

OCRA SEMI-ANNUAL REPORT
(July 1, 2008 - December 31, 2008)

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I. INTRODUCTION

Disability Rights California, formerly Protection and Advocacy, Inc., provides state-wide clients' rights advocacy services for regional center consumers pursuant to a five year contract, HD069010, with the Department of Developmental Services (DDS) through its Office of Clients' Rights Advocacy (OCRA). The current contract is effective through June 30, 2011.

OCRA takes great pride in its accomplishments. The statistics and work product for the past six months, which are discussed throughout this report, give ample evidence of continuing effective advocacy. During the past six months, OCRA resolved over 4,556 issues for consumers and participated in approximately 347 trainings presented to approximately 10,887 people.

OCRA currently operates 23 offices throughout the state of California, most of which are staffed by one CRA and one Assistant CRA. A list of the current staff and office locations is attached as Exhibit A.

Disability Rights California greatly appreciates the support and efforts of DDS and the regional centers in OCRA's performance of this contract. Without support from those agencies serving people with developmental disabilities, OCRA's efforts to ensure the rights of people with developmental disabilities throughout the State of California would not be so successful.

Disability Rights California is concerned about the impact any future budget reductions will have on its ability to provide the same level of services to regional center consumers. Although we were able to absorb the 2008 reduction without adversely affecting our operations, any further funding reduction will likely come at the expense of client services. We look forward to meeting with DDS to discuss the budget.

II. PERFORMANCE OBJECTIVES

Disability Rights California's contract with DDS requires performance outcomes, as established in Exhibit E, Paragraph 3, of the above-

referenced 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. OCRA is willing to establish specific numbers in conjunction with DDS, if it so desires.

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 4,556 issues for regional center consumers during the first 6 months of the fiscal year. The breath of issues in these cases is staggering and mandates that staff know the current law that affects people with developmental disabilities in an extremely large number of areas. 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.

1) Advocacy Reports.

Each advocate provides on a quarterly basis a summary of at least one administrative hearing or other case that has unique situations from which others can learn and that can be used as examples of the advocacy that OCRA accomplishes. The summaries for Fall, 2008, and Winter, 2008, are compiled and attached as Exhibit C. OCRA is extremely pleased that such outstanding examples of advocacy are available to show the value of the work that OCRA accomplishes. A few examples of the advocacy:

G.L. Found Eligible for Medi-Cal.

G.L. was diagnosed with cancer but did not have any medical insurance to pay for the cost of the surgery his physician was recommending. G.L. had applied for Medi-Cal but was experiencing long delays in the county processing his application. After several months of waiting, G.L. was referred to OCRA for assistance. OCRA agreed to provide direct representation. OCRA requested that the county find G.L. presumptively disabled for Medi-Cal because he was a person with mental retardation and he had cancer. The county denied presumptive disability.

OCRA filed a request for an administrative hearing. In preparation for hearing, OCRA requested that the regional center fund an updated psychological evaluation because the most recent one was 20 years old.

The county had sent G.L.'s application to the State Disability Evaluation Determination (DED) office. The updated psychological evaluation was provided to the state DED eligibility worker who found G.L. had a disability which qualified him for Medi-Cal. When the county determined that G.L. was eligible for full scope Medi-Cal with no share of cost, the hearing request was withdrawn.

S.P. Gets a Spanish Speaking 1:1 Aide in an Autism-Specific Special Day Class.

S.P. is a 6-year-old monolingual Spanish-speaking child with Autism. S.P.'s mother contacted OCRA for help because S.P. would plead not to be sent to school each morning, and because she was not making any educational progress. OCRA made a classroom observation, and found that S.P. was not able to communicate even her most basic needs to her teacher or to the classroom aide, because neither of them spoke or understood any Spanish. In addition, the curriculum and teaching methods being used in S.P.'s classroom had not been designed for children with Autism. As a result, S.P. was observed to spend most of her time crying or wandering aimlessly around the classroom.

OCRA advocacy at several IEP meetings resulted in a change in placement to an Autism-specific special day class (SDC), but there were no Spanish speakers in the new classroom.

Because the district refused to provide a Spanish-speaking classroom aide to support S.P., OCRA filed for hearing against the district. After two mediation sessions, the school district agreed to provide S.P. with a 1:1 Spanish-speaking aide from a non-public agency, trained in ABA, to support S.P. in her new classroom. The district also agreed to provide S.P. with 76 hours of 1:1 in-home ABA instruction during the 2008-2009 extended school year.

SSI Reinstated at Hearing.

T.O. has been a regional center consumer for over twenty years. He participated in a sheltered and assisted work program through a program vendored by the regional center. In 1999, T.O.'s "earnings" through the work program were improperly reported by the work program to the IRS on a 1099 Independent Contractor Earnings Form. In August, 2006, the SSA issued a Notice of Termination of Benefits and an Overpayment Notice,

based upon the contention that T.O. had been engaged in substantial gainful employment (SGA) since 1999 due to his earnings.

OCRA submitted a Request for Reconsideration and an Overpayment Waiver Request. The waiver was put on hold by the SSA pending the review of the Reconsideration. The matter was not favorably resolved at the Reconsideration, so an Administrative Hearing was requested. The hearing was held in August, 2008. A favorable decision was issued.

The main issue on appeal was whether T.O.'s work established an ability to perform SGA. Based upon evidence produced regarding the sheltered nature of the work setting, the relaxed job duties, and the low productivity ratings, the ALJ found that all work performed was subsidized, and that at no time had SGA been performed, nor did T.O. have the ability to perform SGA.

Based upon the foregoing, T.O. was found to be eligible for benefits at all times. The termination notice was rescinded, thereby cancelling the alleged overpayment of over \$72,000.

J.H.'s Receives More Than \$20,000 in Retroactive Payments.

J.H. is a 9-year-old with severe disabilities, whose mother is his primary care provider. After undergoing major surgery in late 2005, J.H.'s paramedical needs increased. On several occasions, beginning in January, 2006, J.H.'s mother notified IHSS about the impact of J.H.'s surgery, but the county failed to conduct a reassessment, and no adjustment was made in the number of IHSS hours.

J.H.'s mother contacted OCRA for help. OCRA filed for hearing, and then agreed to a conditional withdrawal when IHSS agreed to conduct a reassessment of J.H.'s needs. As a result of the reassessment, J.H. was awarded the maximum of 283 IHSS hours per month. Even though the county had become aware of J.H.'s increased needs in early 2006, it would only agree to pay retroactively from August, 2007. OCRA filed for hearing again.

OCRA met with the appeals worker to review the file, and pointed out several instances of clear documentation of J.H.'s additional needs, going

back to January, 2006. As a result of this meeting, the county agreed to pay the appropriate number of retroactive hours. J.H. received retroactive payments of over \$20,000.

2) Analysis of Consumers Served.

OCRA handled a total of 4,556 cases from July 1 through December 31, 2008. This represents a significant provision of advocacy service and an increase from this period last year. The complete six-month compilation of data is included as Exhibit B. 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)

DDS had funded additional advocacy staff for OCRA offices in San Diego, Central Valley, and Inland regional offices during last fiscal year. Unfortunately, the additional funds were not reauthorized due to difficulties with the state budget. Therefore, OCRA was not able to continue the increased advocacy staff.

The majority of the OCRA statistics remain consistent with OCRA's previous statistics. For example, the largest number of consumers served by age, 1,293 during this time period, has consistently been the 4-to-17 years-old age group. The next largest is the 23-40 age group with 671 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, with 64 percent of the consumers served being male and 36 percent being female. This roughly corresponds to the percentage of regional center consumers who are female versus male. As of December 31, 2007, the most current date for which data is available from DDS, 61.30 percent of all regional center consumers were male and 38.70 percent were female.

The percentage of consumers residing in the parental or other family home remains by far the largest number of consumers served with 3,198 consumers in the family home or 70 percent of the cases handled. The

next largest group served is those living independently, with OCRA serving 581 people or 14 percent with this living arrangement.

OCRA's statistics on the ethnicity of consumers served from July 1, 2008, through December 31, 2008, show OCRA's continuing commitment to serve underserved communities.

The percentage of consumers from various ethnicities served by OCRA is:

Ethnicity	% OCRA Clients 7/1/08 - 12/31/08	% OCRA Clients 7/1/07 - 12/31/07	% RC Clients Dec. 2007
African-American	10	9	10.35
Latino	33	31	31.92
American-Indian or Alaskan Indian	1	1	.41
Asian	4	10	5.90
Pacific Islander	2	1	2.46
White	45	44	41.74
Multicultural (Self- Identify)	4	4	Not listed
Refused to State/Other	3	4	7.21

OCRA's statistics show that OCRA's service to various ethnic groups is at parity or above with the number of consumers of each ethnicity served by the regional center, except for Asian, which is only one percent below the number served by the regional centers.

The types of problems which the offices handle remain fairly consistent. OCRA handled, during the six-month period, 1,054 special education cases, 1,327 regional center matters, and over 500 cases dealing with income maintenance, which includes Social Security and In-Home Support Services, and over 100 cases each in the areas of abuse, conservatorship, consumer finance, discrimination other than employment, family law, health, housing, and personal autonomy. Taken together, the problem codes relay the broad areas of law with which OCRA staff need to be familiar.

3) Outreach/Trainings.

OCRA recognizes that outreach and training are an essential part of providing effective advocacy for regional center consumers and also recognizes that trainings are one of the best ways to maximize staff and operational resources. Therefore, OCRA offers training on a wide variety of issues to a large variety of participants, including consumers, parents, regional center staff, vendors, and other interested people. Topics covered include, but are not limited to, consumers' rights, abuse and neglect issues, special education, voting rights, Medi-Cal and Medicare issues, and conservatorships, among other topics.

During the past six months, OCRA presented at 347 trainings with a total attendance of approximately 10,887 people at the various trainings. This is an outstanding performance by OCRA staff.

OCRA understands the need to provide assistance to individuals from traditionally underserved communities. To further the goal of meeting this need, OCRA has each office target at least three outreaches per year to a specific group of persons who are underrepresented in the catchment area. To help with this, OCRA appointed a statewide outreach coordinator, Anastasia Bacigalupo. The coordinator advises staff in implementation of their target outreach plans. Based upon an evaluation of the original outreach plans' results, and using new census data and updated figures from DDS regarding the ethnicity of consumers served by each regional center, the OCRA offices update their target outreach plans on an annual or bi-annual basis. A detailed report on target outreach and training is included as Exhibit D.

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

From July 1, 2008, through December 31, 2008, OCRA resolved 4,556 issues for consumers. Of those served, all but 56 were resolved informally. This means that 99 percent of all the matters that OCRA handled were resolved informally. Only 56 cases involved direct representation at hearing. Data showing this is attached as Exhibit E.

