



*California's protection & advocacy system*

# How to Respond to Common Reasons for Denying SLS and What to Ask Potential SLS Agencies

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Supported living services (also called SLS) support people with disabilities so they can live in their own home or apartment. SLS lets people with disabilities have services that meet their specific needs.

The law changed in 2011 as part of the [Budget Trailer Bill](#). Now, there are a set of questions you and your IPP team must answer to get SLS. These questions will help you decide what types of services you may need. The form with these questions can be found on the DDS website [here](https://www.dds.ca.gov/SLS/docs/DDS_SLS_StdAssmtQuestionnaire.pdf), [https://www.dds.ca.gov/SLS/docs/DDS\\_SLS\\_StdAssmtQuestionnaire.pdf](https://www.dds.ca.gov/SLS/docs/DDS_SLS_StdAssmtQuestionnaire.pdf).

For more information on SLS and the changes in the law, please see Chapter 7 of the "Rights Under the Lanterman Act" on Living Arrangements for Adults and Children found [here](https://www.disabilityrightsca.org/publications/intellectual-developmental-disabilities/rights-under-the-lanterman-act-manual-rula), <https://www.disabilityrightsca.org/publications/intellectual-developmental-disabilities/rights-under-the-lanterman-act-manual-rula>.

## **What kind of services can I get through SLS?**

**Each SLS plan is different for each person. However, here are examples of the supports you can get with SLS:**

- Typical chores to keep the home clean and safe;
- Assist with your personal care;
- Help you go out in your neighborhood and participate in the community;
- Meet new people;
- Learn skills so you can work

The law does not list all of the services that SLS can provide. This is because SLS is supposed to change as your needs change.

## **Who can get SLS?**

To get SLS, you must be at least 18 years old, ask for it at your IPP meeting, and live in a home or an apartment.<sup>1</sup>

## **What if the regional center say no?**

Some regional centers have made it difficult for people to get SLS. Here are ways to respond to some of regional centers' denials.

### **1. SLS is not for people who need services 24 hours per day.**

There is no law that says you cannot get SLS if you need services for 24 hours a day. Denying SLS for this reason violates the purpose of the law.<sup>2</sup>

In one case, a judge approved the request for 24-hour SLS. The judge said the person could get SLS “as often and for as long as it is needed.”<sup>3</sup>

### **2. Your needs are too severe.**

Regional centers cannot deny you SLS because of the severity of your disability. SLS is supposed to serve your specific needs. There are also no limits to the cost of your SLS services. However, the services and supports must be “cost effective.”

For more information on what is “cost-effective,” read the Rights Under the Lanterman Act, Chapter 7.

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<sup>1</sup> Cal. Code Regs., tit. 17, § 58613(a)(1). – [\(Return to Main Document\)](#)

<sup>2</sup> Cal. Welf. & Inst. Code § 4689(a)(8); Cal. Code Regs., tit. 17 § 58613(b).  
– [\(Return to Main Document\)](#).

<sup>3</sup> *In the Matter of Karl B., v. Alta California Regional Center*, OAH No. 2012040640, February 20, 2013. – [\(Return to Main Document\)](#).

**3. SLS is too expensive for you.**

SLS must be cost-effective but the services must still meet your needs. Cost cannot be the only factor. The quality of the services and what you prefer must also be considered. For more important information on what is considered “cost-effective,” read our publication on the Rights Under the Lanterman Act, Chapter 7.

**4. SLS is not for you if you cannot direct your own care.**

People in SLS have the right to make their own choices and direct their own care. These rights do not add extra requirements for you to get SLS. A person in SLS can choose to use some of their rights and not use others, like what clothes to wear or what friends to see. You can get help with these choices and rights.

**5. A group home would be better for you.**

For some, because of individual needs, a group home is not the best fit. SLS allows people with disabilities to have a home with services specific for them. You can get services in a group home, but it is different than having a home of your own.

