

## **I. INTRODUCTION**

Disability Rights California provides state-wide clients' rights advocacy services for regional center consumers pursuant to a multi-year contract, HD119002, with the Department of Developmental Services (DDS) through the Office of Clients' Rights Advocacy (OCRA). The contract was renewed effective July 1, 2011, for a 5-year period ending June 30, 2016. This Annual Report is submitted pursuant to Exhibit A, Paragraph 13.O, for Fiscal Year 2012-2013.

OCRA has completed another successful year of service delivery. OCRA obtained positive results for numerous clients as evidenced in the attached statistics and Advocacy Report. During the past year, OCRA resolved 9,241 issues for consumers, an increase over last year. OCRA also participated in 368 trainings last fiscal year, presenting to approximately 13,197 people.

As a result of recent changes in the law the number of callers residing in restrictive settings has increased. This increase is expected to be even more significant in the coming years. The changes include notification to OCRA when a consumer is admitted to an IMD, there is a request for an extended stay for a consumer under age 21 in an IMD, a consumer files a petition for a writ of habeas corpus, or a comprehensive assessment for a consumer living in a developmental center is being reviewed at an IPP meeting. This is in addition to last years requirements related to notification of the CRA regarding admissions of new consumers to Fairview Developmental Center and the completion of comprehensive assessments for people residing in IMDs. These cases are time intensive and often require months of advocacy to successfully resolve. This a change from many of the types of cases previously handled by OCRA which could be resolved by attending a single IEP or IPP meeting or IHSS in-home assessment. Although the cases may be difficult, OCRA is excited about these new opportunities to secure community living for our consumers.

In addition to the emphasis on community living, OCRA has also participated in the stakeholder meetings regarding Purchase of Service (POS) data at almost every regional center. The disparities between ethnicities in the POS data reports is striking and needs to be better understood. OCRA staff participated in nearly all the

stakeholder meetings where the data was discussed. OCRA through its work with underserved groups is trying to understand and reduce this disparity. We are doing so through a combination of outreach, education, and direct advocacy. This is also time consuming but important work.

As people with developmental disabilities and their families are faced with challenges of trying to obtain services from generic agencies, the regional centers, and move from segregated institutional models of care to the least restrictive options, OCRA's work has grown even more vital. Just as vital has been our collaboration and positive working relationships with both DDS and the regional centers. With support from those agencies serving people with developmental disabilities, OCRA's efforts to help ensure the rights of people with developmental disabilities throughout the State of California continues to be successful.

To best perform this work OCRA currently operates 22 offices throughout the State of California, most of which are staffed by one CRA and one Assistant CRA. This enables our staff to be accessible and best understand the local community. A list of the current staff and office locations is attached as Exhibit A.

## **II. PERFORMANCE OBJECTIVES**

Disability Rights California's contract with DDS requires performance objectives as established in Exhibit A, Page 14, Paragraph M, of the contract. Each of the specific required outcomes is discussed in the following Sections A through F. The contract does not set specific numbers for performance for the outcomes.

### **A. Services are provided in a manner that maximizes staff and operational resources.**

OCRA continues its tradition of serving a large number of people with developmental disabilities. OCRA handled 9,241 issues for regional center consumers during the fiscal year. People with developmental disabilities face challenges obtaining benefits from a variety of agencies and require assistance in many different areas of the law. OCRA successfully represented and educated people on many different legal issues. OCRA also helped to remedy systemic

problems. The statistics, attached as Exhibit B, are discussed below and show the wide variety of issues and the large number of cases handled by OCRA staff, as does a copy of the advocacy report, covering January through June, 2013, included as Exhibit C.

### **1) Advocacy Reports.**

OCRA staff take great pride in their cases. Each advocate regularly submits a summary of at least one case that has practical value to their supervisor. In an effort toward brevity, the case summaries have been greatly reduced to reflect just a sampling of the types of cases that OCRA handled. A longer Advocacy Report is available upon request. The first half of the fiscal year cases were summarized in the Summer and Fall, 2012, Advocacy Report, which was previously submitted in the Semi-Annual Report. The summaries from January, 2013, through June, 2013, are compiled and attached as Exhibit C.

