

DEPARTMENT OF DEVELOPMENTAL SERVICES

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July 15, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE 01-071520: EXTENSION OF WAIVERS,
 MODIFICATIONS AND DIRECTIVES DUE TO COVID-19

Pursuant to Governor Gavin Newsom's Proclamation of a State of Emergency dated March 4, 2020, and Governor Newsom's Executive Order N-25-20 issued on March 12, 2020, the Director of the Department of Developmental Services (Department) issued numerous Directives to regional centers waiving or modifying certain requirements of the Lanterman Developmental Disabilities Services Act, the California Early Intervention Services Act, and/or certain provisions of Title 17, Division 2 of the California Code of Regulations. Additionally, the Director of the Department issued several Directives pursuant to Welfare and Institutions (W&I) Code section 4639.6 to protect consumer rights, health, safety, or welfare, or in accordance with W&I Code section 4434.

Any waivers, modifications or directives contained in the following Directives are extended an additional 30 days from the current date of expiration, and specified sections within certain Directives are amended, as follows:

Date Issued	Directive Subject	Current Expiration Date	New Expiration Date
3/18/2020	<p>Department Directive on Requirements Waived due to COVID-19 and Additional Guidance</p> <p><u>Amendments to Directive</u></p> <p>a. <i>Effective immediately, section "WIC §4731 Consumers' Rights Complaints" is hereby deleted from this Directive. The 20-working day requirement for investigating and providing a written proposed resolution to a complainant pursuant to W&I Code section 4731(b) is reinstated.</i></p> <p>b. <i>The following sentence under section "Home and Community-Based Services (HCBS) Self Assessments" is hereby amended to read: "The requested completion date for provider HCBS self-assessment has been extended to June 30, 2020 August 31, 2020."</i></p>	7/16/2020	8/15/2020

"Building Partnerships, Supporting Choices"

Date Issued	Directive Subject	Current Expiration Date	New Expiration Date
3/25/2020	<p>Department Directive 02-032520: Requirements Waived due to COVID-19</p> <p><u>Amendment to Directive</u></p> <p>a. <i>The following paragraph under section “In-Home Respite Workers” is hereby amended to read: “To increase available workforce and support consumers and families at home, the Department waives Title 17 section 56792(e)(3)(A) requirements for in-home respite workers to possess first aid and cardiopulmonary resuscitation training prior to employment when the consumer receiving services does not have chronic or presenting health concerns. <u>Training must be obtained within 30 days of starting work.</u>”</i></p>	7/23/2020	8/22/2020
4/15/2020	<p>Department Directive 01-041520: Requirements Waived due to COVID-19</p> <p><u>Amendments to Directive</u></p> <p>a. <i>The following paragraph under section “Vendor Fiscal Audits” is hereby amended to read: “The requirements of Article III, Section 9, paragraph (c) of the Department’s regional center contract are waived <u>for Fiscal Year 2019-20.</u> To the extent feasible, regional centers shall continue to conduct fiscal audits in accordance with this paragraph.”</i></p> <p>b. <i>The following sentence under section “Home and Community-Based Services (HCBS) Final Rule Compliance Information” is hereby amended to read: “Regional centers shall post this information on their websites by July 1, 2020 <u>August 31, 2020.</u>”</i></p>	7/14/2020	8/13/2020
6/15/2020	<p>Department Directive 01-061520: Extension of Early Start Services</p>	7/15/2020	8/14/2020

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The extension of time for these Directives continues to be necessary to protect public health or safety and to ensure delivery of services.

All COVID-19 related directives and guidance issued by the Department can be found at: www.dds.ca.gov/corona-virus-information-and-resources. If you have any questions regarding this Directive, please contact Brian Winfield at (916) 654-1569 or brian.winfield@dds.ca.gov.

Sincerely,

Original Signed by:

NANCY BARGMANN
Director

cc: Regional Center Board Presidents
Regional Center Administrators
Regional Center Directors of Consumer Services
Regional Center Community Services Directors
Association of Regional Center Agencies