

DAY CARE POLICY

I. Intent:

It is the intent of San Andreas Regional Center to fund day care assistance when an individual requires specialized day care. The regional center shall implement this policy in compliance with all existing federal and state laws and regulations (e.g. California Welfare & Institutions Code §4512(b) and §4648(a) (6) (D), and 34 Code of Federal Regulations §§303.344 and 303.527).

II. Definitions:

Consumers, Individuals served by the regional center, and Persons we serve are terms that are used interchangeably throughout the San Andreas Purchase of Service policies to refer to those individuals who receive services from the regional center. These same terms are used throughout the Lanterman Developmental Disabilities Services Act.

Day care refers to regularly provided care, protection, and supervision of an individual living in the home of his or her parents or guardians for periods of less than 24 hours per day, while the parents are engaged in employment outside of the home or educational activities leading to employment, or both.

Specialized day care involves a degree of care beyond that which is normally associated with the care of a child without a developmental disability.

Financial Management Services (FMS) allows the parents or legal guardians to be vendorized to receive funding from a FMS vendor needed to cover the additional costs of special day care. San Andreas funds the FMS vendor, who then reimburses the family for the additional costs of the day care service.

III. Policy:

The need for specialized day care and the amount provided shall be determined through the IPP process.

This service applies only for specialized day care occurring while parents are at work or vocational training. In two-parent families, both parents must be employed or in vocational training during the service. In single-parent families, the parent with whom the child resides must be employed or in vocational training during the service.

Ages 3 up to 13th Birthday

This assistance is intended to subsidize the extra day care costs associated with this special day care. The regional center may fund the difference between standard fees and fees for services beyond the guidelines of the Americans with Disabilities Act for specialized day care for individuals up to the 13th birthday. The amount subsidized shall not exceed the minimum wage for that city/county.

Ages 13 up to 18^h Birthday

Because day care for children age 13 and over is not usually necessary, the regional center may fund, the-cost of day care for such individuals up to the minimum wage of the city/county the services is delivered. The total amount of hours authorized are determined by family need and the FCPP assessment. Families with children age 0 through 17 are subject to FCPP. (See FCPP description under the Purchase of Service Standard Section below)

In no event shall the regional center fund day care when it is being provided in lieu of a public school or other non-extended day program.

Time spent in school or generic programs where specialized care is not provided shall be excluded from funding.

Transportation to and from day care is the responsibility of parents and primary care providers.

IV. Purchase of Service (POS) Standard

The regional center shall assist the family in locating and utilizing day care provided by generic agencies (e.g. public schools, Y.M.C.A.) and other day care programs serving the community.

In determining whether the child requires specialized day care, the planning team shall take into consideration the following factors and circumstances:

- Significant behavior challenges, including disruptive hyperactivity, self-abusive behavior, aggressive acting-out behavior, assaultive behavior, and/or emotional difficulties;

- Significant medical or physical needs, including equipment requiring a specially trained care person, feeding needs that require extensive time and effort by a care person, suctioning, tube feeding, uncontrolled seizures, or any other medical/physical need that requires extensive time and effort or special training;
- An individual, over the age of 5, who has significant self-care needs including lack of toilet training, inability to communicate basic needs, lack of self-help skills such as bathing, toileting, dressing, eating and lack of ability to ambulate.

In the absence of another funding source, the regional center will fund specialized day care only when an appropriate and available cost-effective program consistent with the child's IPP is being used. Parents may choose to use Financial Management Services (FMS) or they may choose to use a vendorized agency.

The Lanterman Developmental Disabilities Services Act defines the Family Cost Participation Program (FCPP). Families that meet the conditions listed below are required by the Lanterman Act to share in the cost of day care. The conditions are:

- A. The child has a developmental disability.
- B. The child is from zero years of age through 17 years of age.
- C. The child lives in the parents' home.
- D. The child receives services and supports purchased through the regional center.
- E. The child is not eligible for Medi-Cal.
- F. Family income meets requirements for FCPP

V. Exception Process:

The executive director has full discretion to authorize service purchases which are exceptions to the board-adopted purchase of service policies and standards. The executive director has designated certain individuals within the regional center who are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.

The first formal discussion of a request for service takes place at the planning team meeting. If the request falls within the service policy, the request is granted.

If the request for service is not consistent with the policy, the service coordinator starts the exception review process by exploring the basis for the request.

A time line for the director's exception review is set by agreement between the individual/family and the service coordinator but the time line may not exceed fifteen (15) days. Within that time, another planning team meeting will be convened. In the meantime the coordinator presents the information to the manager to determine whether a director's exception may be warranted. At the scheduled planning team meeting the decision will be made. The director's designee will attend the planning team meeting if necessary. If the exception is granted, the service coordinator amends the person-centered individual program plan, notifies the individual/family, and gives a copy of the amended plan to the individual/family.

VI. Notice of Action:

If an exception is not granted, or if a decision is made to deny, reduce, or cancel the service without the agreement of the individual or the individual's representative, a Notice of Action and a Fair Hearing form will be sent.

Adopted 10/19/2015