Collaborative and harmonious working relationships are fostered.

If at all possible, OCRA staff attempts to foster collaborative and harmonious working relationships with the consumers and parents who OCRA serve, regional center staff, stakeholders, and members of the general community. This philosophy is not only incorporated into Disability Rights California's contract with DDS, but also represents an internalized recognition that some of the most effective advocacy takes place at the level of interpersonal relationships and informal advocacy. The success of this philosophy is demonstrated by the number of calls we receive, by OCRA's many successes, and by its recognition as an excellent resource for people with developmental disabilities. Specific examples of collaboration, in addition to those discussed in sections above, are discussed below.

1) Memorandums of Understanding.

OCRA has established Memorandums of Understanding (MOUs) with each regional center that address that center's individual needs, concerns, and method of operation. MOUs are updated as needed. As part of the implementation of the current contract, the director of OCRA met with each of the regional center directors or designees to revise the existing MOUs. Copies of all MOUs have been forwarded to DDS. The status of each revised MOU is discussed in Exhibit F. All but 2 of the MOUs have been complete and of those, one remains outstanding and the other has been agreed to and needs signing by the regional center director.

In general, the meetings regarding the MOUs have been productive and extremely congenial. It is clear that OCRA's working relationship with the various regional centers has become well established and that concerns between the two agencies can be addressed with minimum difficulty in almost every situation.

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

Jeanne Molineaux, Director, OCRA, and Bob Baldo, Executive Director of the Association of Regional Center Directors, met on July 17, 2008. At that time, there were no outstanding issues. Further meetings with ARCA will be convened, should concerns arise.

Consumers and families are satisfied with the services provided.

PAI recognizes that consumer satisfaction is a primary goal for the people whom it serves. OCRA is committed to reaching consumers and parents 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 Consumer Advisory Committee, and DDS. From the results of the most recent survey, it is clear that OCRA consumers remain extremely satisfied with the services provided by OCRA.

Three hundred and seventy-six surveys were mailed out. 96 people returned the survey. This represents a 26 percent return rate of the surveys. Such a large return rate to a survey is unusual. Of those responding to the questions, 89 percent of the responders felt they were treated well by the staff, 90 percent understood the information they were provided, 86 percent believed their CRA listened to them, 89 percent believed they were helped by the CRA, and 89 percent would ask for help from OCRA again. See Exhibit G which discusses the results of OCRA's survey. These are excellent survey results, for which OCRA is justly proud.

2) Letters of Appreciation.

OCRA staff receive many letters of appreciation from consumers and others. Below are quotes from a few of the letters¹:

If no one has told you lately, you are truly a prince among gentlemen!... (W)e are hoping ___ will soon have an opportunity to attend the ___ Day Program. However, no matter what transpires...I know you used your very best effort. Your commitment, dedication and expertise is sincerely appreciated.

Thanks! Danke! Gracias! Merci! Arigato! Grazie! Thank you for your support, keeping the van means a lot to our family.

¹ Quotations are repeated as stated in the letters, except for the deletion of names.

Had it not been for Clients Rights Advocacy I don't think I would have won the case. I assumed since IHSS said she was not eligible for the services they must be rights. When I called your office I was treated with respect and my concerns were immediately addressed....As you know my husband is also disabled and we could never have afforded to fight this if we had to pay. The fact that your services are at no cost to the client is wonderful. There are many programs and services I have sought for ____, but none have been as helpful or easy to access as yours. I thank you once again, for assisting us. I will be sure to refer your agency to other parents in similar situations.

Without your help this would not have been possible as prior to Clients' Rights involvement we had already been through a lengthy and difficult process.

As our appeal process has continued, Katie continues to be an invaluable resource. She is a pleasure to deal with, and she is very knowledgeable about.... She represents your organization well. Thank you very much.

Thank you! So very, very, much for the way you dealt with my matter.....

...Anyway, my point is, **thank you all** for your wonderful support. You have really changed ____'s life and ours, as well. It is so wonderful to know that...No matter what happens to me or ____, there will be guidance and support for ____. Please know how appreciated you are and that you have brightened many days for ____. I'm not sure where I fall on the issue of angels walking the earth, but if they do, you all qualify.

I could not imagine having a better advocate for my son. You are very much appreciated!!

Forgive me for sounding redundant but words cannot express the profound sense of appreciation and admiration that I have for you. On behalf of my son and entire family I thank you from the bottom of my heart.

Thank you so much for all of your help and advice with ____'s placement situation. I was feeling a big lost & not knowing how to proceed. Your help really invigorated me and encouraged me to keep up the push. I was really happy when you told me to call anytime with questions. I know you are really very busy & I appreciated your support! Thank you!

Thank you for the presentation. I learned that I have the right to get married and have kids. I have the right to live in my own place. Thank you for the folder.

Thanks and I quote "My rights." Need I say more—wow! I was floored. Thank you so much for helping my students become more aware of their rights.

With your very talented and whole-hearted help, ___ gets \$870/per month for his SSI benefit. God richly bless you.

Thank you for helping ____. These children would be silent without you.

We couldn't have done it without you, thank you very much, for your patience, time, energy, knowledge and taking up this case. I'm still hopeful that, one day, ___ will be able to come to you and thank you personally.

There is no way to thank you enough for all you have done to help ____. You went out of your way to assist him and I am ever grateful. Through your advocacy, he is becoming even more of a self advocate.

On behalf of the members of the Supported Employment/Transition Committee, I wanted to express my sincere appreciation to you for your presentation on transition services issues and other topics, which arise when our clients are involved in the transition process from public school to the adult world. Our group was quite impressed with your presentation and found your information quite useful, based on the numerous questions they asked of you. We at Harbor are so fortunate to have individuals like you, who take time out of their busy schedule to assist us in building our interagency relationships. I look forward to working with you again in future events. I truly appreciate your commitment, whenever I ask you to speak to one of my groups, you always come through.

Thank you so much for all your hard work and sound advice. Your supervisor must be very pleased to have found you.

Thank you for all that you do, have done, and will continue doing for my son.

___ used his Section 8 voucher to move into his own apartment yesterday. He is so very happy, and wanted me to tell you that he finally moved. Thank you for your assistance! It made a very real difference in ___ 's life.

On behalf of ___ I'd like to extend our sincerest thanks for taking the time to come and present to our clinical staff. It was an honor to meet you and wonderful to hear about ways to further empower our clients and their families. Thank you for all of the great work that you do!

3) Cases will be handled in a timely manner.

It is important that advocacy services be provided in a timely manner. Consumers and families are frequently in emergency situations, in danger of losing their placement in the least restrictive environment, losing their source of income, unable to get their medical needs met and a myriad of other dangerous or difficult situations. 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 show that 79 percent of all callers to OCRA received a call back within two days during the first half of this fiscal year. This level of performance provides verification that cases are resolved in a timely manner. OCRA will continue to train on this requirement to ensure that it provides exceptional services for all callers.

B. 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. Effective December 13, 2008, the Disability Rights California Board of Directors made a decision to move the OCRA Advisory Committee to be a board committee, instead of a stand-alone committee. The change was made for both effectiveness and fiscal reasons. Attached as Exhibit H is a list of the members of the OCRA Advisory Board Committee effective December 31, 2008.

Public members of the Advisory Committee are appointed by Disability Rights California's 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 is a knowledgeable, constructive, and helpful group of volunteers who continue to provide valuable guidance to the OCRA staff. The meetings are lively and informative and provide a forum for exchange of ideas and information. Minutes for the meeting held on August 28, 2008, are attached as Exhibit H.

DDS staff is invited and encouraged to participate in any of the meetings set for 2009. They are:

March 6, 2009 Sacramento
September 11, 2009 Bay Area

C. 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 has been proactive in this matter and requires each of its offices to provide at least one self-advocacy training for consumers a year. Many offices provide more than one training.

To date, OCRA has developed five separate packets of information for OCRA staff to use in the mandated trainings. Samples of the packets were previously provided to DDS and are contained in OCRA's Annual Report provided to DDS on September 1, 2007. In December, 2008, DDS sponsored on consumer emergency preparedness for OCRA staff. Staff is now developing a training from that material to use as an additional self-advocacy training. Self-Advocacy Trainings held to date this year are listed in Exhibit I.

III. DENIAL OF CLIENTS' RIGHTS

CCR, Title 17, sec. 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 CRA must approve the procedure and submit a quarterly report to DDS by the last of each January, April, July, and October. OCRA is including the reports concurrently with the contractual date to provide OCRA's semi-annual report. If this is not acceptable to DDS, OCRA will submit duplicate reports as requested. Attached as Exhibit J is the current log of Denials of Rights from the OCRA Offices.

IV. 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.

Four grievances were filed by consumers or their families against OCRA during the last two quarters. Findings by Disability Rights California and DDS upheld the actions of OCRA. Information concerning the grievances has previously been submitted to DDS. Attached as Exhibit K is a chart detailing the grievances filed against OCRA during this time period.

VII. CONCLUSION

OCRA's statistics show its staff's continuing commitment to the protection of the rights of people with developmental disabilities. OCRA handled over 4,556 cases the last six months, provided 347 trainings to over 10,887 people, and met each of its performance objectives. OCRA remains dedicated to ensuring that the rights of all of California's citizens with developmental disabilities are enforced.

Disability Rights California remains greatly concerned about the impact any future budget reductions will have on OCRA's ability to provide the appropriate levels of service to regional center consumers. Although Disability Rights California was able to meet the 2008 reduction without strongly affecting its operations, any further funding reduction will likely come at a diminution of client services. We look forward to meeting with DDS to discuss the budget.

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OFFICE OF CLIENTS' RIGHTS ADVOCACY LISTING

STATEWIDE TTY TOLL-FREE NUMBER 1-877-669-6023

Toll Free Number: 1-800-390-7032

Changes to office – as of January 26, 2009 - Change is *italicized*.