We are pleased that these advocacy examples show the extraordinary value of OCRA's work. Many of these cases reflect resolution of systemic problems through direct representation in a few cases or through involvement on committees and building relationships. These cases also represent both new areas of need including the transition to Medi-Cal Managed Care and constant areas of need like IEP advocacy. Lastly, these cases are representative of the wide breadth of issues that OCRA handles.

A few examples of the advocacy:

#### **OCRA Assists Consumer in Obtaining 24 Sessions of Speech Therapy from Medi-Cal.**

M.F. is nine-years-old and he is five years delayed in speech, which causes him to have behavioral problems. His speech therapist submitted a Treatment Authorization Request (TAR) to the Medi-Cal managed care entity in his county. The TAR was denied and M.F.'s parents appealed.

The Managed Care entity issued a Notice of Decision denying the Appeal. It stated that "Medi-Cal does not cover treatment for Autism, which is the diagnosis listed as the cause of the patient's speech

problem. Disorders related to mental health issues are covered by the local health department. School districts often will provide speech therapy also.”

OCRA with the clients’ permission enlisted the help of the Disability Rights California (DRC) regional office staff. They contacted the Managed Care entity. Initially the entity cited Health and Safety Code Section 1374.72(d)(7), part of the Mental Health Parity provisions, for authority that autism is a mental health diagnosis. However that provision supported M.F.’s eligibility for the service. Regional office staff and OCRA argued that the broader provisions of Medi-Cal medical necessity and ESPDT law also applied.

The Managed Care entity stated that it would grant a resubmitted TAR. It then granted M.F. 24 speech therapy visits over a six month period.

### **OCRA Assists Consumer in Obtaining Reimbursement for IHSS Hours.**

K.C. contacted OCRA to obtain assistance when his Medi-Cal benefits were wrongfully denied. OCRA quickly assisted in communicating with Medi-Cal and advocated for his eligibility to be reinstated. Although his Medi-Cal benefits were reinstated, K.C.’s IHSS benefits that were paid for by Medi-Cal were not paid for an entire month. K.C. had to obtain a loan to pay his IHSS providers for the services they had provided him throughout the month he was denied Medi-Cal benefits.

OCRA assisted K.C. in filling out a Conlan Claim to obtain reimbursement for Medi-Cal benefits that he paid out of pocket while denied benefits. A Conlan Claim is a process where a person can be reimbursed for out of pocket IHSS funding, when IHSS is wrongly terminated.

OCRA drafted the Conlan Claim on K.C.’s behalf and submitted it. After submitting the claim, K.C. received a full reimbursement of the IHSS hours.

### **F.P. Obtains Speech and Language Services from the School District.**

F.P. is a 3-year-old with significant disabilities, including seizures, a G-tube and trachea tube, blindness, and constant hospitalizations for pneumonia and infection. F.P.'s parent contacted OCRA because F.P. was transitioning from the regional center into the school system, and F.P.'s parent was concerned that F.P.'s ongoing educational services would be terminated. The school district previously told the parent that F.P.'s speech and language services would be terminated because F.P. was not verbal and therefore would not benefit from language and speech services.

OCRA agreed to represent F.P. at the Individualized Education Plan (IEP) and advocated for the school district to provide speech and language services. At the IEP, the school district agreed to provide speech and language therapy including individual sessions.

### **OCRA Assists Client in Accessing Counseling through the Victim Witness Fund.**

J.L. had been a victim of a crime and she was receiving counseling through her family's health insurance to deal with effects of the crime. The counseling sessions were helping with J.L.'s behaviors. However, the insurance co-payments and deductibles were making it difficult for her parents to continue paying for the counseling.

OCRA assisted the family in accessing the Victim Witness Program. OCRA wrote a letter to the Victim Witness Program, which accompanied J.L.'s application. The Victim Witness Program accepted J.L.'s application to the program. J.L. will be reimbursed for the health insurance co-payments and will be able to continue to receive counseling.

## **2) Analysis of Consumers Served.**

OCRA handled a total of 9,241 cases from July 1, 2012, through June 30, 2013. Included as Exhibit B is the complete compilation of data for the fiscal year.

The data has been compiled by:

1. Age
2. County
3. Disability
4. Ethnicity
5. Gender
6. Living Arrangement
7. Type of Problem (Problem Codes)
8. Service Level

The largest number of consumers served by age, 2,408 during this time period, was individuals in the 4-to-17 years-old age group. The next largest is the 23-40 age group with 1,500 people served. The ratio of males to females served also remains consistent. For those cases where gender is recorded, OCRA has traditionally served more males than females, 64 percent of the consumers served being male and 36 percent being female in this reporting period. This representation of males in the system is consistent with historical trends related to people with developmental disabilities and the continuing research into autism and other disorders.

