



California's protection and advocacy system
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#1: Fact Sheet on California's Budget Cuts to Developmental Disability Services & Programs – July 28, 2009

Alternative Customized Program Option¹

The State Legislature required the Department of Developmental Services (DDS) to reduce the DD Budget by 334 million dollars. As a result, there are changes to the types and amounts of services that regional centers can purchase. This fact sheet describes the changes to determining your day program, any exceptions to those changes, and what will happen if the regional center wants to change your services.

How the Law Changed

Regional centers currently fund services and programs that consumers can participate in during the day. Some programs provide opportunities to work. The law requires the development of another option. The alternative customized program is an option for consumers who want to develop or maintain a job or do volunteer activities instead of their current day program. The regional center can fund anywhere from 20 to 80 hours for this option per month, depending on the individualized need of the consumer.

The following service providers must offer an alternative customized program option:²

¹ The changes are part of the Budget Trailer Bill (TBL) ABx4 9. You may find the law at http://info.sen.ca.gov/pub/09-10/bill/asm/ab_0001-0050/abx4_9_bill_20090728_chaptered.pdf. The changes affecting Alternative Customized Program Option are found in Welfare & Institutions Code, Section 4688.2.

- Behavior management
- Activity center
- Adult development center adult day programs
- Community integration training programs
- Community activities support services programs

If you want to participate in the alternative customized program, you can request an Individual Program Plan (IPP) meeting. At your next IPP meeting, the regional center must give you information and make this option available to you. The alternative customized program is only an option. At your IPP meeting, you can choose: 1) to continue with your current day services; 2) the new custom alternative option; 3) or ask the regional center for other service options.

What Will Happen If the Regional Center Wants to Change Your Services?

If your regional center wants to change your day program, it must either hold an IPP meeting and reach agreement with you about the change or give you a written notice.³ The notice must be given 30 days before the change begins.⁴ The notice must give you the following information:

- the action the regional center is taking;
- the basic facts about why the regional center is making its decision;
- the reason for the action;
- the effective date; and
- the specific law, regulation or policy that supports the action.⁵

If you are already receiving the service and you disagree with the regional center's decision and want to continue to receive it, you must request a fair

² This section is effective upon enactment of the TBL, which was July 28, 2009.

³ Usually, decisions about the services you need must be decided by an IPP team. Welfare & Institutions Code Section 4646.4(a)-(c). However, the law says if a regional center wants to reduce, end or change a service in your IPP without your consent, it has to give you a 30 day notice first. Welfare & Institutions Code Section 4710.

⁴ Welfare & Institutions Code Section 4710

⁵ Welfare & Institutions Code Section 4701. The information must also be in the language you understand.

hearing within 10 days of receiving the notice.⁶ Otherwise, the request must be made within 30 days.⁷

For more important information on how to appeal decisions by the regional center, read our fact sheet, Due Process and Hearing Rights.

⁶ Welfare & Institutions Code Section 4715

⁷ Welfare & Institutions Code Section 4710.5 (a)