public etc...</u></b>

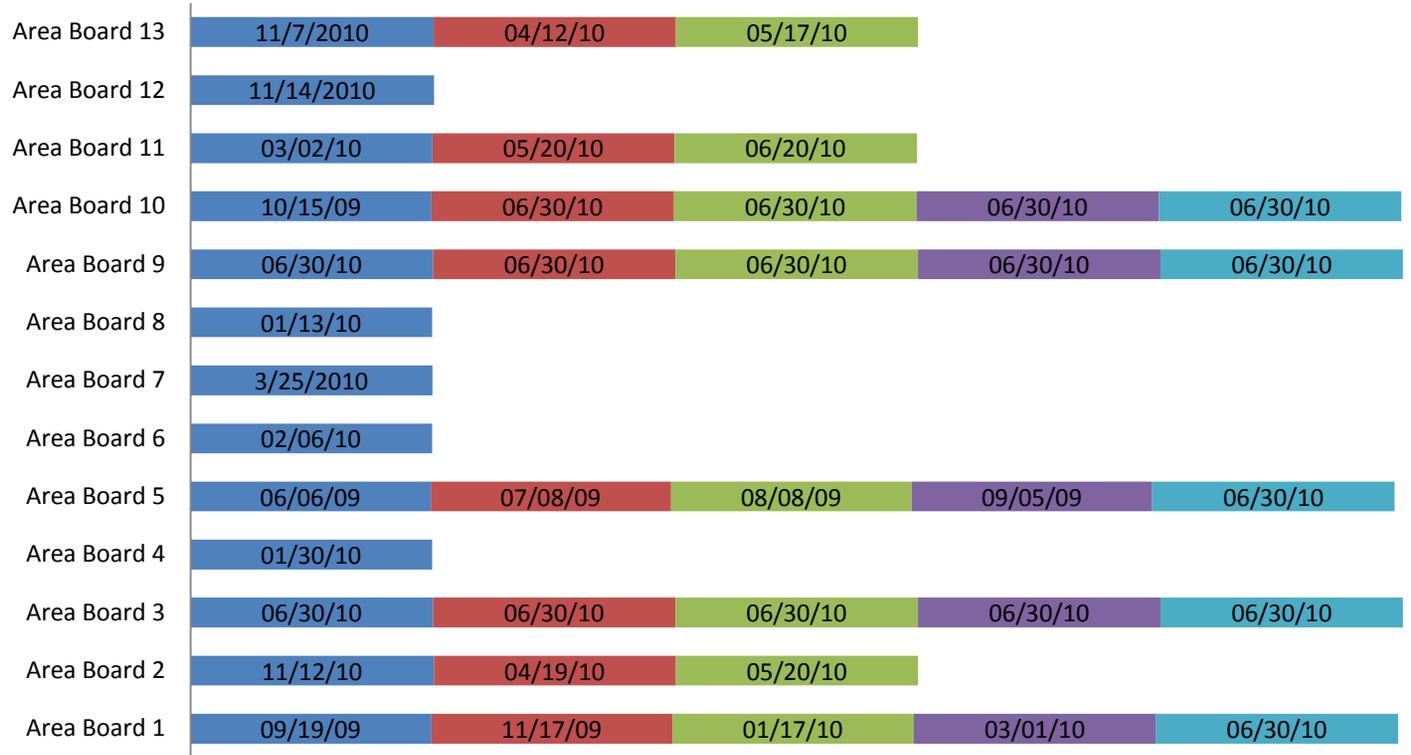
<b>July 2011</b>				
<b>August 2011</b>				<b>State Plan must be submitted to ADD by August 15<sup>th</sup>. (Submit 8<sup>th</sup>)</b>
<b>September 2011</b>				
<b>October 2011</b>				<b>*5-Year State Plan 2012-2016 Begins!</b>
<b>November 2011</b>				<b>Last reporting year of the 2007-2011 State Plan-Draft of PPR submission</b>
<b>December 2011</b>				<b>*Submission by 20<sup>th</sup>-21<sup>st</sup> PPR DUE! 12-31-2012</b>

## Area Board Strategic Plan Development

<b>Dates and Deadlines</b>	<b>Workshop</b>	<b>Start of Public Comment</b>	<b>End of Public Comment</b>	<b>Approved</b>	<b>Completion</b>
Area Board 1	09/19/09	11/17/09	01/17/10	03/01/10	06/30/10
Area Board 2	11/12/10	04/19/10	05/20/10		
Area Board 3	06/30/10	06/30/10	06/30/10	06/30/10	06/30/10
Area Board 4	01/30/10				
Area Board 5	06/06/09	07/08/09	08/08/09	09/05/09	06/30/10
Area Board 6	02/06/10				
Area Board 7	3/25/2010				
Area Board 8	01/13/10				
Area Board 9	06/30/10	06/30/10	06/30/10	06/30/10	06/30/10
Area Board 10	10/15/09	06/30/10	06/30/10	06/30/10	06/30/10
Area Board 11	03/02/10	05/20/10	06/20/10		
Area Board 12	11/14/2010				
Area Board 13	11/7/2010	04/12/10	05/17/10		

## Area Board Strategic Plan Process Update

■ Workshop   
 ■ Start of Public Comment   
 ■ End of Public Comment   
 ■ Approved   
 ■ Completion



# Area Board Strategic Plan: Timeline of Events

Area Board completed  
Strategic Plans:  
Area Board 1 & 5

**Strategic Plan  
Workshops**  
Area Boards-  
**4, 6, 7, 8, 11**

Public Comment  
Period  
Area Boards  
**2 and 13**

-Completion of Area  
Board Strategic Plan  
Development.  
  
-All Area Board  
**Strategic Plans are  
approved** by Area  
Board, Board Members.

State Council is to  
approve the first draft of  
the SCDD State Plan and  
will have a public  
comment period

**2010**

January    February    March    April    May    June    July    August    September    October    November    December

**Strategic Plan  
Development  
Phase**  
Area Boards-  
**4, 6, 7, 8, 11 & 12**

Area Boards-  
**4, 6, 7, 8, 11 & 12**  
(Survey/public  
**comment period**)

**State Plan Development  
Phase**  
  
Using the Council  
Strategic Plan, all Area  
Board Strategic Plans and  
other documents.



**Detail Sheet for:**  
**Program Development Committee**  
**(PDC)**

**What is this agenda item about?**

On April 20, 2010 the PDC had a meeting to review the CPDG Cycle 33 proposal submitted by People First of CA.

**What has the Council done about this so far?**

On February 22, 2010, at the PDC meeting the committee requested that People First submit their Cycle 33 proposal for review on March 22, 2010.

**What needs to be decided at this meeting?**

Nothing, informational only.

**What is the committee recommendation?**

The Committee sent a letter to People First that listed the recommended proposal revisions that need to be completed by June 29, 2010 and brought to the next PDC meeting on the same date.

**Are there attachments?**

Yes. 1.) The People First Letter 2.) The CPDG Cycle 33 letter



**Detail Sheet for:  
Program Development Committee  
(PDC)**

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**Are there attachments?**

Yes. 1.) The People First Letter 2.) The CPDG Cycle 33 letter



April 29, 2010

Joe Meadours, Executive Director  
People First of California, Inc.  
1225 8<sup>th</sup> Street, Suite 360  
Sacramento, CA 95814

Dear Mr. Meadours:

The Program Development Committee (PDC) held a meeting on April 20, 2010 to discuss Community Program Development Grant CPDG Cycle 33. During this meeting, the PDC reviewed the People First of California, Inc. (PFCA) proposal entitled "People First Statewide Self-Advocacy Support & Youth Inclusion". The Committee is requesting additional information before the proposal can be considered for further approval.