The percentage of consumers residing in the parental or other family home remains by far the largest number of consumers served with 6,623 consumers living in the family home or 71 percent of the cases handled. The next largest group served is those living independently, with OCRA serving 1,291 people or 14 percent with this living arrangement. OCRA represented four consumers admitted to Fairview Developmental Center pursuant to Welfare & Institutions Code §4418.7. Staff also participated in IPP meetings for consumers at Sonoma Developmental Center, Fairview Developmental Center, IMDs, and other restrictive settings.

OCRA strives to effectively serve all regional center clients across California. OCRA's statistics on the ethnicity of consumers served for the year show OCRA's continuing commitment and success in serving underserved communities. For example, 35.2% of consumers served by OCRA identified as Hispanic/Latino. This nearly mirrors the 35.6% of regional center consumers identified as Hispanic/Latino. The same is true for those consumers identifying as African American, 10.7% of consumers served by OCRA and 9.41%

of regional center consumers. To further this goal, OCRA staff carefully reviewed the Purchase of Service (POS) Data collected by regional centers under Welfare & Institutions Code § 4519.5. OCRA staff also attended many local stakeholder meetings. OCRA will continue to monitor the POS Data and participate where appropriate.

### **3) Analysis of Consumers Assisted with Moving to a Less Restrictive Living Arrangement.**

Given the changes to the law regarding OCRA notification about people living in restrictive settings such as developmental centers, IMDs, and MHRCs, it is important to review the casework in this area. During this fiscal year, four consumers were placed at Fairview Developmental Center. OCRA has directly represented the consumer in all four of these cases. This involved reviewing records, interviewing and developing a relationship with the consumer, attending meetings and court dates, and continuous advocacy for movement back to the community.

Following the mandatory notification of OCRA regarding comprehensive assessments for people residing in IMDs and MHRCs, OCRA has represented in fourteen (14) cases. OCRA learned of cases through a variety of sources. Although regional centers are expected to notify OCRA, OCRA was only notified of seven (7) cases by regional centers, the other cases came through other referrals. This may have been a result of regional centers misunderstanding the requirements of the law. OCRA staff have been meeting with their regional centers to develop a structure for notification regarding these cases and cases under the recent changes to the law. We had an immediate increase in notifications in July 2013. For the fourteen (14) cases where OCRA provided direct representation staff spent considerable time advocating for less restrictive options. In many other cases, OCRA provided counsel and advice to consumers, family members, and public defenders. In both the developmental center and IMD cases, OCRA has been successful in getting many consumers moved into the community.

### **4) Outreach/Trainings.**

Outreach and Training serve two important purposes: 1) notifying people about the availability of OCRA assistance and 2) educating

people about their rights. Teaching small groups of people is an effective tool in maximizing staff resources and ensuring that people have the tools to advocate for themselves. OCRA provides training on numerous issues to a wide variety of people. Training audiences include direct consumers, family members, regional center staff and vendors, and community members. These trainings include but are not limited to, consumers' rights, abuse and neglect issues, IHSS, special education, voting rights, SSI, rights in the community, and alternatives to conservatorships, among other topics.

During the last fiscal year, OCRA presented at 368 trainings with a total attendance of approximately 13,197 people at the various trainings. Although OCRA presented at the exact same number of trainings as during the last fiscal year, the number of attendees dropped. Some of these trainings were for smaller groups of people where OCRA staff could ensure that attendees fully understood the subject matter and had an opportunity for questions. Given the importance and complexities of many of the topic areas it is important that staff train in small groups.

In order to provide assistance to individuals from traditionally underserved communities OCRA has developed target outreach plans. Each OCRA office target at least three outreaches per year to a specific group of persons who are underrepresented in the office's catchment area. To help with this, OCRA has appointed Beatriz Reyes as the Southern California Outreach Coordinator and Kendra McWright as the Northern California Outreach Coordinator. The coordinators advise staff in implementation of their target outreach plans. These are two year plans based upon an evaluation of the original outreach plans' results, new census data and figures from DDS regarding the ethnicity of consumers served by each regional center. This fiscal year was the conclusion of the two-year cycle. A detailed report on target outreach and training is included as Exhibit D.

