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California's protection and advocacy system

**PRINCIPLES FOR ADDRESSING AMENDMENTS TO THE
LANTERMAN ACT, STATE BUDGET ISSUES OR OTHER
LAWS AFFECTING THE RIGHTS OF CALIFORNIANS WITH
DEVELOPMENTAL DISABILITIES**

Adopted 4/18/1998; Amended 2/19/2000

1. The Lanterman Act's entitlement to services and supports which foster the developmental potential of the person and are directed toward achievement of the most independent, productive and normal lives possible for persons with developmental disabilities is a fundamental right. Any legislative or budget action that would eliminate or impair this right is unacceptable. Actions which will further the rights shall be supported.
2. Key rights of persons with developmental disabilities in the Lanterman Act are:
 - The right to services and supports in the least restrictive environment and to services and supports which allow individuals to approximate the pattern of everyday living available to people without disabilities of the same age.
 - The right to dignity, privacy and humane care and to be free from harm.
 - The right to participate in the life of their community to interact with people without disabilities and in prompt access to medical care, and
 - The right to make choices in their own lives about both major life decisions and daily activities.
 - Legislative actions that further these rights should be supported while those that impair these rights should be opposed.
3. The Lanterman Act recognizes that persons with developmental disabilities and their families, where appropriate, shall participate in decisions affecting

their own lives and have a leadership role in service design. This principle must be preserved.

4. The concept of decisions on services and supports being made through person-centered individual program plans is central to California's developmental services system. Legislative or budget actions which impair this process are unacceptable and those which strengthen it should be supported.
5. Due process protections, including fair hearings, complaint procedures and commitment and release procedures under state law must be maintained and strengthened. State-mandated independent advocacy services, which are necessary to assist individuals in the person-centered planning process and in due process proceedings, must be preserved and expanded.
6. Persons with developmental disabilities have the right to quality services and supports, which cannot be provided absent adequate and appropriate compensation for direct care staff. Persons who provide services and supports to persons with developmental disabilities deserve to make a living wage. Wages and benefits for direct care staff in the community should be comparable to wages and benefits of direct care staff at developmental centers (DCs) where consumers receiving services have similar levels of need. Where economic conditions in a particular geographic area are used to justify additional compensation for DC staff, such additional compensation should also be offered to direct care staff in the community.