The next PDC Committee meeting has been scheduled for Tuesday, June 29, 2010 from 10:00AM – 1:00PM. Your attendance at this meeting is required to discuss the following:

1. A clause needs to be added to the proposal which states: "The State Council on Developmental Disabilities will receive a hard copy as well as an electronic copy of each item produced thru this agreement." Further, the agreement must include the assurance that each product produced thru this grant will have the notation that reads, "The California State Council on Developmental Disabilities through a Program Development Fund Grant made this product possible."
2. Strategy 2 (located on page 2) needs to be quantified, ie: *"In January 2011 PFCA will send out introductory brochures to special education teachers and complete follow up phone calls in order to schedule presentations with youth D.D."*
  - a. Quantify the number of teachers contacted, phone calls made, and the number of youth reached
  - b. SCDD would like copies of the evaluation materials.
  - c. How many people will attend the rural trainings?
  - d. The PDC Committee is requesting that all Strategies/Objective are quantified.
3. What does becoming a "certified" People First group entail?
  - a. How many youth will be targeted?
  - b. Provide SCDD with a copy of all certification materials
4. Where does PFCA anticipate developing the 4 new Chapters?

5. Where are the 8-10 already established Chapters that need certification located?
6. How many new groups are targeted for certification?
  - a. How many local Chapters are being targeted for training and in which regions will the training occur?
7. What is the target number of Chapters targeted at this point?
8. How many follow up trainings are targeted?
9. How do you plan to evaluate the effectiveness of the trainings?
10. Goal 3 (located on page 4) How many self advocates will you bring together?
11. How many local and statewide stakeholder, system change and legislative meetings?
12. Please provide your strategy for presenting future information to local People First groups in a manner that will reach the skill sets of all members of the community.

If you would like additional information please contact Kristie Allensworth directly at (916) 322-8777 or [kristie.allensworth@scdd.ca.gov](mailto:kristie.allensworth@scdd.ca.gov) .

Sincerely,

  
Lisa Cooley, Chair  
Program Development Committee



State Council on Developmental Disabilities

[www.scdd.ca.gov](http://www.scdd.ca.gov) \* email \* [council@scdd.ca.gov](mailto:council@scdd.ca.gov)

1507 21st Street, Suite 210  
Sacramento, CA 95811



STATE OF CALIFORNIA  
Arnold Schwarzenegger,  
Governor

916.322.8481 Voice  
916.443.4957 FAX  
916.324.8420 TTY

March 24, 2010

### Community Program Development Grant Cycle 33 Applicants

The State Council on Developmental Disabilities (SCDD) would like to thank you for your interest in the Community Program Developmental Grant (CPDG) Cycle 33 and we appreciate your continued service to individuals with developmental disabilities and their families.

The Program Development Committee (PDC) held a meeting on February 11, 2010 to discuss CPDG Cycle 33. During this meeting, the PDC committee made a recommendation to restructure the grant process which would result in the suspension of the current cycle with the exception of People First of California, Inc. and Youth Leadership Forum (YLF). Further, there was an additional recommendation which would shift the Program Development Fund dollars to local control.

That recommendation was presented to the Council and approved on March 16, 2010. Therefore, neither the PDC Committee nor the Council will be reviewing your concept paper or awarding grants for Cycle 33. We encourage you to consider applying for funding through the CPDG Cycle 34.

Over the next few months the Council with the support of your local Area Board will be sharing exciting news regarding your local Area Boards engagement in the process.

Please continue to visit our website at [www.scdd.ca.gov](http://www.scdd.ca.gov) for future grant opportunities. If you would like additional information please call Kristie Allensworth directly at (916) 322-8777.

Sincerely,

Lisa Cooley, Chair  
Program Development Committee

The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."



**Detail Sheet for:  
Waiver Request**

**What is this agenda item about?**

California laws and regulations require that the Council and the Area Boards approve waiver requests for the regional center board members who may have an actual or potential conflict of interest when doing their job as board members.

**What has the Council done about this so far?**

One waiver request will be presented to the Council submitted by the Redwood Coast Regional Center (RCRC) for Ms. Beverley Fontaine who is a member of the RCRC Board of Directors. She is employed by the California State Department of Social Services as an Adoption Specialist and sometimes has children on her caseload that are Regional Center consumers. Area Board 1 has approved this request.

**What needs to be decided at this meeting?**

The Council needs to determine whether or not to approve this waiver request.

**What is the committee or staff recommendation?**

Approve the waiver on the basis of Area Board 1 actions.

**Are there attachments?**

Yes, RCRC letter and relevant documents.



## AREA I DEVELOPMENTAL DISABILITIES BOARD

P.O. BOX 245, UKIAH, CALIFORNIA 95482-0245

PHONE (707)463-4700  
CALNET 553-4700  
FAX (707) 463-4752

May 4, 2008

Laurie Hoirup  
State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95814

Re: Redwood Coast Developmental Services Corporation's Request for Waiver

Dear Laurie,

The Area One Developmental Disabilities Board received a request for waiver from the Redwood Coast Developmental Services Corporation. A waiver was requested for the following individual: Beverly Fontaine

The Area One Board has reviewed the updated data sent to us on Ms. Fontaine, and supports the granting of this waiver. She has served this board with distinction in the past and we are confident that she will continue with her excellent representation.

I have attached the information sent to us, and would be happy to answer any questions or speak to any of your concerns.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Tom Montesonti".

Tom Montesonti  
Executive Director

Cc: Clay Jones  
Donna Landry-Rehling  
Allan Smith  
ABI Board Members

**Serving the Counties of Del Norte, Humboldt, Lake and Mendocino**



# Redwood Coast Regional Center

Respecting Choice in the Redwood Community

April 27, 2010

TO: State Council on Developmental Disabilities  
Area I Board – Attn: Tom Montesonti

FROM: Donna Landry-Rehling, Executive Assistant, RCRC *DLR*

RE: Beverly Fontaine - Re-submittal of Request for Waiver of Potential  
Conflict of Interest

Enclosed please find the re-submittal of the request for waiver of a potential conflict of interest for Redwood Coast Regional Center board member, Beverly Fontaine. The letter that is attached to the request form offers a more detailed explanation of the potential conflict of interest.

RCRC and Ms. Fontaine are hopeful that this additional information will provide more clarity in order for State Council and Area I Board to support the granting of the waiver.

We look forward to your response in this matter. Please contact me with any questions – 707 445-0893, ext. 317. Thank you.

Enclosures  
DL-R

☏ 525 2nd Street, Ste. 300 • Eureka, CA 95501 • (707) 445-0893

☐ 1116 Airport Park Blvd. • Ukiah, CA 95482 • (707) 462-3832

☐ 270 Chestnut St., Suite A • Fort Bragg, CA 95437 • (707) 964-6387

☐ 1301 A Northcrest Dr. • Crescent City, CA 95531 • (707) 464-7488

☐ 180 3rd Street • Lakeport, CA 95453 • (707) 262-0470



**REDWOOD COAST DEVELOPMENTAL  
SERVICES CORPORATION  
BOARD OF DIRECTORS**

Providing Services to Del Norte, Humboldt, Lake & Mendocino Counties  
Through  
Redwood Coast Regional Center

**CONFLICT OF INTEREST DISCLOSURE STATEMENT**

NAME: Beverly Fontaine

POSITION: Board Member

(check one):

Governing Board Member   
Regional Center Employee

Type of Submission (check one):

Initial   
Annual   
Other

If Governing Board Member (check one of the following):

Elected Member  
 Appointee of the Community Advisory Committee  
 Other (specify) \_\_\_\_\_

I HAVE READ STATE REGULATIONS TITLE 17, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 3, SUBCHAPTER 3, ARTICLE 1, UPON WHICH I DECLARE UNDER PENALTY OF PERJURY:  
(check as applicable)

- 1) No potential conflict of interest exists.
- 2) No present conflict of interest exists.
- 3) A present or potential conflict of interest exists.

