



*California's Protection & Advocacy System  
Toll-Free (800) 776-5746*

# Changes to Supported Living Services<sup>1</sup>

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*July 2012, Pub #F028.01*

The State Legislature required the Department of Developmental Services (DDS) to reduce its budget by \$200 million for this fiscal year, 2012-2013. This reduction is in addition to significant reductions in prior fiscal years. As a result, there are changes to the services that regional centers can purchase and how the regional centers operate. The state budget also includes a provision for an additional \$50 million dollar reduction if the tax initiatives are not approved by voters in the November election plus a \$100 million reduction in fiscal year 2013-2014. If the additional cuts occur, DDS is required to have the reduction affect consumer services as little as possible. DDS shall consult with stakeholders groups, including, consumers, family members, advocacy groups, service providers and staff of regional centers and developmental centers to determine how the budget reduction will be achieved.

## **How the Law Changed**

In 2011, the law changed to require independent assessments for people currently receiving or initially entering Supported Living Services (SLS) when SLS costs exceeded a certain dollar amount. The provisions regarding specific requirements of an independent assessment have been repealed. The law now requires completion of a standardized questionnaire, for use during the IPP process, for all individuals in or entering supported living arrangements. The questionnaire is designed to

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<sup>1</sup> The changes are part of the Budget Trailer Bill (TBL) AB 1472. You may find the law at: [http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab\\_1451-1500/ab\\_1472\\_bill\\_20120613\\_amended\\_sen\\_v98.html](http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1451-1500/ab_1472_bill_20120613_amended_sen_v98.html) Changes affecting SLS are located at Welfare and Institutions Code, Sec 4689.

ensure that people in or entering supported living arrangements receive the appropriate amount and type of supports to meet their choices and needs.

The questionnaire can be found on DDS' website:

[http://www.dds.ca.gov/SLS/docs/DDS\\_SLS\\_StdAssmtQuestionnaire.pdf](http://www.dds.ca.gov/SLS/docs/DDS_SLS_StdAssmtQuestionnaire.pdf) <sup>2</sup>

The law is clear about when and how the questionnaire may be used. Examples include:

1. The IPP team is to complete the questionnaire at the time of development, review, or modification of an individual's IPP.
2. The purpose of the questionnaire is to assist the IPP team in determining if the services are necessary and sufficient, that generic resources are utilized to the fullest extent possible, and the most cost effective methods of service provision are being used.
3. The IPP team must still use the service provider's comprehensive assessment when making decisions.
4. If this process results in a reduction of services, the law is clear that the regional center must inform the individual of the reason for the reduction and provide the individual a written notice of fair hearing rights.

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

If your regional center wants to change your SLS either based on the assessment, it must either hold an IPP meeting and reach agreement with you about the change or give you a written notice.<sup>3</sup> The notice must be

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<sup>2</sup> Copy and paste into your browser to access the questionnaire.

<sup>3</sup> Usually, decisions about the services you need must be decided by an IPP team. Welfare and Institutions Code Sec. 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 must first give you a 30-day notice. Welfare and Institutions Code Sec. 4710

given 30 days before the change begins.<sup>4</sup> 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.<sup>5</sup>

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 hearing within 10 days of receiving the notice.<sup>6</sup> Otherwise, the request must be made within 30 days.<sup>7</sup> If exemptions are available and you think you meet an exemption, remember to additionally put "I meet an exemption" into your fair hearing request.

For more important information on how to appeal decisions by the regional center, read our fact sheet, Regional Center Due Process and Hearing Rights at <http://www.disabilityrightsca.org/pubs/F02601.pdf>.

*Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.*

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<sup>4</sup> Welfare and Institutions Code Sec. 4710

<sup>5</sup> Welfare and Institutions Code Sec. 4701. The information must also be in the language you understand.

<sup>6</sup> Welfare and Institutions Code Sec. 4715

<sup>7</sup> Welfare and Institutions Code Sec. 4710.5(a)