**B. Issues and complaints are resolved expeditiously and at the lowest level of appropriate intervention.**

From July 1, 2012, through June 30, 2013, OCRA resolved 9,241 issues for consumers. Of those served, all but 64 were resolved informally. This means that more than 99 percent of all the matters



that OCRA handled were resolved informally. Data showing this is attached as Exhibit E.

**C. Collaborative and harmonious working relationships are fostered.**

OCRA staff have done a wonderful job of collaborating with the local regional centers, stakeholders, and community members. Some examples of collaboration include serving on Behavioral Modification Review Committees, Risk Assessment Committees, County Coordinating Councils, Supported Life Training Planning Committees, Appeals and State Hearings Interagency Collaborative, Autism Taskforce, Transitions Coalition, and assorted others. Many staff also meet regularly with regional center staff and community partners to share ideas and expertise.

This philosophy of collaboration is not only incorporated into Disability Rights California's contract with DDS, but is also recognition that some of the most effective advocacy takes place because of interpersonal relationships and informal advocacy. The success of this philosophy is demonstrated by the number of calls OCRA receives from varied sources, by its ability to resolve matters informally, and by its recognition as an excellent resource for people with developmental disabilities.

**1) Memorandums of Understanding.**

OCRA has established Memorandums of Understanding (MOUs) with each regional center that addresses that center's individual needs, concerns, and method of operation. Generally, MOUs are updated as needed however, with a new OCRA Director this year MOUs are being reviewed and appointments are being set. These meetings have been productive and positive. OCRA has very good working relationships with many regional centers. During this fiscal year MOUs were updated at Alta California Regional Center, Far Northern Regional Center, North Los Angeles County Regional Center, Valley Mountain Regional Center, and Westside Regional Center during this fiscal year. Copies of all MOUs have been forwarded to DDS. The status of each revised MOU is listed in Exhibit F.

## **2) Meeting with Association of Regional Center Agencies (ARCA).**

Catherine Blakemore, Executive Director, Disability Rights California, Katie Hornberger, Director, OCRA, and Eileen Richey, Executive Director, Association of Regional Center Agencies, met on November 8, 2012. At that time, several issues were discussed and it was determined that further meetings would be planned as needed. Since that time, Ms. Hornberger met with Ms. Richey and other ARCA staff regarding possible collaboration on future issues with generic service agencies with which consumers frequently interact.

### **D. Consumers and families are satisfied with the services provided.**

Disability Rights California recognizes the importance of consumer satisfaction. OCRA is committed to serving consumers and family members in a manner and with results that ensure consumer and family satisfaction with the services provided.

#### **1) Consumer Satisfaction Survey.**

OCRA measures consumer satisfaction by use of an instrument developed jointly by staff, the OCRA Consumer Advisory Committee, and DDS.

From the results of the most recent survey, it is clear that consumers remain satisfied with the services provided by OCRA.

Two thousand and one (2,001) surveys were mailed out. Four hundred and fifty-two (452) people returned the survey. This represents a 23 percent return rate of the surveys. This return rate represents an increase over last fiscal year.

Of those responding to the questions, 95 percent of the responders felt they were treated well by the staff, 92 percent understood the information they were provided, 92 percent believed their CRA listened to them, 85 percent believed they were helped by the CRA, and 91 percent would ask for help from OCRA again. See Exhibit G, which discusses the results of OCRA's survey.