If 1 and 2 are checked, sign, date and submit this statement to the regional center's Executive Assistant. Subsequent statements must be submitted within one year of this filing, earlier if the conflict of interest status changes. If either 1 or 2 is not checked, or if 3 is checked, the additional information required pursuant to these regulations must accompany this statement. Sign and date this statement and submit everything to the regional center's Executive Assistant.

-----  
This space to be filled out by regional center or its Governing board, as appropriate.

Beverly Fontaine  
Signature  
4-22-2010  
Date

Reviewed by: D. Anderson  
Name (print)  
[Signature]  
Signature  
Approved by: \_\_\_\_\_  
Name (print)  
\_\_\_\_\_  
Signature  
Date 4-22-10

/dl



REDWOOD COAST DEVELOPMENTAL  
SERVICES CORPORATION



BOARD OF DIRECTORS

Providing Services to Del Norte, Humboldt, Lake & Mendocino Counties  
Through  
Redwood Coast Regional Center

REQUEST FOR WAIVER FORM

I, the undersigned, have reviewed and applied the statutes and regulations concerning conflict of interest determinations to my personal and business affairs and now believe that I have a potential [present or potential] conflict of interest.

I have disclosed and described the potential [present or potential] conflict of interest in the conflict of interest disclosure statement filed by me on 4-22-10 [date]. A copy of my disclosure statement is attached hereto.

I am now requesting that the potential [present or potential] conflict of interest be waived. In support of my request for waiver, I suggest the following plan of action to resolve the potential [present or potential] conflict of interest.

[Describe suggested plan for resolution of conflict]: \_\_\_\_\_

please see attached letter

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

While this request for waiver is under review, I suggest that the following limitations be placed on my position, which will enable me to avoid actions involving the conflict of interest. (Describe suggested limitations during review period):

\_\_\_\_\_  
\_\_\_\_\_

Dated: 4-22-2010

Beverly Fontaine  
(Print Full Name)

Beverly Fontaine  
(Signature)

Attachment  
RCDSC - DL 7/00

April 22, 2010

TO: State Council on Developmental Disabilities and Area 1 Board, attention Tom Montesonti

I am writing this letter to provide further clarification on a recent request I submitted for a waiver of a potential conflict of interest regarding my service on the Redwood Coast Regional Center's (RCRC) Board of Directors.

In the spring of 2008 I was approached by a couple of people on the Board and asked if I would consider running as a candidate for the open seat for Humboldt County on the RCRC Board. I was known because I have a daughter who is autistic and developmentally delayed, and is a consumer of the RCRC. I was also known as a social worker for the State's Adoption Services Bureau, as an adoption worker for foster/adopted children who are also at times consumers of the RCRC. I consulted with my supervisor at my work, Sutie Wheeler, who is the District Manager of our Arcata Adoption branch office. She believed, as I also believed, that there was no conflict of interest between my work in adoptions and serving on the Board. She was very supportive of my volunteering on the Board, and so I decided to run and was subsequently elected to the position. I began serving in July of 2008 and signed the appropriate papers to indicate that I had no conflict of interest issues.

In 2009 those of us who work for the State were given three mandatory furlough days each month, and across the state many social workers began taking on part-time jobs to try to survive personal financial problems caused by the furloughs. Because of this, the State Department of Social Services (DSS) (State administrators of the Adoption Services Bureau) began to scrutinize more carefully every outside activity – both paid and volunteer – of its employees. This mandate to re-do all the existing "conflict of interest" paperwork of all employees led my supervisor to suggest to me that we should re-submit my RCRC Board volunteer work papers again, just to be on the conservative, "safe" side. My job had not changed at all, and neither of us thought there would be any problem with the DSS because we did not see any conflict of interest issues here. I told my RCRC Board chair that I was also going to submit new "conflict of interest" papers to the RCRC at the same time. None of us thought there would be any conflict, since nothing in my work responsibilities had changed.

In submitting the paperwork for the RCRC, I made the mistake of not signing the new papers in the right place, and the words I wrote on the papers may not have been clear enough. Not signing appropriately was completely an inadvertent error on my part. This letter is an attempt to clarify the situation so that it is well understood. My workplace does not see any conflict with my volunteer service on the Board. In my adoption work, I find adoptive families for children in foster care, and some of those children may be RCRC consumers. I do not receive any monetary benefit in placing RCRC children in adoptive homes, nor do I receive any sort of favors for the children or the adopting families because of my position on the Board. I do arrange the Adoption Assistance Program (AAP) benefits for the families, and if the child is an RCRC consumer, the AAP is higher because of set RCRC adoptive rates being higher than ordinary AAP rates, but these rates are standardized by the age of the child and the degree of disability, so I do not have any real control over these rates. The time constraints regarding when AAP begins on any case and when a child's adoption can be finalized by the Court are also standards that are set by

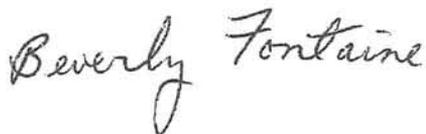
adoption law, and thus the timing of funding sources are also not within my power to control on any given case.

On the papers I submitted to the State Council and the Area 1 Board on March 22, 2010 I stated that one "possible remedy" should someone think a conflict existed, would be for me to give up the RCRC children on my adoption caseload. As I consider this more thoughtfully, I realize that I could not in good conscience put into effect that particular remedy. My work in finding adoptive homes for foster children is very important, and I am often assigned the RCRC children just because of my own experience of parenting a child with disabilities. I understand in a very personal way what it means for a family to parent a special needs child. This expertise and personal experience enhances my ability to help the adoptive families of the RCRC children on my caseload, and I do not think it would be right for me to give up these children to someone else who may not be able to do the work with this particular set of families as well and as empathetically as I have been able to do it. Therefore, permanently altering my adoption caseload is not a remedy I could accept, and if that is the only possible remedy, I would resign my position on the Board. However, I believe there are other remedies. For example, a more workable possible remedy for any conflict is that I would offer to formally consult with my supervisor on any decision making process that involved any RCRC consumer who was also a client on my caseload. I would also offer to abstain from any vote of the Board that directly involved any of the children on my adoption caseload.

If the State Council and the Area 1 Board still believe there is a conflict of interest and can see no workable remedy, I will resign my position on the Board. I have served as vice-president this year and had been elected to serve as president next year, and I have enjoyed my work with the Board – our Board is a truly incredible group of intelligent, high-powered, compassionate individuals with an amazing dedication to our work. I will be sorry to leave the Board, but will completely support whatever recommendation the State Council and the Area 1 Board make in this regard. It has been my joy to serve during this time.

Thank you and I hope this offers the clarity you were looking for to help you make this recommendation.

Sincerely;

A handwritten signature in cursive script that reads "Beverly Fontaine".

Beverly Fontaine, MSW, ACSW  
Proud Mother of Kristin Fontaine, RCRC consumer  
Home (707) 839-1492 Work (707) 826-9904  
1485 Stallion Court  
McKinleyville, CA 95519



**Agenda Item: I**  
**Date: May 27, 2010**  
**Meeting: Council**

**Detail Sheet for:**  
**Area Board Council Representative Reports**

**What is this agenda item about?**

Area Board Council Representative Reports that are submitted every two months to summarize some of the activities of the Area Boards as they relate to Highlights, Advocacy, Community Participation and the Local Concerns.

**What has the Council done about this so far?**

The Council initially requested a standard reporting format for the Area Board Council Representatives to use for ease in understanding and to provide a window of activities going on in the local areas.