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Luisa Delgadillo - Assistant CRA

Martha Padilla - Volunteer

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ON MAILING ADDRESS, OR MAIL WILL NOT BE SENT TO OCRA)*

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**ALPHABETICAL OCRA STAFF LISTING BY LAST NAME
AND OFFICE LOCATION
(INCLUDING VOLUNTEERS AND TEMPORARY STAFF)**

1. Alomar, Filomena	VMRC
2. Armand, Christine	SCLARC
3. Atamian, Lorie	FNRC
4. Bacigalupo, Anastasia	SCLARC
5. Brown, Kevin	SDRC
6. Cervantes, Veronica	IRC
7. Chiang, Jackie	LRC
8. Coleman, Jackie	ACRC
9. Cruz, Marisol	SGPRC
10. Delgadillo, Luisa	WRC
11. Delgado, Aimee	SGPRC
12. Di Verde, Tom	OCRASANDIEGO
13. Difilippis, Rita	SARC
14. Dumlao, Wendy	SDRC
15. Espinoza, Mario	KRC
16. Gallegos, Jacqueline	ACRC
17. Garcia, Lucy	ELARC
18. Geary, Valerie	KRC
19. Gheno, Gina	TCRC
20. Gomez, Alba	SDRC
21. Gresham, Gail	OCRASAC
22. Hamer, Ada	NLACRC
23. Harris, Doug	RCRC
24. Hernandez, Gloria	NLACRC (agency temp)
25. Hernandez, Yulahlia	NBRC
26. Holcombe, Andy	FNRC
27. Hornberger, Katie	HRC
28. Kennedy, Elizabeth	ACRC (temp)
29. Lipscomb, Arthur	CVRC
30. LoBue, Eleanor-Rosa	SARC
31. Lusson, Katy	GGRC
32. Marquez, Guadelupe	OCRALA
33. Meyer, Katie	WRC
34. Miller, Jacqueline	RCOC
35. Molineaux, Jeanne	OCRASAC

36. Mottarella, Katherine	TCRC
37. Navarro, Lisa	OCRASAC
38. Neves, Leinani	VMRC
39. Ochoa, Anna	CVRC (agency temp)
40. Ortega, Maria	OCRALA
41. Osborn, Manuella	OCRASAC
42. Palmer, Celeste	RCEB
43. Padilla, Martha	WRC (Volunteer)
44. Pelayo, Ana	KRC
45. Perez, Abigail	HRC
46. Pope, Matthew	ELARC
47. Leach-Proffer, Anna	RCEB
48. Reyes, Beatriz	IRC
49. Saldana, Trina	NBRC
50. Salomón, Cynthia	RCOC
51. Spencer, Kay	CVRC
52. St. James, Amanda	GGRC
53. Stoepler, Jim	RCRC
54. Wagster, Irma	OCRALA
55. Ximenez, Alice	OCRASAC

Updated as of January 26, 2009

Office of Clients' Rights Advocacy
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Report by Age Group

AgeRange	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total
0-3	14	11	19	13	9	16	20	7	15	9	9	6	12	2	12	20	4	25	13	10	20	266
4-17	55	75	110	39	45	73	76	50	42	45	27	61	36	35	92	99	60	54	75	67	77	1293
18-22	25	14	37	11	30	25	21	24	9	23	24	17	14	18	22	10	18	17	29	25	35	448
23-40	74	26	40	45	38	24	31	20	2	30	32	33	24	22	23	15	25	12	53	54	48	671
40-50	40	8	8	18	32	5	8	12	4	10	19	14	11	8	11	11	14	8	24	35	14	314
50 and above	21	12	20	19	26	2	8	6	3	4	7	10	5	11	15	3	12	6	13	25	15	243
Unknown	11	3	3	0	2	2	1	12	0	5	1	9	11	2	0	4	3	1	0	4	2	76
Total	240	149	237	145	182	147	165	131	75	126	119	150	113	98	175	162	136	123	207	220	211	3311

Office of Clients' Rights Advocacy
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Report by County

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total
Alameda												111			3							114
Amador		1		1																5		7
Butte	1			106																		107
Calaveras	1																			13		14
Colusa	2																					2
Contra Costa												67										67
Del Norte														7								7
El Dorado	5																					5
Fresno	1	101																		1		103
Glenn				7																		7
Humboldt				1										25								26
Imperial																	9					9
Inyo								1														1
Kern		1	1			1		180					1							1		185
Kings		7																				7
Lake														59								59
Lassen				4																		4
Los Angeles	1		313	1		209	3		118	1	142		2			209		196		1	294	1490
Madera		13																1				14
Marin					76																	76
Mariposa		4																		1		5
Mendocino				1										24								25
Merced		13																				13
Monterey															15							15
Napa	1									39		1										41
Orange						1							268							3		272
Placer	16																					16
Plumas				3																		3
Riverside							83															83
Sacramento	252			2																		254

Office of Clients' Rights Advocacy
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Report by County

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total
San Benito															3							3
San Bernardino	3	1	1				113						2					3				123
San Diego													2				193					195
San Francisco					63							1										64
San Joaquin																				110		110
San Luis Obispo																			31			31
San Mateo					102					1		1			1							105
Santa Barbara																			80			80
Santa Clara												2			160							162
Santa Cruz															28							28
Shasta				38																		38
Siskiyou				6																		6
Solano										96										1		97
Sonoma										95		2		2								99
Stanislaus																				102		102
Sutter	2																					2
Tehama				28																		28
Trinity				2																		2
Tulare	1	39																				40
Tuolumne																				13		13
Ventura								1			1								187			189
Yolo	2									2												4
Yuba	4																					4
Total	292	180	315	200	241	211	199	182	118	234	143	185	275	117	210	209	202	200	304	245	294	4556

Office of Clients' Rights Advocacy
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Report by Disability

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total
5th Category	33	16	9	18	34	2	12	13	11	37	17	15	22	5	9	6	1	4	27	6	28	325
Autism	30	57	151	42	43	94	67	32	53	62	24	44	145	13	77	73	54	69	91	37	102	1360
Cerebral Palsy	17	17	16	13	32	32	33	9	19	39	12	38	21	9	27	19	21	17	36	21	40	488
Dual Diagnosis - 5th Category	12	3				6	2	3		3		5	1				1				1	37
Dual Diagnosis - Autism					4	4	8	1	3	3	3	4			1	3			5	2	2	43
Dual Diagnosis - Cerebral Palsy	1			1	1	8				8	6	2	4	2	1				2		1	37
Dual Diagnosis - Epilepsy		1				1	1					1			1			3	7	1		16
Dual Diagnosis - Mental Retardation	7	6	3	9	12	9	5	3	2	24	9	9	5	6	8	1			20	6	8	152
Early Start	15	4	1	13	4	12	15	2	6	4	7	4	13	1	4	11		29	8	4	21	178
Epilepsy	2	10	10	10	26	6	18	1	11	2	6	3	12	4	3	12	6	10	14	13	24	203
Mental Retardation	187	66	134	110	132	56	71	122	32	80	68	58	51	86	81	83	129	69	130	181	112	2038
Unknown	16	19	14	6	6	13	6	7	4	1	3	11	27	1	19	27	5	22	6	15	7	235
Total	320	199	338	222	294	243	238	193	141	263	155	194	301	127	231	235	217	223	346	286	346	5112

Office of Clients' Rights Advocacy
Semi-Annual Report - July 1, 2008 through December 31, 2008
Report by Ethnicity

Ethnicity	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Grand Total
American Indian	6	2		8			2	1	1				2	2					1		1	26
Asian	4	5	19	2	16	11	4		3	1	1	14	10		24	1	1	10	3	6	2	137
Black or African American	35	7	4	3	18	17	17	11	3	24	10	35	2	2	5	48	6	9	4	18	39	317
Hispanic / Latino	48	53	159	15	23	39	72	55	44	30	46	32	23	8	40	104	48	57	72	46	64	1078
Multiracial	6	11	13	3	15	15	14	4	4		2	2	4	1	4	3		16	8	2	5	132
Native Hawaiian or other Pacific	4	1	2		12	2	2		2	2		4	1		5		1	5	1	5	1	50
Unknown	6	5	13	2	1	2	8	6		1	5	3	8	5	1	2	5	1	2	4	9	89
White	131	65	27	112	97	61	46	54	18	68	55	60	63	80	96	4	75	25	116	139	90	1482
Total	240	149	237	145	182	147	165	131	75	126	119	150	113	98	175	162	136	123	207	220	211	3311

Office of Clients' Rights Advocacy
Semi-Annual Report - July 1, 2008 through December 31, 2008
Report by Gender

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Grand Total
Female	86	46	73	57	63	48	67	38	23	53	45	68	34	46	56	46	60	42	75	89	75	1190
Male	153	103	164	88	119	99	98	93	52	73	74	78	77	52	119	115	76	81	132	131	136	2113
Unknown	1											4	2			1						8
Total	240	149	237	145	182	147	165	131	75	126	119	150	113	98	175	162	136	123	207	220	211	3311

Office of Clients' Rights Advocacy
Semi-Annual Report - July 1, 2008 through December 31, 2008
Report by Living Arrangement

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total
Adult Residential Facility	5	3		16		1	7	2		3	6	7	1			3	14	3	8	20	1	100
Board and Care	22		1			2	5			3	2	2			3			1	2	1	3	47
Childrens Group Home					1		1	3		4				1			1	1	4	1		17
Community Residential Home		2	1		2			2		7	3				3					14		34
Detention Center								1														1
Developmental Center	3					1		2		1	4	2	3	1	1	2	4					24
Foster Care				1	2		2			1	1			1		1		3	2			14
Foster Family Home		6		1		1	1			4				2	1	3	1		2	2	1	25
Halfway House				1												1						2
Homeless			4	1	2	1					1		2	2		1	1			1		16
ICF DD												1			1				1	1	1	5
ICF DD-H					5						2	2								1		10
ICF DD-N	1				2								1		1					2		7
ICF/MR/Nursing Home			1		1										1							3
Independent Housing	38	21	11	83	39	4	15	37	8	39	27	20	28	30	13	15	22	9	30	49	43	581
Intermediate Care Facility/Nursing Home									4					1						2	1	8
Jail	2	2			1	2		1		2		1	5			2		2	3		2	25
Large Group Home (more than 3 beds)	69	8			42	5		8		7	5	1	13	4	13	6	3	6	5		2	197
Legal Detention	2				1			1			1											5
Municipal Detention Facility/Jail								1		2												3
Nursing Home	1					1		1				2	1								3	9
Other	2		4	2		5	1	1			2	2		1			4	4		2		30
Parental or Other Family Home	136	128	293	92	129	184	163	112	105	150	85	121	200	64	162	172	148	171	215	145	223	3198
Prison		2					1					1				1	1					6
Private Institutional Hospital/Treatment Facility		1													1	1						3
Private Institutional Living Arrangement								2														2
Private Institutional School					3	1				1		1										6
Psychiatric Wards of Private General Hospitals	2																					2
Psychiatric Wards of Public General Hospitals		1				3				1		2								1		8
Public Institutional Hospital/Treatment Facility		1					2	1				2	4							1		11
Public Institutional Living Arrangement												1										1
Public Residential School										1												1
Semi-independent Home or Apartment	2	1		1	10			2	1	2		7	14		7	1	2		19		14	83
Small Group Home (3 beds or less)	1	1		1				4		5		2	3	3	1		1		7			29
Specialized Nursing Facility/Nursing Home							1	1			1									2		5
Supervised Apartment	1	1		1	1					1	3	4		7	1				6			26
Unknown	5	2										4			1							12
Total	292	180	315	200	241	211	199	182	118	234	143	185	275	117	210	209	202	200	304	245	294	4556