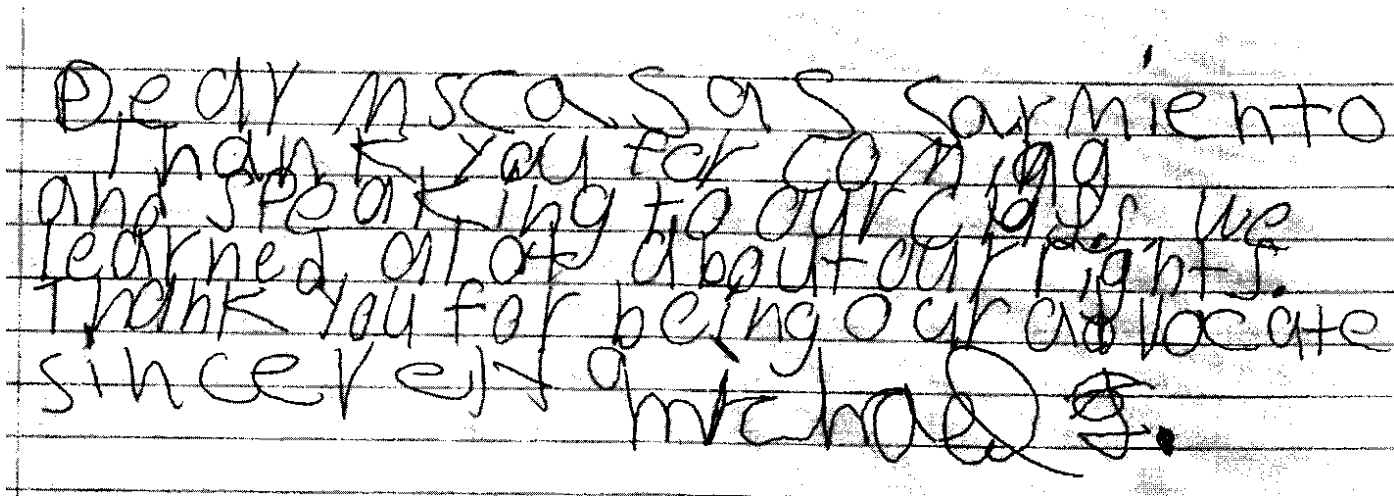
The OCRA management team call back all responders who request a call back and those with any negative responses that have supplied contact information. In this way we are able to remedy any concerns and provide additional support to consumers.

OCRA is concerned that only 85 percent of responders believed that they were helped by the CRA. To better understand this number we examined the data by regional center. We discovered particularly low levels of satisfaction at a handful of OCRA offices. Three of those offices had periods of staffing changes this year which likely contributed to the lower than expected levels of satisfaction. With new staff in place and staff back from leaves of absence I am optimistic that client satisfaction will increase. The management team has worked with staff at all of these offices to provide higher levels of service to callers.

## **2) Letters of Appreciation.**

OCRA consumers and family members often take the time to write letters of appreciation. These kind words and the time it took to send them represent the high value of the work performed by OCRA staff.

Below is just a sampling of the many letters received.<sup>1</sup>



Dear MSCASO Sarmiento  
Thank you for coming  
and speaking to our class. We  
learned a lot about our rights.  
Thank you for being our advocate  
Sincerely  
Michael S.

<sup>1</sup> OCRA is providing the letters of appreciation with the wording from the originals, including any grammatical errors, unless otherwise indicated. We have also edited client names.

(Dear Ms. Casas Sarmiento:

Thank you for coming and speaking to our class. We learned a lot about our rights. Thank you for being our advocate.)

Asa,

Decision came in yesterday's mail.

We won.

The judge ordered a total of 221.3 hrs which includes 195 hrs of protective supervision retro to 12/11.

I will have it scanned later this am if it hasn't come to you yet. Just drop me a note or call if you'd like me to send it.

There is absolutely no possible way I could ever thank you enough.

You were a rock for us, and took over achieved what I could only hope to do. But most importantly, Pat now has a resource that can make his life better.

Thank you from all of us.

DeAR christine/mary

Thank You For Showing us the office of  
Rights and Advocacy. I learned if Regional  
center Doesn't help me find a Job I can  
come here. You will talk to your Regional  
center work to help you find a Job

(Dear Christine/Mary:

Thank you for showing us the Office of Rights and Advocacy. I learned if regional center doesn't help me find a job, I can come here.

You will talk to your regional center work to help you find a job.)

Estimada Beatriz Reyes gracias por su ayuda no sabe cuanto le agradezco que se preocupe por sus clientes yo personalmente le doy las gracias por todo su trabajo y apoyo que me a dado nunca nadie se abia portado tan bien con migo como usted usted es una excelente trabajadora y un gran ser humano que trabaja con amor y entusiasmo siempre atenta y buscando como ayudar a las personas que la necesitan usted no deja su trabajo para despues usted trabaja siempre contenta y haciendo el bien yo nunca me voy a olvidar de cuanto me a ayudado y siempre le voy a estar muy agradecida por todo y estoy muy contenta con la compa- nia de los derechos del cliente por saber elegir sus trabajadoras como usted y la srta Veronica que son tan profesionales y humanas dedicadas a su trabajo gracias por ser como son. Dios las Bendiga Siempre