**What needs to be decided at this meeting?**

Informational item, no decisions necessary

**What is the committee or staff recommendation?**

Read, review, enjoy and ask questions if necessary. Share with your Boards.

**Are there attachments?**

Yes, Area Board reports

## SCDD COUNCIL MEMBER REPORT, May 2010

**Name: Patty O'Brien, Area Board 1**

**Reporting Date: March and April 2010**

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

### **1. Highlights (activities that have had a positive affect on your community or individual):**

- The Area Board and the Blue Ribbon Commission on Children and Families presented a training regarding Instructional Strategies for Children with Disabilities Involved in the Court System on April 28, 2010. (Photos attached at the end of this report) Event attendees included: Judges, Public Defenders, District Attorneys, private attorneys, representatives from Schools, and the College, County Probation, Mental Health and Social Services, Redwood Coast Regional Center, Raise and Shine, agencies that provide direct client services and State Council Staff. Attorneys and judges that attended received 4.25 MCLE continuing education credits, and other professionals were able to use this course for their needed training credits.
- In collaboration with Mendocino Community College and the Partnership for Healthy Babies; Staff and Board members presented: *Children with Fetal Alcohol Spectrum Disorders-Education, Support and Intervention* Educational Series at Mendocino College. This was our third College course we offered and taught, and it was received very well by foster parents, parents, and professionals in the community.

### **2. Advocacy (activities that advocate for Systems Change or an individual):**

- The Area One Board has initiated meetings with the schools Community Transition Program to make programmatic changes that will enhance students' abilities to obtain jobs and also to start their own micro-businesses or cooperative businesses that can be profitable and sustained by using each individual's talents. We are also discussing the use of natural/local apprentice opportunities as well as a collective publishing effort that can be used at the school for students to gain a hands-on experience in putting a form of profit making business opportunity.
- Area One Board continues to provide individual advocacy on difficult and specific cases that are systemic in nature.

### **3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**

- Area Board 1 Board member, Willie West, participated in the Subcommittee #3 Health and Human Services on April 29<sup>th</sup> which addressed the DDS Budget and the Administration's plan re: Lanterman Developmental Center.

- The Area One Board continues to provide legislative advocacy and information to the community by use of electronic means as well as including relevant information in our public speaking engagements. Within these past 2 months, we've been able to directly speak to 34 local policy makers and 57 individuals on specific legislation.

**4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**

- Lake County Blue Ribbon Commission on Children and Families.
- Lake County Blue Ribbon Commission Short and Long Range Goals committee.
- Area Board staff and a board member were judges at the District Lion's Club Student Speaker Contest; the speech topic was "Universal Healthcare-How will it affect us?"
- Attended the Spring Disability Awareness Roundtable; there was a presentation by the Disability Resource Center Coordinator, and the Assistant Dean Financial Aid office. The discussion highlighted the services available to students who require accommodation and the budget crisis at college campuses and the criterion that classes must be consolidated and priority is given to curriculum that focuses on career education, vocational training and courses transferable to CSU and students must be successfully pursuing a degree in order to be considered for financial aid which may impact some of the classes in which clients currently enroll.
- Provided training and materials on developmental disabilities, prevention and legislation to the Ukiah Rotary Club and the Lake County Soroptimist club.
- Participated on the hiring panel for the Redwood Coast Regional Center Registered Nurse position for Mendocino County.
- The Area One Board began to develop long range plans that will establish their own Blue Ribbon Commissions on Special Education as well as on Multi-Dimensional Cases in the overarching service delivery and justice systems. The initial development of these commissions will be in the planning stages for months so that actual baselines and directions can be established from which the commissions can take direction and make tangible and well documented progress. As the commissions are formally established, Area Board One will closely adhere to the Bagley-Keene Open Meetings Act and will have direct informational access via our web pages on the SCDD website.

**5. Local Issues/Concerns to bring to the Council's attention:**

- *In recent months, by gathering information from our local 4 P's Plus program, it has been spastically shown that the highest priority group that needs education and intervention in the use of Alcohol during pregnancy in Mendocino County is middle class white women. While attempting to education all women we have developed some local Goals and Actions that will be addressing this need for accurate and reliable pre-natal care information. For a brief picture of our project the Vision Statement is below:*

*“VISION – Mendocino County will be a community where every child is born free of the effects of alcohol, tobacco and other drugs and lives in a family that promotes healthy growth and development.”*

*“GOALS –*

*Goal 1: All pregnant women will be screened for substance use (alcohol, tobacco, illicit drugs) as a normal part of health care throughout the community.*

*Goal 2: All pregnant women who screen positive for substance use will have a field assessment.*

*Goal 3: All pregnant women found to be in need of intervention will receive a brief intervention and/or will be referred to treatment that is appropriate to their needs.*

*Goal 4: Effective gender-specific treatment services will be available to all pregnant and parenting women who need them.*

*Goal 5: The wider community will understand the impact of alcohol, tobacco and drug use during pregnancy and the opportunity to intervene.*

*Goal 6: The professional and paraprofessional community will understand the impact of tobacco, alcohol, and drug use during pregnancy and the benefits of intervention.*

- *Medical /Health providers (MD, RN, PHN, MSW, PhD)*
- *CPS/CWS social workers*
- *School personnel (teachers, psychologists, etc.)*
- *Child Care Providers*
- *Foster and adoptive parents*
- *Attorneys & judges with dependency court and juvenile justice court*
- *Administrators*

### **SCDD COUNCIL MEMBER REPORT, May 2010**

**Name: Area Board 2**

**Reporting Date: March and April 2010**

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

**1. Highlights (activities that have had a positive effect on your community or individual):**

- **Facilitated three self-advocate “Drug & Alcohol Team” presentations. Co-sponsored with FNRC, a workshop on “Prader-Willi Syndrome” attended by 90+ and a Focus Film “The Horse Boy” attended by 200+. 3 Mini-Grants have been completed and the rest are going fine with the TCCC’s “Emergency Preparedness Fair” and Region 2 “People First” conference being held in June. TCCC’s “Circle of Champions” awards luncheon is May 15<sup>th</sup>. We have been assisting AB3 in the roll out of the new QA project. A 2-day tour with AB3’s QAP Coordinator was organized to meet key program representatives and**

FNRC's Management staff. Staff participated in the training in Sacramento and is now a Master Trainer to assist in hiring and training new Interviewers for our region. Our "Groups & Events" flyer was e-mailed April 1<sup>st</sup> to 150+ individuals/agencies.

2. **Advocacy (activities that advocate for Systems Change or an individual):**
  - Board finalized its Strategic Plan and is collecting community input via SCDD/AB2 website. Holding a May 13<sup>th</sup> Public meeting in Glenn County, with the SELPA and FNRC, to talk with parents and consumers about building residential and employment options. Held the 4<sup>th</sup> and final training for "adult" service providers on "Autism-Basic Competency" sponsored by the SELPA's. Continue providing advocacy/info to families & consumers with service or systemic problems including: healthy relationships, child custody, staff respect, client choice, Special Education and various other information requests.
3. **Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**
  - Continue participation on a "No. Ca. State Budget Alliance" which held a March 11<sup>th</sup> "Town Hall" meeting in Chico attended by 200+ people and coordinated a "Leadership Development" workshop in Chico on April 28<sup>th</sup>.
4. **Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
  - Staff & Board continue participation on County Coordinating Councils (CCC) in Butte, Tehama and Shasta Co.'s which are having a "summit" May 18<sup>th</sup>. We also attended FNRC Board meetings; Service Provider Advisory Committee (SPAC); Butte County's IHSS Advisory Committee and have met with Family Empowerment staff to plan collaboration.
5. **Local Issues/Concerns to bring to the Council's attention:**
  - We are still concerned that, unlike regional center boards, there is no "conflict of interest waiver" process for family members or self-advocates who want to serve on Area Board's but work for a D.D. service agency.