Office of Clients' Rights Advocacy
Semi-Annual Report - July 1, 2008 through December 31, 2008
Report by Problem Codes

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total	
FTP Dietary Needs					1																	1	
FTP Medical Treatment					2																		2
FTP Personal Care					1												1						2
FTP Personal Safety (Conditions in Institutions)					1																		1
Other Neglect			1																1				2
Total			1		5												1		1				8
Placement																							
Board and Care Conditions	1	1		1							1										1	5	
Board and Care Evictions	1	2											1									4	
Childrens' Group Homes	1							1											1			3	
FTP Community Residential Placement	1							1									1			1		4	
Return to Community from Institution	1					2		2		2	3	4			2		2		2			20	
Supported and Transitional Housing		1						1				1		1	1				1			6	
Transfer of Prisoners to State Hospitals(PC §2684)								1														1	
Unit or Institution Transfers		2			1												1					4	
Total	5	6		1	1	2	1	5		2	4	5	1	1	3		4		4	2		47	
Privacy/Personal Autonomy																							
Personal Autonomy	58	1	3	2	11	1		10	1	4	1			7	4	7	8		1	11	1	131	
Recovery of Personal Property			1					1						1							2	5	
Rights of / Denial of Personal Possessions	1				1					6				1		1	1			1	1	13	
Rights of / Denial of Privacy - Association	1						2						5									8	
Rights of / Denial of Privacy - Search and Seizure					1								1							1		3	
Rights of / Denial of Privacy - Sexuality										1	1								1			3	
Rights of / Denial of Privacy - Telephone		1					1			2												4	
Rights of / Denial of Recreation				3	2			1		2			1									9	
WIC §5325.1 Rights	1																			40		41	
Total	61	2	4	5	15	1	3	12	1	15	2		7	9	4	8	9		2	55	2	217	
Records																							
Access											1		13		2						1	17	
Breach of Confidentiality				1								1	1							2		5	
Denial of Access										2											1	3	
Total				1						2	1	1	14		2					2	2	25	
Regional Center Services																							
Assessment of Needs	2	2	3	3	1	15	10		7	1	1	4	2		2	22			3	5		83	
Community Living Arrangements		3	4	2	2	1	7	1		3	2	1	4		1	4		1	7	1		44	
Coordination with County Mental Health		1			2					2										1		6	
Crisis Prevention Services			2	1					2	1			5									11	
Day Training and Activity		2	2	4	6	3	1	1		5	2	3	3	2		3		1	1	3	2	44	
Eligibility for Regional Center services	7	40	16	16	20	18	32	14	6	25	6	17	38	8	9	28	11	27	16	11	19	384	
Family Support Services	4	1	6	4	1	10	3		3	15	1	1	13		3	7	1			6	7	86	
Hearing Procedures		2	5	1		5	4		3	5		2	9	1		1	3	11	13		8	73	
IPP Development	4	9	5	11		2	2		3	9	2	1	7	2	2	3	4	15	20		7	108	
IPP Implementation		2	1	5		3	3	1		1	1	1	3				1		7		1	30	
Lanterman Act - Case Management		1	1	1	2			9		1	4	14	4	2			7	6	1	8	3	65	
Lanterman Act - DDS Policies / Procedures								10			3						2	1				16	
Lanterman Act - Regional Center	1	1	1				1	2		2	10	1		4		2	2		7	1		35	
Licensed Residential Services		1		2	1	4			1	2		1								1		14	
Prevention Services			1			1	2			1			1			4	2			3	1	16	
Regional Center Services - Other	31	11	8	5	15	23	2	18	15	4	3	6	26		10	1	6	29	14	14	17	258	
Supported Living	2		3	1	3	1			3	3	5	4	2	6	4	1	2		4	4	5	54	
Total	51	76	58	56	53	86	86	41	45	86	47	43	120	21	28	83	40	86	100	53	68	1327	

Office of Clients' Rights Advocacy
 Semi-Annual Report - July 1, 2008 through December 31, 2008
 Report by Problem Codes

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total	
Right to Culturally Appropriate Services																							
Right to Culturally Appropriate Services					1			1							1								3
Total					1			1							1								3
Right to Refuse Treatment																							
Involuntary Medication										1													1
Other Involuntary Treatment																						1	1
Total										1												1	2
Vocational Rehabilitation Services																							
Vocational Rehabilitation								3		1	1			1	1	1	2						10
Total								3		1	1			1	1	1	2						10
Grand Total	292	180	315	200	241	211	199	182	118	234	143	185	275	117	210	209	202	200	304	245	294	4556	

Office of Clients' Rights Advocacy
Semi-Annual Report - July 1, 2008 through December 31, 2008
Report by Service Level

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total	
0 - Pending		2								9		4										15	
1 - Information/Referral	103	30	17	48	136	69	21	54	9	30	18	21	50	27	31	32	23	44	32	137	73	1005	
2 - Rights Information/Consultation (RC/Generic)	51	48	26	42	5	99	130	20	14	94	39	26	89	56	15	89	54	144	103	29	134	1307	
3 - Rights Information/Consultation (Other)	78	10	115	56	10	1	7	32	75	48	44	69	56	24	67	40	82	1	161	53	18	1047	
4 - Abuse/Neglect Investigation	9	3	3		2		1	2								1	2					23	
5 - Special Education Compliance Complaint	3		2	1	1		1	4				8		1	2	1	6			2	7	39	
6 - IEP	3	20	20	8	4	2	1	3	1	2		2	10		34	8	11				5	134	
7 - IPP/IDT	1	7		1	1	5	1	2		6	1		5	1	5			7			4	47	
8 - W&I 4731		1					2	1		2	1		1				1	1				10	
9 - Technical Assistance	23	9	48	7	23	19	3	38	19	8	4	18	35	5	9	1	6	2	2	19	10	308	
10 - Evaluation and Assessment	9	24	61	29	9	6	10	11		32	10	9	16	1	31	13	7	2	6	4	9	299	
11 - Informal Regional Center / Provider Problem Resolution	5	12	2	2	14	1	14	12		2	13	13	5	1	4	15	1					9	125
12 - Informal Generic Service Agency Problem Resolution	1	13	5	2	32	2	4	2		1	7	13	2		11	7	2				14	118	
13 - Case Settlement Prior to Informal Meeting, Mediation or Hearing			1	3		2									1		3				1	11	
14 - Direct Representation in RC "Voluntary Informal Meeting"	1		3								1		5								2	12	
15 - Direct Representation in Mediation / RC Fair Hearing	1		3		1						1		1				1					8	
16 - Direct Representation in an Appeal for Generic Services	3		9	1	3	5	4	1			4	2		1		1	2			1	7	44	
17 - Court Litigation	1	1															1				1	4	
Total	292	180	315	200	241	211	199	182	118	234	143	185	275	117	210	209	202	200	304	245	294	4556	

ADVOCACY REPORT

OFFICE OF CLIENTS' RIGHTS ADVOCACY

Fall 2008

BENEFITS

U.A. Receives the State Maximum of 283 Hours of IHSS.

U.A. is a severely disabled 8-year-old boy. He had been approved for 43.8 hours per month of In-Home Support Services (IHSS). U.A.'s mother attended a training sponsored by OCRA and thought he might be eligible for more hours. The mother completed the self-assessment packet and determined that U.A. was eligible for considerably more hours. The completed self assessment form was given to the IHSS social worker at the annual re-assessment.

Despite being given documentation of U.A.'s needs, the same hours were awarded for the next year. U.A.'s mother then contacted OCRA. OCRA filed for hearing seeking 283 hours per month retroactive to the effective date of the notice of action (NOA), December 1, 2006.

After negotiating with the Appeals Specialist, OCRA agreed to a Conditional Withdrawal for Reassessment. Harbor Regional Center agreed to fund a nursing and IHSS assessment prior to the reassessment, at OCRA's request. OCRA also had U.A.'s general practitioner completed the forms related to protective supervision. OCRA attended the reassessment and submitted the nursing/IHSS assessment and forms related to protective supervision. The IHSS social worker examined the information and agreed that U.A. was entitled to more hours but could not accept the medical documentation from a general practitioner. She requested that the forms be completed by a specialist.

OCRA then worked with U.A.'s neurologist to have the forms completed and with the mother to get documentation from her employer. Once the forms were submitted, IHSS was approved for the state maximum of 283 hours per month. This benefit was

awarded retroactive to December 1, 2006. Katie Hornberger, CRA, Abigail Perez, Assistant CRA, Harbor Regional Center.

G.L. Found Eligible for Medi-Cal.

G.L. was diagnosed with cancer but did not have any medical insurance to pay for the cost of the surgery his physician was recommending. G.L. had applied for Medi-Cal but was experiencing long delays in the county processing his application. After several months of waiting, G.L. was referred to OCRA for assistance. OCRA agreed to provide direct representation. OCRA requested that the county find G.L. presumptively disabled for Medi-Cal because he was a person with mental retardation and he had cancer. The county denied presumptive disability.

OCRA filed a request for an administrative hearing. In preparation for hearing, OCRA requested that the regional center fund an updated psychological evaluation because the most recent one was 20 years old. The county had sent G.L.'s application to the State Disability Evaluation Determination (DED) office. The updated psychological evaluation was provided to the state DED eligibility worker who found G.L. had a disability which qualified him for Medi-Cal. When the county determined that G.L. was eligible for full scope Medi-Cal with no share of cost, the hearing request was withdrawn. Kathy Mottarella, CRA, Gina Gheno, Assistant CRA, Tri-Counties Regional Center.

OCRA Helps Family Get IHSS Including Retroactive Hours.

I.N.'s family applied for IHSS in April, 2007, when I.N. was on a Medi-Cal waiver. The waiver made him eligible even though his parents earned too much money. While I.N.'s application was being processed, his father lost his job, which automatically made I.N. immediately temporarily eligible for Medi-Cal and IHSS under a different program, while permanent eligibility was processed. The county never processed I.N. under the low-income program. A few months later, I.N.'s father returned to work, so the county should have then again made I.N. eligible under the waiver. The county did not do this. During this process, which took longer than a year, the family's income was seriously reduced because I.N.'s mother was providing

his care without any pay under IHSS. As a result, the family lost its home.

The family called OCRA, which sent numerous letters and made many phone calls to both the county and Medi-Cal before I.N. was made eligible for IHSS services. OCRA had informed IHSS that I.N. would be requesting retroactive hours to April, 2007, because the eligibility determination was not done correctly. When I.N received his NOA for IHSS, the county had made the hours retroactive to April, 2007. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

Family Gets Overpayment Waived.