**6. You are not ready to live on your own with SLS.**

The decision about if you are “ready” to live in your own home is not for the regional center to decide. You decide if you are ready. If you choose, you can also get ideas from your family. If there are skills that you want or need, you can learn those while receiving SLS. You can also work with your provider on a plan to help you prepare and be ready to live in your home.

**7. Parent or conservator is asking for SLS, not the consumer.**

You are not the only one who can ask for SLS. Someone else can ask for you. A consumer can request SLS directly or through another person.

**8. You cannot receive SLS if you live with a family member.**

Yes, you can only receive SLS if you live in a home that you own or lease. If you live with a family member, you cannot get services that are called “SLS.” However, the regional center still has to provide the same type of

supports that are available through SLS.<sup>4</sup> The regional center has to use a different name for those services. They could be called attendant services, independent living services, or other types of services, depending on what you need.

**9. You need to have a roommate.**

You do not have to have a roommate to get SLS. For more information on having a roommate, please read our publication on the Rights Under the Lanterman Act, Chapter 7.

**10. SLS is not available in the area.**

The law says regional centers have to make services like SLS available in your community.<sup>5</sup> Regional centers also have to provide the services you need. If the regional center says no or they cannot provide the services, you can appeal the decision. For more information on appealing a regional center's decision, see Rights Under the Lanterman Act, Chapter 12: Disagreements with Regional Centers and Developmental Centers, found [here, https://www.disabilityrightsca.org/publications/intellectual-developmental-disabilities/rights-under-the-lanterman-act-manual-rula](https://www.disabilityrightsca.org/publications/intellectual-developmental-disabilities/rights-under-the-lanterman-act-manual-rula).

**11. The regional center wants to change your SLS.**

If your regional center wants to change your SLS, it has to do two things:

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<sup>4</sup> In *J.K. v. OAH*, the California Court of Appeals ruled that the regional center could deny the request for SLS because the consumer was living with a parent. However, the Court also decided that the consumer could receive services and supports that are similar to SLS even though she lives at home with a parent. It should be noted that the Court's decision is not published, which means other courts do not have to make the same decision in similar cases. *J.K. v. Office of Admin. Hearings*, No. E038673, 2006 WL 763675, at \*1 (Cal. Ct. App. Mar. 24, 2006). – [\(Return to Main Document\)](#).

<sup>5</sup> § 4648(a)(1). – [\(Return to Main Document\)](#).

1. Have an IPP meeting but you must agree to the change; or
2. Give you a notice in writing.

The regional center has to give you a notice 30 days before the change begins. The notice must also give you the following information:

1. The action the regional center is taking;
2. The reason for the action;
3. When the change will start; and
4. The law that supports the action.

If you do not agree with the regional center and want your services to stay the same until the hearing, you must ask for a fair hearing within 10 days of getting the notice. Otherwise, you must appeal within 30 days.

## **Selecting a SLS agency – Questions to Ask When Choosing a SLS Agency.**

(Adapted with permission from State Council on Developmental Disabilities, formerly Area Board 4)

Good news, your regional center approved your request for SLS! Now, here are questions you can ask when choosing a supported living agency. These questions can help you decide which agency will give you the kind of support you need.

### About the Agency:

1. How would you help me to live in my own home?
2. What services do you provide?
3. How long would it take you to start working with me?

### About the Staff:

1. Who are the people who would be helping me?
2. Can I pick the people I want to work with me?
3. If I need help at night or on the weekend, who would I call?

### Community Involvement:

1. How can you help me be a part of my community?
2. I like to do different things like (for example, dance, have pets). How can you help me do this?

Expectations:

1. Have you ever stopped support services for someone? Why?
2. What do you expect from me?

Connecting with Others:

1. How many other people does your agency help?
2. Can you give me the names and phone numbers of other people you have helped so I can speak to them?

Conclusion:

1. Is there anything else I should know about your agency?
2. Is there anything else you need to know about me?
3. How long will it take you to decide if you can work with me?

After the Meeting:

1. What did you like about the agency?
  2. What did you not like about the agency?
  3. Did you like the people you spoke with?
  4. Do you have other questions you would like to ask them?
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