### ***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Randi Knott, Area Board 3***

***Reporting Date: March and April 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

1. **Highlights (activities that have had a positive affect on your community or individual):**
  - Conducted 3 Special Education training sessions in collaboration with our local Family Resource Center.

- Received our class action litigation findings from the Office of administrative Hearings regarding Relationship Development Intervention; on behalf of 22 families the Area Board was successful in continuing the services provided by the Regional Center.
  - The Area Board continues to process the request by more than **100** families to represent their interest in matters before the OAH as they relate to reduction in services and supports and the impact of the Trailer Bill.
  - Further, with regard to the regional center cases noted above what is evident is the lack of advocacy supports available to families. Notwithstanding, from a positive perspective, the Area Board's presence in the community is viewed by families as a place to receive advocacy guidance and support.
- 2. Advocacy (activities that advocate for Systems Change or an individual):**
- The Area Board represented 1 family in a special education due process hearing before the Office of Administrative Hearings. The primary issue in this case was a matter of appropriate services offered by the District. The matter was lost at the OAH level and the family is proceeding to Federal Court.
- 3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
- The Area Board continues to support the efforts of the Supported Life Institute in their work with People First of California and the annual People First Conference in Sacramento scheduled for early June.
  - Provided Special Education Seminar training to 15 families and staff from an Aspire Charter School.
- 4. Local Issues/Concerns to bring to the Council's attention:**
- No comments
- 5. Local Issues/Concerns to bring to the Council's attention:**
- No comments

**SCDD COUNCIL MEMBER REPORT, May 2010**

**Name: Area Board 4                      Reporting Date: March and April 2010**

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

- 1. Highlights (activities that have had a positive affect on your community or individual):**
  - No comments
- 2. Advocacy (activities that advocate for Systems Change or an individual):**  
**Individual Advocacy**
  - Provided consultation to persons on following nine cases:
    - denial of social skills training for child w/ autism
    - SLS, emergency plan, counseling resources

- living arrangement
- special education assessment
- special education placement
- special education independent evaluation
- nursing respite
- family support services, speech & language services
- work services for people who have autism.
- Provided information and referrals on following five cases;
  - to ADA hotline for accessibility at state park, inaccessible sidewalks
  - to Clients' Rights Advocate for assistance for Spanish-speaking parent to Disability Rights California for special education publications

**3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**

- Area 4 Board continued its work to improve public policy on autism. This is being done through participation on two collaborative entities, one of which is the North Bay Autism Regional Taskforce (NBART) and the other is the Autism Community Team (ACT).
- NBART: Area 4 Board's Executive Director (E.D.) is a co-chair of NBART and participates on the Training & Employment and Housing workgroups. Area 4 Board's Chairperson and Past-Chairperson co-chair the Insurance Coverage Workgroup. The AB4 E.D. and the two board members also participate on the NBART Leadership Team.
- The NBART and workgroups have been working on analysis of problems and development of recommendations in the four focus areas of Early Identification & Treatment; Insurance Coverage; Housing; and, Training & Employment. At least two meetings of each of the four workgroups have been held since the March, SCDD Reps Report, as well as two meetings of the NBART Leadership Team.
- The AB4 E.D. participated as a member of the Statewide Autism Regional Taskforce Coordinating Council at a meeting in the State Capitol on April 13, 2010, and on the panel of the Council's Housing workgroup which gave testimony to the Senate Select Committee later that day. The AB4 member also attended both events that day.
- The NBART Housing Team held a Housing Forum in Napa with 16 people present to discuss recommendations to the Senate Select Committee regarding legislative policies and proposals related to affordable housing; review affordable housing models that meet individual, city, and county housing needs; and, address the unique housing needs of people with developmental disabilities including autism.
- Area Board staff and members have been working with partners on NBART to present a Town Hall meeting to be held on May 13, 2010 in Vacaville. The agenda for the "Town Hall" includes the following:
  - Opening remarks by Senator Louis Wolk;

- Presentation on the 'parents' perspective;
  - Presentation of Excellence Awards to four employers – CVS Pharmacy, Six Flags, Safeway, and CVS Pharmacy for their record of employing persons with developmental disabilities;
  - Recommendations by the four workgroups;
  - Public feedback on the recommendations.
- **B. Autism Community Team (ACT):** Area Board has continued to work locally through the ACT to create positive change to autism services. This is an on-going effort that has been focused on a number of topics recently, including expansion of the Collaborative Autism Diagnostic (CAD) clinic, parent education, and the completion of a Memorandum of Understanding (MOU) between the regional center (NBRC) and the four SELPA's.
  - Area Board has been working on its Strategic Plan and expects to send it to the community for public comment by early June, 2010.
- 4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
- Area Board has been working in past two months with the Office of Clients' Rights Advocacy's and Matrix Parent Network on a strategy to improve special education services. The first part of this collaboration is to educate parents. To begin that process, a workshop on parents' rights and IEP planning is scheduled in Vallejo for May 22, 2010. The intent is to schedule a series of similar workshops throughout the three-county area. Additionally, the agencies are planning to meet with the VUSD SELPA Director to discuss special education services.
  - Participated at Sonoma Transition Consortium's meeting in March, 2010 to review the Sonoma County Transition Resource Fair and discuss changes for next year.
  - Participated at Solano County Transition Resource Fair with approximately 250 people in attendance.
  - Co-sponsored two workshops, on voting rights and person-centered planning.
  - Area Board participated at the Napa/Solano Service Providers meeting in Vallejo in May in discussion on the effect on consumers and families resulting from changes to the Lanterman Act; behavioral respite service; and, barriers to employment opportunities for consumers.
  - Area Board gave monthly report to the regional center board (NBRC) which focused on issues with the new prevention program.
- 5. Local Issues/Concerns to bring to the Council's attention:**
- No comments

***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Area Board 5***

***Reporting Date: March and April 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space**

**blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

**1. Highlights (activities that have had a positive effect on your community or individual):**

- In honor of Autism Awareness month, presented testimony on housing in front of the Senate Select Committee on Autism. In addition, participated in meeting of all chairs/co-chairs of regional task forces.
- Information table at the UCSF conference for Health professionals on Developmental disabilities
- Presentation to statewide conference of Family Resource centers on the impacts of budget cuts on families, especially early start.
- Held orientation for new Board members
- Represented SCDD on the DDS Budget Advisory Group
- Working with Housing Consortium of the Est Bay and West Bay Housing on housing advocacy. Currently working with a Board Fellow from UC Berkeley to review the impact of our efforts to influence the Housing Elements in 39 jurisdiction in the East Bay.
- Area Board 5 has completed several more Third Party Interviews as part of the Agnews closure Quality management System.
- Continue to provide support and facilitation to Bay Area People First and 6 chapters. Two chapters have been certified, two more are in process of certification and two others are scheduled for the training to obtain certification as an official People First chapter through the PFCA training.
- Planning is underway for the 2010 GG Self Advocacy conference to take place September 22 and Congreso Familiar to take place August 14.

**2. Advocacy (activities that advocate for Systems Change or an individual):**

- Provided advocacy and or guidance to several consumers/families. One case went to fair hearing (parents represented selves) and prevailed. Another case collaborated with CRA and also prevailed.

