

THE ROLE OF SAN ANDREAS REGIONAL CENTER
IN SECURING SERVICES FOR CONSUMERS

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.

Families have the same basic responsibility to their children with special needs as to their children without special needs. People with developmental disabilities often require additional supports that many families may be unable to provide. The role of the regional center is to assist families in fulfilling their basic responsibility and arranging for those additional supports to meet the needs of the developmentally disabled person. The regional center will ensure that consumers and families are empowered and recognized as decision makers. The regional center places a high priority on providing opportunities for children with developmental disabilities to live with their families by advocating for and developing a comprehensive pattern of services to assist families in caring for their children at home.

Adults with disabilities have the right to make choices about their lives and to make decisions about what services and supports are needed. They also have the same legal rights as any adult have when they reach the age of majority at 18.

The regional center places a high priority on providing opportunities for adults with developmental disabilities to live with their families or in any living situation in which they are comfortable. The regional center will advocate for the consumer to explore all potential services that will help them leave a fulfilling life.

To ensure that the provision of services is consistent with the Lanterman Developmental Disabilities Services Act and these consumers' Individual Program Plan (IPP), San Andreas Regional Center shall follow the consumer services policies. The center will ensure to the fullest extent possible the appropriate and effective use of funds in purchasing services for all consumers and the provision of quality services.

The regional center shall advocate for consumers to prevent generic agencies from discriminating against them. The regional center shall also fulfill its mandate to evaluate and plan for unmet service needs. The center will not deny services nor discriminate in the provision of service to eligible persons because of race, color, creed, national origin, citizenship, sex or age.

Purchase of service decisions are made in the context of the planning team (*Planning Team consists of the individual with developmental disabilities; the parent or legal guardian of a minor consumer, or the conservator of an adult consumer; one or more regional center representatives, including the service coordinator; and any individual invited by the consumer, parent, guardian, or conservator.*) The IPP developed by the team describes the consumer's individual service needs and the various agency resources necessary to meet those needs.

Generally, San Andreas Regional Center shall not fund those services which are the mandated responsibility of a generic resource including, but not limited to, the Department of Education, Department of Social Services, the Department of Health Services, and the Department of Rehabilitation. The regional center may consider funding a service which is the mandated responsibility of a generic resource only after the following have been done:

- A. A written refusal has been secured from the agency denying the service, and
- B. A plan has been implemented as part of the IPP which specifies the administrative and legal remedies being pursued to obtain services from the generic source.

Note: The process described in the previous paragraph is different for early intervention consumers. See Early Intervention Policy, IV. POS Standard.

The San Andreas Regional Center shall not fund services for consumers who have been awarded large settlements ruled to be for the care of the consumer.

Private resources, including trusts, court ordered settlements and payments, may be pursued, but only to the extent that they are liable for the costs of services, aid, insurance, or medical assistance to the consumer. [Welf. & Inst. Code, § 4659. subd. (a)(2)]

In implementing these policies, the determination of which services and supports are necessary for each consumer shall be made through the Individual Program Plan (IPP) process or the Individualized Family Service Plan (IFSP) process for Early Start program eligible children. The determination shall be made based on the needs and preferences of the consumer, or when appropriate, the consumer's family, and shall include consideration of a range of service options proposed by the IPP or IFSP team, the effectiveness of each option in meeting the goals stated in the IPP or IFSP, and the cost-effectiveness of each option. The IPP planning team shall consider the cost of providing services or supports of comparable quality by different providers, if available and the least costly available provider of comparable service, including the cost of transportation, who is able to accomplish all or part of the consumer's IPP, consistent with the particular needs of the consumer and family as identified in the IPP, shall be selected. In determining the least costly provider, the availability of federal financial participation shall be considered. The consumer shall not be required to use the least costly provider if it will result in the consumer moving from an existing provider of services or supports to more restrictive or less integrated services or supports. [Welf. & Inst. Code, section 4512, subd. (b), and section 4648 subd. (a)(6)(D), 34 CFR 303.344 and 303.527]

Note: Please see also the Purchase of Service Policy for further details on service purchases and for definitions of planning team, individual program plan, generic services, and service coordination.

The executive director has full discretion to authorize service purchases which are exceptions to the board-adopted purchase of service policies. The executive director has designated different members within the organization who may authorize a director's exception. They are called the 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 consumer/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 consumer/family, and gives a copy of the amended plan to the consumer/family.

If the exception is not granted, the service coordinator promptly informs the consumer/family that it has not been granted, informs the consumer/family of their appeal rights, and sends a notice of action and a fair hearing form.

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