(Dear Beatriz Reyes. Thank you for your assistance you do not know how thankful I am that you worried about your clients. I personally thank you for all your work and support that you have given me. Never has anyone treated me as well as you did. You are an excellent worker and a great human being that works with love and enthusiasm. Always attentive and searching for ways to help people that need you. You never leave your work for another time. You always work happy and doing good (for others). I will never forget how much you helped me and will always be grateful for everything and I'm happy with OCRA for being able to choose their staff like you and Veronica, which are very professional and dedicated to your work. Thank you for being the way you are. May God bless you always.)

Ms. Katie Meyer,  
Once Again, thank you for all your help with our numerous concerns dealing with IHSS. We are grateful for your intervention. You made it seem easy however, we know how difficult this process is for all those who have not been as fortunate to receive help from Katie Meyer at Client Rights Advocacy!!

Thank you for letting us know Mr. Wong is in receipt of our timecards. We will let you know when we receive a response from the processing center. Also, going forward we are clear we need to keep following directions and sending our timecards as instructed. Trusting that this time the processing center will not lose them and everything will be processed in a timely fashion. The great news is to have a new case manager and hopefully have a better and more courteous relationship with her going forward.

Dear Rita and Filomena,

My family and I would like to thank you two for helping us. Because of you two, I have hope and confidence to advocate for my daughter. You two are making a difference in so many peoples' lives. I just want both of you to know that we appreciate everything you have done for us and more.

Keep up the good work.

(Dear Rita and Filomena. My family and I would like to thank you two for helping us. Because of you two, I have hope and confidence to advocate for my daughter. You two are making a difference in so many peoples lives. I just want both of you to know that we appreciate everything you have done for us and more. Keep up the good work.)

To Whom It May Concern,

This letter is in regards to Annie Breuer and Yulahlia Hernandez. I just wanted to take a moment on behalf of my son to thank Annie Breuer as well as Yulahlia Hernandez. I have worked with Ms. Hernandez in the past and have always found her to be thoughtful, considerate, kind, empathic, and compassionate as well as professional toward my son's disability. I have now found that Annie has the same qualities and high standards as Yulahlia. I really appreciate these two young ladies working together to keep me informed about what Andreas's rights actually are.

Annie was very diligent and professional in returning my phone calls and giving me very pertinent information that helped me advocate for my son. While I worked mostly with Annie in my latest attempt to find the best solution for Andreas I have always known Yulahlia is a wealth of information and support as well when I have needed her in the past. And I always know Yulahlia is there for the future if I need her if anything else comes up that may affect Andreas's future as he becomes a young adult. Yulahlia has worked with my family and my son since he was a little guy. He is now 21 and will be 22 on December 29<sup>th</sup>. Over the years Clients' Right's Advocacy has been a very supportive avenue in finding the right course of action for my son. Annie and Yulahlia are assets to this organization. Please recognize these two stellar employer's by acknowledging them in the organizations support and encouragement on behalf of me and my son.

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Annee,  
I really do not  
know what I would  
do without you. you  
are a truly wonderful  
lady with a caring  
heart for our loved  
ones with special  
needs. I truly do  
appreciate you Annee,  
God Bless.

(Aimee, I really do not know what I would do without you. You are a truly wonderful lady with a caring heart for our loved ones with special needs. I truly do appreciate your Aimee. God Bless.)

Thanks so much Mario. I appreciate your time and helpful advice. Thank you too for choosing a career that helps people with disabilities and their parents. What you do makes a difference. Godspeed.

Leinani and Christine.

Your office has been involved with our family over the last year. You have been incredibly instrumental in our daughter's appeal of the denial of developmental disability services. What would we have done without your office? I do not know....we are incredibly grateful and now have more hope for the future.

As U.S. citizens, returning from living abroad for over 20 years, we have had our adjustments. The past 22 months back in the U.S. without necessary supports for our daughter have been very difficult. Even though the U.S. is our home country, we sometimes feel like foreigners. EB's situation has been some of that experience. In Canada, EB was accepted into "the system" with compassion. We actually were surprised Canadian professional's recommendations were not initially honored. The U.S. system would save a lot of time, money and pain if it were more open in that way.