**3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**

- Participated in meeting of San Francisco/Marin and East Bay Regional Task Forces of the Senate Select Committee on Autism.
- Continued communication with legislative staff.
- Participated in SCDD legislative committee and East Bay Legislative Task Force

**4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**

- Planning for Congreso familiar 2010 to be held August 14, 2010
- Continue to participate /attend: Marin Autism collaborative, East Bay Legislative Coalition, Health and Wellness committee, RCEB Board, GGRC Board, Service Provider groups at RCEB and GGRC

## 5. Local Issues/Concerns to bring to the Council's attention:

- No comments

### SCDD COUNCIL MEMBER REPORT, May 2010

**Name: Area Board 6**

**Reporting Date: March and April 2010**

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

#### 1. **Highlights (activities that have had a positive affect on your community or individuals):**

- Attendance/collaboration and facilitation of transition task forces in Stanislaus and San Joaquin County working toward better transition services and information for young adults transitioning from school to adult services.
- Attendance/collaboration and facilitation in supported living network promoting work opportunity for people with developmental disabilities.
- In collaboration with Family Resource Network, Co- produced and provided special education training free to the public in San Joaquin and Tuolumne Counties.
- Attendance/collaboration Calaveras County SSTAC working to better serve individuals using public transportation in Calaveras County.
- Attendance/collaboration in Tuolumne and Calaveras County SELPA Community Advisory Committee meetings.
- Attended/facilitated SLS network meeting in mountain counties and San Joaquin.
- Attended monthly IHSS Public Authority meetings.
- Participated at CLASP (Coalition of Local Area Service Providers) monthly meetings.
- Participated on the SJ Mayor's task force meetings and Employment sub-committee meetings.

#### 2. **Advocacy (activities that advocate for Systems Change or an individual):**

- Provided special education IEP advocacy for transition aged individual in Manteca.
- Provided IEP/special education advocacy for preschool child/family in Modesto.
- Provided advocacy (mediation advocacy) for an individual and family appealing a regional center decision affecting supports.
- Provided telephone advocacy for 13 individuals seeking information and guidance re special educational issues.
- Provided telephone advocacy for 6 individuals seeking information on regional center services.
- Supported consumer in advocating for her rights regarding transportation services with VMRC during fair hearing process. The issue has been resolved and consumer is happy with her choices to use public transportation.

- Advocated for family and child rights during IEP to have appropriate assessments done. Assessments have been scheduled and family is pleased with outcome.

**3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**

- Participated in CHOICES Conference in Stockton providing information and resources to 450+ individuals. (See photo attachment at the end of the Area Board Report)
- Provided AB6/SCDD informational materials during a cultural event being held in Honor of the national holiday Cesar Chavez.
- Presented AB6/SCDD, and Lanterman information to 16 new service coordinators at their VMRC new employee training.

**4. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**

- Provided support and facilitation for Legislative Panel at CHOICES conference promoting better understanding of community concerns and the legislative process to CHOICES conference attendees and local elected officials.
- Disseminated via email and website updated legislative policy and information to interested parties in our 5 counties.

**5. Local Issues/Concerns to bring to the Council's attention:**

- Changes in Lanterman act have detrimentally affected individuals and families by decreasing services, particularly respite services. The regional center does not provide appropriate planning to address these recognized needs but instead requests the fair hearing process to determine service needs.
- Lack of employment opportunities for individuals with disabilities in all 5 counties.
- All five counties are in need of subsidized housing programs.
- All five counties are in need of dental and vision services that medical no longer covers.
- Kudos to all the great work of the area boards (under the capable direction of Roberta Newton) on the new Quality Assurance Project. Many people stepped up to the plate to get this project rolled out smoothly! Stay tuned! Thank you from the area board 6 gang!

**SCDD COUNCIL MEMBER REPORT, May 2010**

**Name: Area Board 7      Reporting Date: March and April 2010**

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

**1. Highlights (activities that have had a positive affect on your community or individual):**

- AB VII began the Process of developing a Strategic Plan.

- In collaboration with People First of California, held self-advocacy training for 47 adults who are exploring the opportunities to become self-advocates. Training was also provided to 12 Individuals who want to be “Helpers” in supporting self-advocacy groups.
  - Participated in the Training Workgroup and Area Board staff meetings for the implementation of the NCI QA Project. Held interviews and orientation training for AB VII interviewers.
  - Completed QMS Third Party Interviews for three care homes.
- 2. Advocacy (activities that advocate for Systems Change or an individual):**
- Continue meetings with families, professionals and staff from other agencies to address service needs and concerns in the area of housing and employment.
  - Working to address System Change in Santa Cruz County for students denied appropriate special education services. Issues include drastic program changes, unsigned memorandums of understanding and expanding the age range of students served within a single classroom.
  - Assisted 3 families with their Request for a Fair Hearing. The appeals focused on eligibility, respite and a van conversion.
  - Assisted a family regarding SSA benefit rate, payee and the cost of housing/P&I reimbursement. Assisted a consumer with the review of PASS plan, paycheck deductions and purchase of a van.
  - Assisted a family in securing appropriate services and in working with the assigned staff at the Regional Center.
  - Filed a personnel complaint regarding the inappropriate actions of a school employee at an IEP meeting.
  - Successfully supported a family who won a decision against their School District in Santa Cruz County. Coordinated a meeting with advocates from Santa Clara County and an advocate from Santa Cruz County to promote networking and information opportunities.
  - Provided advocacy assistance to a family with concerns around dental work for their family member.
  - Provided advocacy to an individual regarding his concern about his own conservatorship.
  - Provided advocacy services to 2 families pursuing regional center eligibility.
  - Provided assistance to 3 individuals with issues concerning housing.
- 3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**
- Distributed information to families regarding legislative updates and proposed service changes, as well as, legislative forums.
- 4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
- Attended Monthly San Andreas Regional Center Board Meetings to Represent AB VII and provide information on family and concerns and issues.

- Continued efforts toward a 3 ½ day Conference in June which will focus on the needs and aging issues faced by Adults with Cerebral Palsy.
- Hosted a table at the Parents Helping Parents and Santa Clara County Office of Education Transition Faire. Spoke with approximately 150 individuals regarding Area Board Services. Talked with other Service Providers about their programs and services and expanded network and outreach opportunities for the Area Board.
- Met with the Regional Center liaison regarding implementation of NCI. Had a Conference call with the Tri-Counties Regional Center liaison regarding the implementation of the NCI. Area Board VII staff will coordinate/supervise efforts at both AB VII and AB IX.
- Attended the QA Advisory Committee meetings at the Regional Center.

**5. Local Issues/Concerns to bring to the Council's attention:**

- Concern about mental health of families and individuals as cuts in services are implemented.
- Continued concern about ongoing denial of Educational Services to children with disabilities residing in parts of Santa Cruz County.
- The lack of nurses to provide services to medically fragile individuals residing in the community.
- Interpreters to assist our constituents in their primary language.

***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Area Board 8***

***Reporting Date: March and April 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

**1. Highlights (activities that have had a positive affect on your community or individual):**

- The Area VIII Board participated in local Autism task force meetings. Participated in Kids on the Block puppeteer program. This program uses life-sized educational puppets designed to teach awareness, sensitivity and acceptance of differences. The program is designed to fill the need of children with disabilities to have their non-disabled peers understand and accept them. A portion of mini-grant funds were distributed to Deaf and Hard of Hearing to expand their library. They are naming their library after the Sequoia Area VIII Board.

**2. Advocacy (activities that advocate for Systems Change or an individual):**

- The Area VIII Board attended 43 IEP meetings to ensure that students with special needs received the services and protections that are provided for in the IDEA act. The Area VIII Board attended a Wrightslaw conference/training. The Area VIII Board advocated for 15 Regional Center clients/families regarding issues such as wheelchair repair, ABA services, respite care, IPP's etc. The

Area VIII Board has been working with our local day programs to provide self-advocacy training programs and materials.