S.B., a 4-year-old SSI recipient, received a NOA from the Social Security Administration (SSA) that he was being charged with a \$4,000 overpayment based on SSA's calculation of his parents' income. His father is in the military and spends long periods in other countries, which makes his income change often. Although S.B.'s mother asked SSA to reconsider its notice or waive the overpayment based on hardship, SSA later told her it did not have a reconsideration or waiver request on file. After S.B.'s mother asked OCRA to become involved, the CRA contacted SSA and the worker found the reconsideration and waiver requests. The CRA then convinced the SSA worker to look at new evidence of the parents' income. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

SSI Overpayment Rescinded.

C.R. received a notice of an SSI overpayment. His mother, who is his representative payee, said that C.R.'s day program was supposed to send his pay stubs to SSI every month. She was not certain if this had been done. OCRA contacted the day program. It stated that the pay stubs had been submitted each month as had been requested.

OCRA submitted a Waiver Request and a Request for Reconsideration on the basis that the overpayment was not C.R.'s fault and that paying back the overpayment would interfere with C.R.'s ability to pay for food, clothing and shelter. C.R. received a

letter several weeks later stating that the overpayment had been waived. Katy Lusson, CRA, Golden Gate Regional Center.

Retroactive SSI Payment Awarded.

L.L. is a consumer who receives SSI. Multiple attempts had been made by L.L. and her sister to collect a \$12,000 retroactive payment, the validity of which was not in question by SSA. Each time L.L. and her sister contacted SSA, they were told that the payment was definitely owed to her, and that it would arrive shortly. A year passed without success in receiving the payment from SSA. With the support of her sister, L.L. contacted OCRA.

OCRA brought L.L.'s situation to the attention of her congressional representative. Based on the information gathered and sent by OCRA, the office of the congressional representative intervened and L.L. received her \$12,000 retroactive payment in full. Amanda St. James, Assistant CRA, Golden Gate Regional Center.

CRIMINAL LAW

OCRA Keeps A.R. out of Jail.

A.R., arrested for threatening someone with a knife, was charged with felony assault with a deadly weapon. The judge who A.R. appeared before had worked as a disability advocate and contacted OCRA to assist. The CRA met with the judge and others in chambers and all agreed that a diversion program was appropriate for A.R. The CRA worked with the regional center to establish a comprehensive diversion plan and appeared in court for all hearings. After three appearances, it was clear that A.R. was responding well to the program and appearances were scheduled every three months. The court recognized A.R.'s efforts to maintain his job and attend counseling sessions. As a result, the diversion program was terminated in July, 2008, and the charges against A.R. were dismissed. Matt Pope, CRA, Lucy Garcia, Assistant CRA, Eastern Los Angeles Regional Center.

PERSONAL AUTONOMY

D.H. Uses Lemon Law to Get a New Wheel Chair.

D.H. called OCRA because she was provided a wheelchair that had too many features and was too big for her to safely use. In addition, the battery would not hold a charge and D.H. would find herself stranded in the community in a chair that would not move. D.H. had called the wheel chair provider more than once to resolve the issue before calling OCRA. The CRA explained the lemon law to D.H., why it applied to her situation, and agreed to contact the chair provider to try to resolve the issue. Before the CRA had a chance to contact the provider, D.H. resolved the issue herself by getting information from her doctor that supported her claims that the chair was inappropriate for her. The provider took the wheelchair back and provided D.H. with one that meets her needs and works. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

S.S. Attends Brother's Wedding.

S.S. made plans to attend her brother's wedding. S.S. had notified her group home and her conservator of the wedding date, and was given approval to attend from both. Within a week of the wedding, OCRA received a frantic call from S.S., stating that her conservator told S.S. and the group home that S.S. could not attend the wedding. The conservator was threatening the group home. OCRA, the regional center service coordinator and S.S.'s sister worked together to assure that S.S.'s rights would not be violated. S.S. was able to attend her brother's wedding. Jacqueline Miller, CRA, Cynthia P. Salomón, Assistant CRA, Regional Center of Orange County.

J.D. Avoids Conservatorship.

J.D. is a 35-year-old whose mother wanted to conserve him. The regional center was supporting the conservatorship. J.D.'s mother and the regional center believed J.D.'s care home was interfering with his mother's ability to have a relationship with J.D. OCRA met with J.D. and, although he said he wanted more of a relationship with his mother, J.D. also said, "I don't want anybody running my life." J.D. requested that OCRA "fight it" for him.

OCRA went to court and met with the public defender, the parent's attorney, the judge, the regional center's attorney and the family court counselor and helped broker an agreement under which J.D.'s parents would withdraw their petition for conservatorship after six months, if they are able to have regular visits with J.D. The judge vacated the order for J.D. to have a psychological evaluation and the regional center agreed to fund counseling services for J.D., his care provider and J.D.'s mother. Arthur Lipscomb, CRA, Ernestine Moreno, Assistant CRA, Kay Spencer, Assistant CRA, Central Valley Regional Center.

REGIONAL CENTER

J.C. Gets Day Care.

J.C. is a child with behavioral issues and a sleep disorder. J.C.'s mother met with the regional center and asked it to fund day care services while the mother went to school to obtain her GED. Although a regional center supervisor told the mother that the regional center would fund day care, the regional center issued a NOA denying the mother's request. OCRA then agreed to represent the family at a hearing. In the regional center's evidence packet, the Assistant CRA found several notes from the service coordinator which confirmed the supervisor's approval of day care.

The existence of the notes and the testimony of the service coordinator regarding these notes were the factors that led to the ALJ ruling in J.C.'s favor. The regional center was ordered to provide day care for J.C. Matt Pope, CRA, Lucy Garcia, Assistant CRA, Eastern Los Angeles Regional Center.

L.C. Will Soon Be a Homeowner!

The quality of L.C.'s life has greatly improved since her receipt of services from the regional center. L.C. came to OCRA about two years ago after she had been denied regional center eligibility. OCRA gave her some guidance on how to appeal, criteria for eligibility, and the documents that needed to be submitted.

Since L.C. was found eligible, OCRA has assisted her in her IPP process, finding gainful employment, and other issues. Soon L.C. will own her own home. OCRA was able to secure her a place on the 18-person list of clients who will be allowed to purchase a townhouse. Valerie Geary, Assistant CRA, Kern Regional Center.

Program Will Cover Summer and New School Year.

D.G. is a 3-year-old with autism and has a sibling with autism. D.G. began receiving his preschool discrete trial training (DTT) program in early May. The school district informed D.G.'s parent that the program would terminate for the summer because there was no extended preschool program offered.

D.G.'s parent approached the regional center for funding the DTT program over the summer and it refused, stating that such a program is educational in nature and thus the regional center is not legally obligated to fund it. D.G.'s parent immediately contacted OCRA.

OCRA represented D.G.'s parent in her fair hearing against the regional center. OCRA was able to convince the regional center that it was obligated to fund D.G.'s summer program and provide hours for the 2008-2009 academic year. Thus, the regional center agreed to provide retroactive hours for the summer DTT program and fund the home portion of the program for the new school year. Anastasia Bacigalupo, CRA, Christine Armand, Associate CRA, South Central Los Angeles Regional Center.

OCRA Provides One-Stop Advocacy Service.

R.S. is a young boy with autism and limited expressive language development. As a person with autism, R.S. had been benefitting from floor time therapy. The provider recommended continuation of the therapy but the regional center failed to continue the service. When R.S.'s parent asked about the service, she was not given an actual start date. Also, R.S.'s parent needed additional respite hours, a parental behavior intervention training program and help dealing

with feeding problems that R.S. was encountering as a result of her autism.

OCRA staff provided technical assistance to the parent in drafting a letter requesting continuation of floor time therapy services, a nutrition assessment, participation in a parental behavior intervention training program, and an increase of respite hours from 16 hours a month to 24 hours a month. After several discussions, the regional center agreed to all of the parent's requests. R.S.'s parent is so encouraged by the advocacy success that she is now preparing her self-assessment packet for IHSS. Anastasia Bacigalupo, CRA, Christine Armand, Associate CRA, South Central Los Angeles Regional Center.

S.E. Is a Regional Center Client Again.

S.E. placed a desperate call to OCRA late on a Friday afternoon seeking help obtaining home healthcare over the weekend. S.E. had found OCRA's number on the internet. The CRA explained that OCRA is a non-profit law firm that provides free legal services to people with developmental disabilities, not in home care. In discussing the situation with S.E., the CRA learned that S.E. had been a client of a regional center during the 1980's. S.E. moved from the catchment area and lost all contact with regional centers. OCRA then obtained S.E.'s permission to contact two regional centers to get S.E.'s case re-activated. After OCRA contacted both regional centers, S.E.'s case was reopened and a service coordinator was assigned. Katie Hornberger, CRA, Harbor Regional Center.

Funding for Hoyer Lifts Approved.

C.S. has many unique needs based on multiple disabilities. C.S.'s mother requested resources and information from OCRA on how to prepare for an informal hearing against the regional center. Due to C.S.' mother's disability, C.S. required more than one Hoyer lifting device installed in the home.

OCRA prepared the family for informal hearing and advised of C.S.'s due process rights. C.S. prevailed at informal hearing. The regional center agreed to fund installation of three Hoyer lifts mounted to the

ceiling with three stationary motors in each room. C.S. and his parent were very happy with the results. This service will provide household access for the consumer in the least restrictive environment.
Filomena Alomar, Assistant CRA, Valley Mountain Regional Center.

OAH Denies Motion to Dismiss in Eligibility Case.

G.E. was denied eligibility for services from the regional center. G.E. reapplied on the basis of new evidence. The regional center filed a motion to dismiss based upon a prior denial of eligibility. OCRA filed written opposition to the motion and a hearing on the matter was set. The motion to dismiss was denied. Following additional evaluation, G.E. was found eligible for regional center services and supports.
Arthur Lipscomb, former CRA, San Andreas Regional Center, Rita Defilippis, CRA, Eleanor LoBue, Assistant CRA, Tom Diverde, Supervising CRA, San Andreas Regional Center.

Regional Center Funds Full-Time Nursing Services.

D.S. is a man in his 40s who has a severe seizure disorder. He lives in his own apartment with a service dog and support. OCRA had been working with D.S. and his family for several years to put together a supported living plan (SLP). D.S. began having very severe and frequent seizures that were not controlled. He was in the hospital for several weeks. When he returned home, he required 24-hour support and services.

D.S.'s mother had been the main IHSS provider, but due to health problems, could not continue in this role. D.S. was also receiving some SLS services but was unable to increase the amount of support provided. It became clear that in order for D.S. to remain safely at home, he would need 24-hour care and nursing services would be needed for some time,. Medi-Cal was willing to pay for D.S. to go to a skilled nursing facility but not to pay for full-time nursing at his home.