Your office is a necessity in this system! It proves the necessary balance and a just and compassionate consideration of those who do not obviously fit the narrow parameters at first glance. Your office and the work that it has done for EB gives what its citizens need; we must make a priority to support people with disabilities.

This letter is meant as a big thank you for all you and your office have done. Without necessary social services EB would be more vulnerable to inability, illness and decline. Now we have hope that she will have more opportunity to grow into a contributing and more whole person in this society.

With deep gratitude,  
EB's Mother

### **3) Cases will be handled in a timely manner.**

Consumers and families contact OCRA because something has gone wrong for them. It may be that they are losing a government benefit,



being forced to move to a new more restrictive environment, or another urgent situation. Therefore, it is important that OCRA staff be responsive. For this reason, OCRA has, since its establishment, had a policy that all calls will be returned as soon as possible, but not later than closing of the next business day. OCRA measures its performance in this area by use of its consumer satisfaction survey; see Exhibit G, discussed more fully above. OCRA statistics shows that 85 percent of all callers to OCRA received a call back within two days during the last fiscal year. To better understand this number, we looked at the data by regional center. A small number of OCRA offices had dramatically fewer people indicating that they received a call back in two days. We provided targeted training to those offices with especially low statistics. OCRA hired an additional support person to assist with Spanish speaking callers at the busiest offices in the state. OCRA is also looking at a new call log system to ensure that it provides exceptional services for all callers. With these changes we are optimistic that we can increase our timeliness of serving clients.

**E. The provision of clients' rights advocacy services is coordinated in consultation with the DDS contract manager, stakeholder organizations, and persons with developmental disabilities and their families representing California's multi-cultural diversity.**

OCRA works through the OCRA Advisory Committee to ensure that this performance outcome is achieved. Attached as Exhibit H is a list of the members of the Disability Rights California Board of Director's OCRA Advisory Board Committee effective June 30, 2013.

Public members of the Advisory Committee are appointed by the Board of Directors. In the selection process, the Board considers geographical diversity, both rural and urban and north and south, type of developmental disability represented, and ethnic background, in addition to the qualifications of the individual applicants.

The Board OCRA Advisory Committee provides valuable insight to the OCRA staff. A wide variety of topics are addressed at the meetings and board members become better self-advocates as a result of having been on the committee. Minutes for the meeting held on September 21, 2012, were provided with the Semi Annual Report.

The minutes for the March 1, 2013, meeting are included as Exhibit H.

DDS staff is invited and encouraged to participate in the next meeting, which is set for September 20, 2013, in Burbank.

**F. Self-advocacy training is provided for consumers and families at least twice in each fiscal year.**

Welfare and Institutions Code, Section 4433 (d)(5), requires that the contractor providing advocacy services for consumers of regional center services provide at least two self-advocacy trainings for consumers and family members. Disability Rights California's contract with DDS mirrors this language. OCRA strongly believes in the importance of self-advocacy and requires each of its offices to provide at least one self-advocacy training for consumers per year, far exceeding the two mandated trainings. Many offices provide more than one training per year. For example, OCRA staff that serve Valley Mountain Regional Center consumers presented ten (10) self-advocacy trainings this fiscal year. These trainings serve a vital role in educating consumers about their rights and how to stand up for themselves.

Staff may present from any of the approved self-advocacy trainings. To date, OCRA has developed five separate packets of information for OCRA staff to use in the mandated trainings in addition to the DDS Consumer Safety materials and the living arrangement options materials developed by DDS as part of the settlement in *Capitol People First*.

OCRA also developed a new training on least restrictive housing options that was piloted at the May 2013 Self-Advocacy Conference in Sacramento. The training was well received and is being tested in Southern California currently. Once the training is tested again, we will provide DDS will copies of the materials.

Samples of the OCRA self-advocacy packets (all are in both English and Spanish), were provided separately in a binder marked OCRA Training Materials with the 2007-2008 Annual Report. In discussions with DDS's Contract Manager, it was decided that OCRA should not submit duplicate training packets in this year's annual report. As

always, OCRA welcomes comments from DDS on any training packets.

OCRA is required to report in its Annual Report an evaluation of the self-advocacy trainings. OCRA has randomly selected consumer training satisfaction evaluations for inclusion in this Annual Report. Almost without exception, consumers are pleased with OCRA trainings. A list of Self-Advocacy Trainings held last year are in Exhibit I.