3. **Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**
  - No comments
4. **Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
  - Attend on regular basis local meetings of various parent support groups. The Area VIII Board participated in the Fresno County Emergency Evacuation Planning. The meetings focused on developing potential solutions to improve the evacuation and transportation of people with access and functional needs in an emergency situation. Attend on a regular basis local meetings of various parent support groups.
5. **Local Issues/Concerns to bring to the Council's attention:**
  - Lack of behavioral services in residential facilities. Lack of information allowing for client self-advocacy in regards to budget cuts affecting services in the home and also at school.

### ***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Area Board 9***

***Reporting Date: March and April 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

1. **Highlights (activities that have had a positive affect on your community or individual):**
  - Area Board continues to participate in the Sexuality and Personal Relationship workgroup. Area Board continues to support the two new people first groups in the north part of our catchment area.
  - Area Board presented a webinar on IEP assessments with Ann Simuns. This was not only offered in our local community but opened up to others in the State. We are developing an on-going schedule of trainings that will be recorded and accessible through out webpage
  - As per the strategic plan the development of the non-profit began with Board member's identified and initial paperwork started. This process continues.
  - Participated in the Central Coast Caucus in preparation for a legislative reception in May.
  - Area Board has participated in the training, implementation of the QA project in our local community.
  - Autism taskforce will be conducting a Path for future activities in the tri-counties. Area Board is coordinating the event.

- Area Board is developing, with local community members a legislative breakfast for the southern county.
- 2. Advocacy (activities that advocate for Systems Change or an individual):**
- Individual advocacy provided to families who have been notified of changes to respite, behavioral services and therapy services. A number of fair hearings have been filed on behalf of families. Some issues have been resolved with others waiting scheduling of hearings.
  - Individual advocacy has been provided for families concerned their child's special education needs
  - Individual Advocacy provided on IHSS concerns.
- 3. Legislative and Public Policy Advocacy (activities that provide public officials, public entitles, and local constituencies information about legislation and public policy):**
- Area Board is working on developing a legislative handbook and training for families and persons served on legislative advocacy. We have provided 4 legislative presentations with family and people first groups.
  - Area Board staff and board members with local Legislators in our community in Sacramento discussing our concerns and suggestions for future developments.
  - Area Board has written a letter of support for the closure of Lanterman and worked with People First group to provide personal testimony and letter of support for the closure.
- 4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
- Area Board continues to participate in local community events/meetings that address the delivery of services by Regional center and their vendors and/or school districts.
- 5. Local Issues/Concerns to bring to the Council's attention:**
- Behavioral services for children diagnosed with autism is being reduced outside of the restrictions defined by TBL
  - A state wide respite tool is being used rather than the IPP process to decide respite needs of the family.

***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Marcia Good, Area Board 10***

***Reporting Date: March and April 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

- 1. Highlights (activities that have had a positive effect on your community or individual):**

- In partnership with our nonprofit Inclusion Institute, Area Board 10 sponsored the 3<sup>rd</sup> Annual Inclusion Conference, entitled “Resources for Coping in Tough Times.”
  - Staff has been gearing up during this period to launch the new Quality Assessment Project on May 1<sup>st</sup>. A myriad of activities have been essential to the planning: recruiting and training interviewers, developing standardized forms, liaising with the regional centers, developing and communicating policies and procedures, obtaining computer software and hardware.
  - Area Board 10 continues to sit on a panel that convenes monthly to oversee the electroconvulsive treatment administered to a regional center consumer (state law requires an area board representative)
  - Our Vice Chair testified at the hearing to discuss the proposed closure of Lanterman Developmental Center (LDC), testifying in favor of the closure.
  - We have submitted comments and alternative recommendations regarding DDS’s proposals to trim an additional \$25 million from the community services budget.
  - On behalf of the State Council, staff participated in the workgroup that is developing an Individual Choice Budget model.
- 2. Advocacy (activities that advocate for Systems Change or an individual):**
- Area Board 10 staff provided individual advocacy assistance to 21 parents who had concerns about their child’s educational services and to one family with a child receiving Early Start services.
  - Staff provided individual advocacy assistance to 26 individuals with community support service needs.
  - Staff delivered one presentation regarding changes to Early Start to an audience of 44 professionals.
  - We continue to provide facilitation and in-kind support to the Self-Advocacy Board of L.A. County.
- 3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**
- See items under “Highlights”
- 4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
- Board members and staff have participated in the Tarjan Center’s Post-Secondary Education Consortium, including participation in a “working” conference focused on supporting young adults with autism in a college setting.
  - We continue to work with our 7 local regional centers, MTA and transportation providers on the long term endeavor of implementing a consolidated transportation system.
  - Area Board 10 participated in a Resource Fair sponsored by the regional center Family Resource Center.
- 5. Local Issues/Concerns to bring to the Council’s attention:**

- Area Board 10 staff continues to assist the Council by filling crucial vacant positions. This has inevitably resulted in a reduction in Area Board 10's ability to respond to advocacy requests and other service requests. Area Board 10's Executive Director is directing the launch of the new Quality Assessment Project statewide and is providing headquarters administrative support. Our BSG employee, Christofer Arroyo, is staffing the Council's LPPC Committee and also providing technical assistance to new Area Board 12 staff. Our QA Project Director is temporarily filling in as Acting Executive Director for Area Board 12.

## **SCDD COUNCIL MEMBER REPORT, May 2010**

**Name: Michael E. Bailey, Area Board 11      Reporting Date: March and April 2010**

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

### **1. Highlights (activities that have had a positive affect on your community or individual):**

- ABXI highlights for this reporting period: In April, ABXI's Board of Directors welcomed Michael Rosenberg and Diana Ramirez, who facilitated a very successful first Strategic Planning meeting. Directors have since met for follow-up and plan to submit their draft for approval at this month's Board meeting.
- ABXI staff partnered with staff from the Dayle McIntosh Center for Independent Living to present a Personal Emergency Preparedness Training for 58 members of the Orange County Grandparent Autism Network.
- ABXI participated in the Empowering Irvine Families CAC Resource Fair and the North Orange County Community College District Transition Night, outreach events which drew more than 200 students and families.
- ABXI has been appointed to the newly-formed Orange County Autism Regional Taskforce (OCART), which serves as an advisory board to Senator Lou Correa, a member of the California Senate Select Committee on Autism and Related Disorders. ABXI staff members serve on the Housing and the Education/Transition/Employment workgroups.

### **2. Advocacy (activities that advocate for Systems Change or an individual):**

- ABXI advocacy activities during this reporting period included: Continued support of monthly meetings of People First of Orange County. In March, members held the election of officers and continued discussions re: the formation of a 501(c)(3) non-profit. In April, the Orange County OCRA conducted a workshop about the mission of, and services available through, Disability Rights California.
- Advocacy and technical assistance, which include attending IEPs, IPPs, and other meetings related to education, community placement, regional center

eligibility/services and supports, access to community services, housing, health care, and employment issues, as well as provision of brief service to callers requesting information and assistance re: changes/reductions in services, for 62 English and Spanish-speaking consumers and family members.

**3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**

- ABXI Board members have upcoming meetings scheduled with several local legislators to share information about the area boards, State Council, and concerns re: the impact of budget cuts on local services and supports.

**4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**

- ABXI outreach and community events during this reporting period included the following: Continued involvement and leadership role in the following collaborative committees and events: Orange County Adult Transition Task Force; RCOC Criminal Justice Committee; Orange County Collaborative to End Abuse of Individuals with Disabilities (CEAID); ABXI Health Care Task Force; Orange County Employment Advocacy Network(OCEAN); Disability Rights Workshop; ABXI Quality Assurance Collaborative; Fiesta Educativa; CalOptima's Community Alliances Forum; Aging and Disability Resource Connection (ADRC) Advisory Committee; Partnership for CHOICE; and the Orange County Assistive Technology Collaborative.
- Community Resources and Public Benefits Workshop for more than 60 consumers, parents, and professionals.
- Workshop, "Lo Basico del IEP", for 25 parents and professionals at Head Start.
- Training, "Los Derechos bajo la Ley Lanterman", for 37 family members of Grupo Angeles.