OCRA assisted the family with scheduling an IPP meeting with the regional center and all care providers. A request was made for around-the-clock nursing and personal assistance services. The regional center approved 499 hours. An agency was found that

agreed to provide the services, allowing D.S. to remain in his home. Katy Lusson, CRA, Golden Gate Regional Center.

RIGHTS IN THE COMMUNITY

B.T. Regains Paratransit Privileges.

B.T. independently rode paratransit for four years. On a recent outing, B.T. made what the driver considered inappropriate comments to her and B.T. gave the driver a hug at the end of his ride. The driver complained that B.T. had assaulted her and filed a sexual harassment complaint against him. When the paratransit agency responded by permanently suspending B.T. from use of paratransit services, OCRA was notified of the suspension and agreed to represent B.T. in the agency's hearing. The CRA submitted a brief with relevant exhibits and provided oral argument at the hearing. After testimony from B.T., his personal aide and his mother, a three-member panel upheld the suspension.

The paratransit agency granted OCRA's request for reconsideration, at which OCRA again submitted a brief with additional argument. At the reconsideration hearing, another three-member panel heard the oral argument and additional testimony from the personal aide and B.T.'s mother. The panel decision provided for conditional use privileges, i.e. a personal aide was required to ride with B.T. for the next 6 months, after which B.T. could apply for full unrestricted use of the paratransit service. Matt Pope, CRA, Lucy Garcia, Assistant CRA, Eastern Los Angeles Regional Center.

OCRA Advocates for Client to Begin Day Program.

OCRA was initially contacted by S.B.'s sister who reported that her brother's day program was denying him the opportunity to participate because S.B. had hepatitis C, which, according to the program, posed a risk to the health and safety of the other consumers. Working closely with the regional center's clinical and case management staff, OCRA explained in a letter to the program that no danger existed as long as the day program staff followed universal safety precautions with regard to exposure to blood and that

prohibiting S.B.'s participation in the program violated both state and federal antidiscrimination laws. Upon receipt of OCRA's letter, the day program agreed to accept S.B. on the condition that the regional center fund a one-to-one aide to ensure that S.B. remained safe during the course of the program. The regional center agreed to this proposal and S.B. is back in his day program. Bebo Saab, CRA, Ada Hamer, Assistant CRA, North Los Angeles County Regional Center.

Garnishment for Child Support Terminated.

S.G. has mental retardation and is receiving SSI and is also receiving SSA benefits as a Dependent Adult Child. S.G. has a 15-year-old daughter who recently was placed in the foster care system, triggering a District Attorney's Office, Child Support Division, action for child support. Prior to coming to OCRA, a default judgment for child support had been entered.

OCRA first contacted the Child Support Division and confirmed that the support order was calculated based upon the SSA income, and that S.G.'s SSI benefits were not included.

Next, working with the regional center as the representative payee for S.G., it was established that S.G.'s entire income (SSI and SSA) was dedicated to paying for her basic needs. Further, the argument was put forward that the SSA Dependent Adult Child benefits were based upon S.G.'s parents' earnings. They were not earnings or income of S.G. that should be considered in calculating a child support obligation. The SSA was based upon the parents' earnings and effectively reduced the amount of exempt SSI that S.G. would otherwise be getting.

The Child Support Division accepted the analysis, and voluntarily vacated the default and set aside the child support judgment. This enabled S.G. to have sufficient income to be able to continue to live independently on her own. Andy Holcombe, CRA, Lorie Atamian, Assistant CRA, Far Northern Regional Center

Athlete Can Participate Once Again and Moves into a New Home.

M.C. is an athlete and loves social events. She regularly participates in 7 different sports through the day program that she has been attending for 11 years. She had moved into a new group home. The director wrote M.C. a letter stating that she could not participate in any activities for 90 days due to behavior problems in the home, allegedly before and after the outings.

OCRA visited M.C. at her day program and M.C. stated she did not want to be denied her right to play sports and go on outings. She also wanted to move to a different group home. OCRA negotiated with the residential manager at the regional center and spoke to the group home owner. OCRA was successful in getting the group home to cease the denial of rights immediately. OCRA also assisted M.C. with giving her 30-day notice to the group home and choosing a new home. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Westside Regional Center.

Consumer Banned from Department Stores Allowed to Return.

C.C. is a non-verbal man who has been going to a department store in the mall near his home for many years. When a new manager took over, C.C. indicated to his staff that the manager had informed him that he had to leave the store. OCRA interviewed C.C. with his staff and then went to the department store and spoke with the manager. The manager stated that she had not told C.C. that he had to leave, but rather that he could not stand by the registers and that he could not put his backpack (which actually turned out to be a small suitcase on wheels) behind the register. She also admitted that the salespeople had been allowing him to do this for years but that it could not continue.

OCRA met with C.C. and his residential staff. C.C. agreed to go with a smaller backpack so that he could keep it with him. Katy Lusson, CRA, Golden Gate Regional Center.

SPECIAL EDUCATION

Spanish Sign Language Goal in IEP.

M.M.'s mother, a Spanish-speaking parent, called OCRA because she was unhappy with her 19-year-old son's communication progress and with the district's failure to respond to her concerns. Because M.M. is unable to speak, his mother wanted M.M. to be taught sign language and had advocated unsuccessfully for years for that to be added to the IEP. The CRA went to an IEP to advocate for a sign language goal so that M.M. would be able to communicate with others. The CRA secured one goal where sign language would be taught to M.M. with the help of an aide and also convinced the district to translate the sign language into Spanish so the mother could practice with him at home. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

District Properly Assesses W.K.

W.K. is a regional center consumer who has been diagnosed with Asperger's Syndrome. Although W.K. receives high marks in school, he engages in a wide range of behaviors which make it extremely difficult for him to socialize with other students. Despite knowing about W.K.'s difficulties with socializing and behavioral issues, his current middle school did not conduct a thorough psycho-educational evaluation and discounted his treating psychiatrist's recommendations. W.K.'s mother contacted OCRA before an informal dispute resolution meeting with the district. OCRA provided counsel and advice to W.K.'s mother and informed her of W.K.'s educational rights. After speaking with OCRA, W.K.'s mother spoke with a district representative and was able to obtain independent educational evaluations in the areas of psycho-education and occupational therapy, along with the district's assurance that a behavior support plan would be adopted, if necessary. Jackie S. Chiang, CRA, Guadalupe Marquez, Assistant CRA, Lanterman Regional Center

M.S. Remains in School after Manifestation Determination.

Because M.S. has trouble with loud noise and crowded conditions, his parents requested that he not be required to participate in physical education (P.E.) class. This request was denied. M.S. did

take part in P.E. where there was little or no supervision while the students were getting dressed. Four separate P.E. classes met in the gym at the same time. With the loud noise and so many people present, it was overwhelming and difficult for M.S. to participate in P.E. He often would arrive late, so that he would not have to participate. One day, a fire was started in the boy's bathroom and M.S. was accused of starting the fire. The parents of M.S. were told that M.S. would be expelled and that he was suspended for the last week of school.

OCRA was asked to keep M.S. from being expelled. At the Manifestation Determination Meeting, OCRA explained that M.S. denied that he committed the fire, but if it was found that he did, then his behavior was caused by or had a direct and substantial relationship to M.S.'s disability of autism. The IEP Team agreed and M.S. was not expelled. In addition, the school agreed that M.S. did not have to participate in P.E. the following school year, but could show proof that he took a martial arts class after school. A Positive Behavior Plan was also created so that M.S. would have the supports and services he needs to be successful. Jackie Coleman, CRA, Elizabeth Kennedy, Temporary Assistant CRA, Alta California Regional Center.

OCRA Helps S.C. Get Evidence.

S.C.'s parent called OCRA for help in getting evidence for a due process hearing against a school district. S.C.'s educational consultant went to and recorded an IEP. When the district failed to implement the IEP, the family decided to file for due process against the district and asked the consultant for the recording. Although the consultant said he would send the tape to OCRA, he never did. The CRA followed up by writing a letter to the consultant and the executive director of the regional center to request the tapes again. OCRA never received a response. The CRA filed a 4731 complaint against the consultant, after which the regional center intervened and the tape was provided. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

OCRA Ensures Client Continues Receiving an Appropriate Program.

As C.A.'s new IEP was implemented, C.A.'s mother felt the 1:1 aide did not have good communication with C.A. because C.A.'s primary language was Spanish. C.A.'s mother contacted OCRA requesting representation at the annual IEP meeting to advocate for that service change. After the OCRA agreed to represent to ensure C.A.'s continued educational success, OCRA reviewed the goals and objectives of the previous IEPs and realized that math was not part of C.A.'s educational goals and that an appropriate transition plan had not been created. The Assistant CRA represented C.A. at the annual IEP and, as a result, C.A. now has a bilingual 1:1 aide, a math goal, and an appropriate transition plan. Veronica Cervantes, CRA, Beatriz A. Reyes, Assistant CRA, Inland Regional Center.

Bullied Student Returns to School.

W.D. is a 13-year-old student who was the victim of racial and disability slurs in the school setting. W.D.'s abusers also told him they were coming with a shotgun to his house to kill him and his family. OCRA advised the parent to report the incident to the sheriff, keep W.D. at home for a time, and request an emergency IEP meeting to address the safety problems and the services W.D. will need to work through the bullying and threats. OCRA represented the client at the emergency IEP meeting where the district agreed to a plan to protect W.D. at school and on the bus. The district also agreed to conduct a functional behavior analysis assessment and provide counseling and social skills training for W.D. Arthur Lipscomb, CRA, Ernestine Moreno, Assistant CRA, Kay Spencer, Assistant CRA, Central Valley Regional Center.

Inclusion with Age-Peers and Behavior Interventions Provided.

A.A. is a young girl with Down Syndrome whose parents want her included in the general education program with her same-age peers. The school had used a separate room adjoining the resource room for a paraprofessional to work with A.A., which excluded her from interaction with all her classmates. The reasons given were behavioral problems and inadequate attention span. A.A.'s parents

sought help from OCRA. After reviewing the IEP, OCRA and the parents met with the school to discuss a more positive approach to behavior interventions.

It was eventually agreed to begin behavior interventions aimed at extending attention span, and include the consumer with age-peers with a curriculum geared to her academic level. Doug Harris, CRA, Redwood Coast Regional Center.

School Nurse Cuts Fully Restored.

A.H., D.H., and J.F. are special education students in a rural school district covering 773 square miles. All three have severe medical conditions. In Spring, 2008, the district announced that it was reducing its nursing staff from 1.35 full time equivalents (FTE) to .35 FTE. All three students faced serious harm from this proposed reduction. OCRA assisted the parents of the three students in filing Compliance Complaints. The complaints cited each student's Individualized School Health Care Plan. After the start of this school year, the district more than restored the cuts. There are now 1.85 registered nurses that work for the school district. Jim Stoepler, CRA, Redwood Coast Regional Center, Eureka and Ukiah.