### **III. TITLE 17 COMPLAINTS**

CCR, Title 17, Section 50540, sets forth a complaint procedure whereby a regional center consumer, or his or her authorized representative, who believes a right has been abused, punitively withheld or improperly or unreasonably denied, may file a complaint with the Clients' Rights Advocate. The Complaint process is similar to that established by Welfare & Institution Code, Section 4731. However, the later law offers more consumer protections. There were no Title 17 Complaints filed during the last fiscal year, as noted on Exhibit J.

### **IV. DENIAL OF CLIENTS' RIGHTS**

CCR, Title 17, Section 50530, sets forth a procedure whereby a care provider may deny one of the basic rights of a consumer if there is a danger to self or others or a danger of property destruction caused by the actions of a consumer. The Clients' Rights Advocate must approve the procedure and submit a quarterly report to DDS by the last day of each January, April, July, and October. OCRA is including the reports concurrently with the contractual date to provide OCRA's reports. If this is not acceptable to DDS, OCRA will submit duplicate reports as requested. Attached as Exhibit K is the current log of Denials of Rights from the OCRA Offices.

### **V. CONSUMER GRIEVANCES**

Exhibit A, Paragraph 12, of the contract between DDS and Disability Rights California requires OCRA to establish a grievance procedure and to inform all clients about the procedure. DDS has approved the grievance procedure developed by OCRA. The procedure is posted

prominently in both English and Spanish at each office. Additionally, the grievance procedure is included in all letters to consumers or others who contact OCRA, when an office declines to provide the requested service to that person.

There were three grievances filed by consumers or their families during the past fiscal year. Two grievances continued to the second level to be heard by the Disability Rights California Board of Directors. One grievance was send on to DDS for review. OCRA provided staff with additional training in response to suggestions offered by DDS in response to the grievance. Information concerning each grievance has previously been submitted to DDS. Attached as Exhibit L is a chart detailing the grievances filed against OCRA during this period.

## **VI. COLLECTION OF ATTORNEYS FEES**

OCRA does not charge consumers, their families or advocates fees for services nor does OCRA seek to recover costs from these individuals. Clients' Rights Advocates who are licensed to practice law in California, or Assistant , Associate, or unlicensed Clients' Rights Advocates, all of whom work under the supervision of an attorney, can collect attorney's fees and costs similar to those collected by private attorneys or advocates for special education cases or other cases where there are statutory attorney's fees. OCRA collects fees only in special education cases or Writs of Mandamus. Fees and costs may be negotiated at mediation or can be received in those cases where an Administrative Law Judge has made a determination that the petitioner is the prevailing party. Fees are collected from the opposing party, which is normally a school district. Costs include any expenses to the Petitioner or OCRA for suing, such as filing fees or costs of expert evaluations. Neither Disability Rights California nor OCRA ever collect attorney's fees from consumers.

OCRA did not collect any attorneys fees this fiscal year.

## **VII. RECOMMENDATIONS FOR ENHANCEMENT OF SERVICES**

The contract between DDS and Disability Rights California requires that on an annual basis Disability Rights California make recommendations to DDS as to potential methods of enhancing the services that OCRA provides for regional center consumers.

The support of DDS through the years has made it possible for OCRA to effectively and efficiently serve consumers. However, the demand for OCRA services continues to increase. Disability Rights California was very pleased with the restoration of the 1.25% reduction from the 2011-2012 budget year and the case load increase and quickly turned it into additional staff to assist consumers directly, more could be effectively used to directly serve consumers in large facilities. As mentioned in Section II.A.3, OCRA has directly represented in 18 cases involving people living in restrictive settings and provided counsel and advice on numerous others. This number is expected to increase with the additional notifications to OCRA recently passed into law. Additional funding to increase staffing to aid in this additional work would be extremely helpful.

## **VIII. CONCLUSION**

OCRA continued to provide exceptional service to people with developmental disabilities throughout the state. OCRA handled over 9,421 cases the last year, an increase over last year. Additionally, OCRA provided 368 trainings to over 13,197 consumers, family members, regional center staff and vendors, and interested community members. All while meeting each of its performance objectives. OCRA looks forward to continuing to work with people with developmental disabilities and helping access the services and supports they need to live the most independent and productive lives possible.