**5. Local Concerns/Issues to bring to the Council's attention**

- Area Board XI is working with its advocacy partners to protest and prevent the threatened de-funding of adult education programs focusing on self-advocacy, assertiveness training, nutrition, exercise, and sex education for more than 500 South Orange County residents with developmental disabilities.
- ABXI members continue to monitor and work with the local transportation authority to try and reduce the disproportionate impact of recent funding cuts in local transportation services on people with developmental disabilities.

***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Area Board 12***

***Reporting Date: March 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

- 1. Highlights (activities that have had a positive effect on your community or individual):**
  - Coordinating roundtable discussions with consumers, local businesses, vocational programs and other relevant agencies/organizations to discuss strategies to building opportunities for entrepreneurship and employment in the areas of San Bernardino and Riverside.
  - Coordinating the development of a mini-series of Webinars relative to Autism.
  - Coordinating People First California presentations and training to vocational programs in order to develop more self-advocacy groups throughout Riverside and San Bernardino Counties.
  - The Board continues to develop the AB12 Strategic Plan.
- 2. Advocacy (activities that advocate for Systems Change or an individual):**
  - Coordinating three (3) community meetings with staff attorneys from Disability Rights California to listen to concerned individuals about problems with Inland Regional Center's Due Process practices. These May meetings will be held in San Bernardino, Temecula, and Victorville.
  - Provided Individual advocacy to 23 individuals regarding the appeals process with Inland Regional Center, school related issues, conservatorship, eligibility and intake.
  - Area Board 12 continues to work with TASK to provide additional advocacy to our community.
- 3. Legislative and Public Policy Advocacy (activities that provide public official, public entities, and local constituencies information about legislation and public policy)**
  - No comments
- 4. Outreach/Community Event Participation (Involvement in activities/events to outreach to the community):**
  - Staff attended Inland Empire Disabilities Collaborative Meeting.
  - Staff and Board Chair attended Inland Regional Center Board Meetings.
  - Staff attended and distributed DRC Community Meetings Flyers at Fontana Community Action Program Resource Faire.
  - Staff met with TASK to establish referral/reporting protocols.
  - Staff attended Work Force Development Meeting at EDD.
  - Staff met with Inland Empire Economic Partnership Small Business Development Center.
  - Staff attended Disabilities Expo.
  - Staff attended Alliance for Education meeting at Riverside Community College.
  - Staff met with ARC Riverside to discuss current community issues
  - Staff met with People First California to discuss strategies in strengthening current People First Chapters and building new Chapters in the Riverside San Bernardino areas.
- 5. Local Issues/Concerns to bring to the Council's attention:**

- Area Board 12 continues to be concerned with Inland Regional Center practices with regard to Due Process and initiation of services. We have heard from a number of parents and advocates regarding the following issues:
- Parents/Families/Consumers are not fully informed about due process
- Services are terminated/reduced without a written notice of action
- Parents have received a Notice of Action that is not written in their primary language
- Aid Paid Pending is not provided in situations when the individual is appealing an existing service.
- The initiation of services is prolonged due to layers of administrative policies. Basically services requested are not necessarily denied, but they are significantly delayed (sometimes over a year).

### ***SCDD COUNCIL MEMBER REPORT, May 2010***

***Name: Area Board 13***

***Reporting Date: March and April 2010***

**Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.**

**1. Highlights (activities that have had a positive affect on your community or individual):**

- Participate and facilitate monthly planning meetings for the 2010 SD People First Self-Advocacy Conference
- Facilitate the SD People First business and workgroup meeting with 25 individuals in attendance
- Assisted SDPF in planning and conducting their March Leadership Symposium for self advocates on the topic of Self Advocacy and People First. 23 people were in attendance
- Participate on the Violence Prevention Task Force and assisted in the training on the prevention of violence and abuse for 20 transition aged students and their support staff in March.
- Assisted the representative to People First of California prepare for his quarterly meeting
- Coordinated the planning and implementation of the annual self advocacy conference held March 13 in Imperial Valley. The event was a huge success and over 160 people attended the event
- Participate on the SDRC-CAC currently the members are learning strategies on how to be effective board members
- Began collaboration with DRC on a Disaster Preparedness training to be held in June.
- Staff participated in disability awareness/sensitivity training to 2 pediatric medical residents through Operation Housecall.

- 2. Advocacy (activities that advocate for Systems Change or an individual):**
- Participated as an authorized representative at a quarterly meeting.
  - Began coordination of a training for facilitators of self advocacy groups
  - Technical assistance provided at two informal meetings and assisted three other families in preparation for their fair hearing and/or informal meetings.
  - Provided technical assistance to a group of self advocates as they create a training program for transition students
  - Continue to work with students at a local high school in the area of self advocacy
  - Assisted with 12 IEP's, as well as assisting with an issue at a local elementary school where 2 children have been running away, one time requiring police intervention to find the child.
  - Provided technical support at a school attendance hearing
  - Assisted 3 consumers with supported living issues
  - Began working with a family who has had issues with equipment and insurance
  - Provided support and technical assistance with 3 families regarding IPP's
- 3. Legislative and Public Policy Advocacy (activities that provide public officials, public entities, and local constituencies information about legislation and public policy):**
- Was part of the planning team for the 6<sup>th</sup> Annual Legislative Breakfast, which was attended by approximately 500 individuals. The theme was Preserving the Lanterman Act. Numerous elected officials and their staff were present.
  - Spoke on behalf of the need for Therapeutic Recreation Services to continue to receive CDBG money for their programs at the City Council meeting in March
  - Participated in the Emergency Preparedness planning process in the Imperial Valley in the beginning of March.
- 4. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):**
- Worked with the service inclusion network to create a brochure and training outline for an upcoming training on inclusive volunteer strategies for volunteer managers
  - Participated at the Disability Awareness Day resource fair a Transition fair in Imperial Valley, the North County Resource Fair (about 100 attendees) and 1 High School Transition Fair with about 50 attendees.
  - Assisted with the implementation of the annual A Day in the Country event
  - Participated in IEP Day (Involved Exceptional Parents Day), with over 300 attendees.
  - Area Board recently hosted a Life Planning series for families that is conducted over a 12 week period. It is great to finally have offices that community groups can use for these types of events – thanks for your support in getting these!
- 5. Local Issues/Concerns to bring to the Council's attention:**
- There is grave concern locally over the additional 1.25% reduction in reimbursement to vendors, bringing the total "discount" to 4.25%. Many

agencies are barely surviving, and there is little to no fat to trim in some cases. The affect these further reductions will have on consumer choices will be devastating.

- Families/consumers are very anxious to have the Individual Choice Budget model rolled out sooner rather than later. Now that camp season is fast approaching, families are distraught over the lack of options available to them, as well as social/rec programs that are desperately needed.

# Instructional Strategies for Children with Disabilities Involved in the Court System, Area Board 1 Photo Highlights



**April 28, 2010**

**CHOICES 2010- Get Healthy- Stay Fit!**

April 16<sup>th</sup>, 2010 Stockton

Photo Highlights

Over 450 people attended the 24<sup>th</sup> Annual CHOICES conference!



**T-shirt Contest Winner- Steven Mattos**



**Karen Gaffney-Keynote**



**The *ADVOCATES* entertained all!**



**Self Advocacy Council VI  
Healthy Cooking Demonstration**



**A Happy Raffle prize winner  
and giver-George Lewis- AB6**