Preparation Results in General Education Kindergarten Placement.

A.S.'s mother was advocating for placement of A.S. in a general education kindergarten class. A.S.'s mother strongly believed it was the appropriate placement for A.S., especially since he was performing at or above grade level. A.S.'s mother attended a couple of IEP meetings for A.S. but the local education agency (LEA) did not agree with full inclusion and only offered a special day class with some mainstreaming. A.S.'s mother contacted OCRA for assistance in drafting a letter to the LEA and preparation for an IEP meeting. The CRA assisted A.S.'s mother with drafting a letter identifying her disagreement with the offered placement. The CRA also met with A.S.'s mother and prepared her to discuss her concerns about A.S.'s placement. A.S.'s mother attended a couple of IEP meetings and was ultimately successful. A.S. was placed in a general education

kindergarten class. Aimee Delgado, CRA, Marisol Cruz, Assistant CRA, San Gabriel/Pomona Regional Center.

Judge Awards W.B. More Therapy.

W.B. was at the end of his second grade year in the local elementary school and has been fully included since attending the district's Head Start program. The parents had unsuccessfully requested an increase in speech therapy from the district to replace private therapy previously paid for by the father's health insurance. After the district denied the parents' request to increase therapy from two group sessions per week to three individual sessions and one group session per week, the parents appealed.

When the parents were unsuccessful on their own in mediation, they called OCRA, which agreed to represent at the due process hearing. Following three days of testimony from fifteen witnesses, the judge ordered that W.B. be provided what the parents had requested. Matt Pope, CRA, Lucy Garcia, Assistant CRA, Eastern Los Angeles Regional Center.

Regional Center and School District Provide Behavior Services.

When N.V. turned 3, the Early Start program ended and the regional center told the parents that the school district would have to provide the behavior services. When the parents met with the district, it offered only one classroom placement and told the parents that the district had no applied behavior analysis (ABA) program. The CRA advised N.V.'s mother to request continued ABA through the regional center to avoid a gap in services while OCRA investigated. The regional center agreed to fund the services after an assessment found a continued need for direct intense behavior modification. The regional center report further stated that N.V. did not display the appropriate foundation skills to be successful in a group environment, such as a classroom setting. The CRA agreed to file for due process against the district. Prior to filing, the district agreed to another IEP meeting at which the district agreed to co-fund with the regional center a total of 30 hours of behavior services through 1:1 instruction. Veronica Cervantes, CRA, Beatriz A. Reyes, Assistant CRA, Inland Regional Center.

Student Secures Transportation to School.

C.T. is a 4-year-old boy diagnosed with autism. He lives in a small school district. His parents were told that the district did not provide transportation for special education students unless they were being bussed in from another district. OCRA contacted the district and sent them a copy of the regulations on transportation. OCRA was then contacted by the school district's attorney and began a series of meetings and negotiations.

The school district agreed to pay for transporting C.T. OCRA then began exploring what mode of transportation would be appropriate. OCRA explored with the behavioral support service serving C.T., the possibility of allowing its staff to contract with the school district and provide transportation. When this did not work out, the parents agreed that the district would contract with a cab company that would transport C.T. and his babysitter to and from school and return the babysitter home after each of these rides. This arrangement is to continue throughout this school year. Katy Lusson, CRA, Golden Gate Regional Center.

Inter-District School Placement Preserved in Full-Inclusion Classroom.

E.B. is bilingual and fully included in her 5th grade classroom with a 1:1 aide. E.B.'s school district advised the parent at the end of the school year that E.B. could not remain on inter-district transfer status because there was no space at her transfer school. They said that E.B. would need to return to her home school. E.B. had attended her current school since kindergarten.

E.B.'s mother argued that changing her placement, supports, and environment, would likely result in regression. E.B. had made significant academic, behavioral, and personal progress over the last several years. The mother did not want to inhibit E.B.'s progress by this move. The mother believed that the bilingual 1:1 aide was well-trained and the natural support and made the placement at the school particularly invaluable to E.B.'s success in her full-inclusion program.

OCRA assisted the mother in drafting a comprehensive letter to the special education director to communicate the mother's concerns and outline strong legal arguments. In a subsequent IEP, the special education director agreed to keep E.B. in her current placement with all of her supports in place. Leinani Neves, CRA, Valley Mountain Regional Center.

Educational Placement Demanded after Release from Developmental Center.

D.R. is a 17-year-old who returned home after a stay at Porterville Developmental Center. D.R. had been in a county school prior to going to Porterville. OCRA was contacted by D.R.'s regional center social worker who said that she had been contacting the county and district for months and was not getting any response about D.R. returning to school. At that point, D.R. had missed more than a half year of his education.

OCRA met with D.R. and his family. D.R. said that he had gotten in trouble because of gang activity at his home school and did not want to return there. He wanted to go to school as soon as possible to learn to read and write—but not at his previous school.

OCRA then began a series of calls to both the school district and the county. Each stated that the other entity was responsible for placing D.R. An IEP was scheduled. Because D.R. was afraid of gang activity and there was not an appropriate district placement, the district agreed to fund a non-public school (NPS). D.R., his parents and the social worker visited two NPS placements and felt that one of them would be appropriate for D.R. The district added an addendum to D.R.'s IEP so D.R. was able to attend the NPS. Katy Lusson, CRA, Golden Gate Regional Center.

Youngster Transitions to Kindergarten.

E.S. was transitioning from Early Start to kindergarten. His father spent many months attempting to arrange for assessments so that E.S. could be appropriately placed when school began in the fall. The father contacted OCRA because he was not being assisted by

the school district nor was the social worker able to facilitate the district acting in a timely manner.

OCRA contacted the school psychologist who said that due to a family emergency, she had been off all summer and no one else had attended to her work. OCRA stressed that while we understood the circumstances, the district was out of compliance with the requirements of the law. The assessments were scheduled and completed within the next three weeks and an IEP was scheduled. E.S.'s father informed OCRA that they were pleased with the results of the assessments and the placement offer, and that E.S. would begin school within a week. Katy Lusson, CRA, Golden Gate Regional Center.

Educational Placement Secured Following Manifestation Determination.

U.V.'s parents informed OCRA that the school district was addressing U.V.'s behavior problems by suspending him over and over again. OCRA attended several manifestation determination hearings and after providing legal argument, the district agreed that U.V.'s behaviors were due to his disability.

The school district agreed to conduct a functional behavioral analysis assessment. OCRA represented U.V. during the next IEP, at which the district agreed to a new placement and a 1:1 aide to work with U.V. The behaviors are being addressed by a behavioral intervention plan. U.V.'s mother reports that his behaviors have notably improved and as a result, so has his academic progress. Rita Defilippis, CRA, Eleanor LoBue, Assistant CRA, San Andreas Regional Center

Consumer to Attend Post-Secondary School.

B.D. is a young adult who no longer felt challenged by the programs offered by the school district or his regional center. B.D. wanted to go to college as some of the young adults in his family had when they finished high school. B.D. found a post-secondary school program designed for people with developmental disabilities. His family needed assistance from the regional center in paying for the cost of

the program since there is no financial aid available for this type of schooling.

OCRA represented B.D. at an IPP meeting and successfully negotiated with the regional center to pay for part of the tuition for the post-secondary school. The regional center agreed to pay the amount which B.D. would receive in services such as a day program and transportation, if he were not in a post-secondary school program. B.D. is taking classes in radio broadcasting and enjoys living in the dorms with his friends. Yulahlia Hernandez, CRA, Trina Saldana, Assistant CRA, North Bay Regional Center.

OCRA Assists with Placement in Special Day Class.

C.W. is in a severely handicapped third grade class. C.W.'s parents have been requesting retention since kindergarten, which the school district has refused. C.W.'s developmental level is two years behind her peers and she is one of the youngest children in the class due to a November birthday. C.W. also has significant O.T. needs which further prevent her from competing with her peers.

OCRA assisted C.W.'s parents with placement of C.W. in a special day class for second and third graders. The district agreed to make C.W. a second grader to review at a 45-day placement meeting. In this setting, it is hoped that C.W. will be able to compete with her peers, increase her self esteem, and have additional practice and time to increase her skills to be able to meet demands of higher grades in the future. Rita Defilippis, CRA, San Andreas Regional Center

District Continues Tucci ABA Services.

B.A. and A.Z. are two children within the same school district who were receiving ABA services at home. The school district decided that it was no longer going to provide ABA services at home and ended its contract with Tucci—the ABA provider.

OCRA attended an IEP meeting for B.A. The special education director did not want to continue the IEP meeting, stating that the

regional center should be responsible for continuing the services. OCRA demanded that the school district continue services as promised, presenting a signed contract for the 2007-2008 school year between Tucci and the district. The district agreed to continue the ABA services at home and included two weeks of compensatory hours. OCRA requested the same services be granted to A.Z. The school district agreed. Rita Defilippis, CRA, San Andreas Regional Center.

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**OFFICE OF CLIENTS' RIGHTS ADVOCACY
ADVOCACY REPORT**

WINTER, 2008

BENEFITS

SSDI Overpayment Waived and SSI Reinstated.

J.P. is married and works part-time at a restaurant. J.P. reported her monthly income and her husband's income to the Social Security Administration (SSA). SSA used the information to calculate Supplemental Social Security (SSI) but failed to use the information for determining disability insurance eligibility (SSDI). J.P. was then found by the SSA to have a \$6,400 SSDI overpayment. OCRA represented J.P. at her informal conference and alleged that J.P. was not at fault for the overpayment and had no ability to repay the money. After the meeting, the SSA waived the overpayment in full and restored all Social Security benefits. Leinani Neves, CRA, Valley Mountain Regional Center.

J.M. Obtains Maximum In-Home Supportive Services Hours Plus Protective Supervision.

J.M. is a regional center consumer who has been diagnosed with mental retardation. Recently, J.M. was denied eligibility for In-Home Supportive Services (IHSS). J.M.'s mother appealed on his behalf and at hearing, the judge ordered a re-assessment at J.M.'s home. Immediately, J.M.'s mother contacted OCRA for assistance. OCRA provided counsel to J.M.'s mother and informed her about the IHSS program including the criteria for eligibility for both IHSS and protective supervision. Additionally, in preparation for the re-assessment meeting, OCRA assisted J.M.'s mother with filling out the self-assessment form which noted the services J.M.'s mother provides to J.M. throughout the day. OCRA also discussed the types of documentation that would prove that J.M. needed 24-hour care. Lastly, OCRA represented J.M. at the re-assessment meeting where OCRA convinced the social worker that J.M. needed both IHSS and protective supervision. After this re-assessment meeting, J.M. got the

maximum amount of IHSS hours. Jackie S. Chiang, CRA, Guadalupe Marquez, Assistant CRA.

Denial of Protective Supervision Reversed.

J.V.'s mother applied for IHSS for the 7-year-old boy but was denied. The parent appealed the denial. The county was ordered to reassess J.V. and granted 14.6 hours. J.V.'s mother again appealed and contacted OCRA for direct representation. OCRA agreed to represent J.V. The initial hearing was held at the county office on August 14, 2008, and a subsequent hearing at J.V.'s home on October 28, 2008, per the Administrative Law Judge's (ALJ) request. At both hearings, the CRA disputed the number of hours and the lack of protective supervision, requesting that the ALJ order the county to provide 195 hours of protective supervision back to the initial date of application. The ALJ granted the claim and J.V. is now receiving 195 hours of IHSS. The ALJ further ordered retroactive services back to June 21, 2007, the original date of application. Veronica Cervantes, CRA, Beatriz A. Reyes, Assistant CRA, Inland Regional Center.

T.S. Is Awarded the Correct Amount of Adoption Assistance.

T.S. was adopted in May, 2007. At the time, his adoptive mother agreed to an Adoption Assistance Program (AAP) rate of \$2,006 per month. As T.S. became more medically fragile, his mother investigated increasing the AAP. In August, 2007, SB 84 was signed into law by the Governor. SB 84 called for a supplement to the AAP of up to \$1,000 per month for children who have extraordinary needs. In May, 2008, T.S.'s mother contacted her county worker about the supplement. She was told that because an All-County Letter had not been issued explaining implementation of the supplement, the county could not grant the supplement.

T.S.'s mother then took this issue to hearing and won. The ALJ ordered the county to immediately implement the supplement in regards to T.S. and ordered the supplement retroactive to July 1, 2007, the effective date of the bill. The county then requested a rehearing on the matter and T.S.'s mother contacted OCRA.

OCRA prepared and filed an Opposition to the Request for Rehearing. The rehearing was granted. OCRA then prepared and submitted a hearing brief on T.S.'s eligibility for the supplement. Prior to a hearing decision being issued, the All-County Letter describing how to implement the supplement was issued by the State Department of Social Services. OCRA then contacted the county and it agreed to grant T.S. the supplement and retroactive payment to July 1, 2007.

T.S. is now receiving \$2006 per month of AAP and will be receiving \$19,000 in retroactive payment. Katie Hornberger, CRA, Harbor Regional Center, Abigail Perez, Assistant CRA, Harbor Regional Center, Leinani Neves, CRA, Valley Mountain Regional Center, Filomena Alomar, Assistant CRA, Valley Mountain Regional Center.

SSI Reinstated at Hearing.

T.O. has been a regional center consumer for over twenty years. He participated in a sheltered and assisted work program through a program vendored by the regional center. In 1999, T.O.'s "earnings" through the work program were improperly reported by the work program to the IRS on a 1099 Independent Contractor Earnings Form. In August, 2006, the SSA issued a Notice of Termination of Benefits and an Overpayment Notice, based upon the contention that T.O. had been engaged in substantial gainful employment (SGA) since 1999 due to his earnings.

OCRA submitted a Request for Reconsideration and an Overpayment Waiver Request. The waiver was put on hold by the SSA pending the review of the Reconsideration. The matter was not favorably resolved at the Reconsideration, so an Administrative Hearing was requested. The hearing was held in August, 2008. A favorable decision was issued.

The main issue on appeal was whether T.O.'s work performed established an ability to perform SGA. Based upon evidence produced regarding the sheltered nature of the work setting, the relaxed job duties, and the low productivity ratings, the ALJ found that all work performed was subsidized, and that at no time had SGA been performed, nor did T.O. have the ability to perform SGA.

Based upon the foregoing, T.O. was found to be eligible for benefits at all times. The termination notice was rescinded, thereby cancelling the alleged overpayment of over \$72,000. Andy Holcombe, CRA, Lorie Atamiam, Assistant CRA, Far Northern Regional Center

A.K.L. Obtains the Correct Amount of SSI.

A.K.L. is an adult who receives SSI and lives with his mother. The SSA had reduced his monthly grant, claiming that A.K.L. was "living in the household of another" and was not responsive when mother presented A.K.L.'s expenses. OCRA represented A.K.L. and filed for reconsideration, providing proof that A.K.L. pays his pro-rata share of living expenses. The reconsideration was granted and A.K.L. is now receiving the full grant amount. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Westside Regional Center.

J.H.'s Receives More Than \$20,000 in Retroactive Payments.

J.H. is a 9-year-old with severe disabilities, whose mother is his primary care provider. After undergoing major surgery in late 2005, J.H.'s paramedical needs increased. On several occasions, beginning in January, 2006, J.H.'s mother notified IHSS about the impact of J.H.'s surgery, but the county failed to conduct a reassessment, and no adjustment was made in the number of IHSS hours.

J.H.'s mother contacted OCRA for help. OCRA filed for hearing, and then agreed to a conditional withdrawal when IHSS agreed to conduct a reassessment of J.H.'s needs. As a result of the reassessment, J.H. was awarded the maximum of 283 IHSS hours per month. Even though the county had become aware of J.H.'s increased needs in early 2006, it would only agree to pay retroactively from August, 2007. OCRA filed for hearing again.

OCRA met with the appeals worker to review the file, and pointed out several instances of clear documentation of J.H.'s additional needs, going back to January, 2006. As a result of this meeting, the county agreed to pay the appropriate number of retroactive hours. J.H. received retroactive payments of over \$20,000. Anna Leach-Proffer, CRA, Celeste Palmer, Associate CRA, Regional Center of the East Bay.

Family Receives Retroactive Check from SSA.

M.A. has Down Syndrome. M.A.'s mother is Spanish-speaking. The amount of M.A.'s monthly SSI would fluctuate due to the parent's income and the deeming rules. The mother, a single parent, quit her job in order to care for M.A. because she could not find an appropriate child care provider. The mother reported to the SSA that she had stopped working and that she had no income effective July 15, 2008. SSI continued to provide an income of approximately \$100 per month.

The SSA indicated by way of a letter that its records showed the mother was still working and earning more than \$80,000 annually. OCRA advised the mother to make an appointment with the SSA and to ask the regional center service coordinator to accompany her. Both went to the meeting with the SSA and provided information indicating that the mother was no longer working.

M.S.'s mother was informed during the meeting that the SSA would make the necessary adjustments to M.A.'s file and that she would receive a retroactive check for approximately \$2,200. Lisa Navarro, Bilingual Assistant CRA, Alta California Regional Center.

IHSS Request for Financial Information Withdrawn.

OCRA received a call from K.T.'s parents because IHSS was asking them to provide financial information. The family had made several attempts to resolve this with IHSS but had not been successful. OCRA advised the family that due to the fact that K.T. was institutionally deemed for purposes of Medi-Cal, its income was not a factor in K.T.'s Medi-Cal eligibility and, therefore, should not be required information for IHSS.

OCRA facilitated contact with the specialist on institutional deeming at the regional center. The family was advised about what information would be included in a letter to IHSS. IHSS responded with a letter stating that the income did not determine eligibility but was needed for its computer records. IHSS also wrote that it would not penalize K.T. if the records were not provided and that her IHSS services would continue. Katy Lusson, CRA, Golden Gate Regional Center.

CONSUMER FINANCE

Bank Reverses Decision to Impose Overdraft Charges.

J.S., a regional center client with cognitive impairments, was unaware that his bank was deducting overdraft charges from his social security direct deposit account. The charges added up to \$5,000 without the client realizing it. Deducting overdraft charges resulted in insufficient funds to cover checks written by J.S. to pay his rent.

OCRA called the bank manager and the bank agreed to reverse all overdraft fees. Rita Defilippis, CRA, Eleanor LoBue, Assistant CRA, San Andreas Regional Center.

OUTREACH/TRAINING

Advocates Provide Training on Voting Rights.

Prior to the national election, OCRA advocates worked to provide multiple educational events for consumers on voting rights. Training events were conducted in both Northern and Southern California. Some were conducted in coordination with the Peer Self-Advocacy Unit at Disability Rights California. Consumers consistently gave the training events very high marks and demonstrated absolute pride in being able to make choices about candidates. Many consumers registered and voted for the very first time in their lives. OCRA/Northern and Southern California Offices.

OCRA Participates in Training of Administrative Law Judges.

On November 19, 2008, OCRA participated on a panel to train Administrative Law Judges (ALJ) from the Office of Administrative Hearings (OAH) on Early Start law. Brigitte Ammons from Disability Rights California, Ruth Janka from North Los Angeles County Regional Center, John Ziemantz from Regional Center of Orange County and Rick Ingraham from the Department of Developmental Services also sat on the panel, which was moderated by Daniel Juarez of OAH.

This was a unique opportunity to educate ALJ's about both the law and the special challenges that face parents of children in the Early Start program. The Early Start program is a federal program implemented in California through the regional centers to provide services and supports for children age 0 to 3 years who are at risk of or have a variety of disabilities. The program was developed to enhance development, minimize developmental delays, and recognize that significant brain development occurs during the first three years of life. Many children who receive services under Early Start will not need continuing intervention if they receive appropriate services and supports in a timely manner.

The ALJ's asked many questions and interesting dialogue ensued. It was a wonderful opportunity to present the claimants' perspective to the judges. Katie Hornberger, CRA, Harbor Regional Center.

PERSONAL AUTONOMY

Conservatorship Avoided.

D.S. has both psychiatric and developmental disabilities. When she was discharged from an acute care hospital, the hospital reportedly recommended a conservatorship. D.S. had a history of refusing medical treatment and signing out of hospitals against medical advice. The regional center referred her long time care worker to OCRA. D.S. wanted to live with this care worker.

D.S. asked OCRA to participate in her regional center team meeting. Since D.S. participates in self determination, her broker worked with other regional center staff, including a registered nurse and the regional center's consultant with mental health. OCRA assisted in coming up with a plan that would meet D.S.'s wants and needs without a referral for a conservatorship. D.S. is living successfully with her care worker. Jim Stoepler, CRA, Redwood Coast Regional Center.

REGIONAL CENTER

Special Needs of Consumer Warrant Additional Services.

B.F., K.F., and B.F are siblings receiving regional center services. All three of the siblings have significant behaviors that threaten the mother's ability to have the children remain at home. Their mother contacted OCRA saying that they had been receiving 75 hours a month of wraparound services to address inappropriate behaviors. The mother explained that the regional center had discontinued services without the parent's consent and did not provide a Notice of Action.

OCRA advocated for the hours to be restored. The regional center offered to provide 8 hours of service a month. Due to the seriousness of the behaviors and the fact that the behaviors had escalated, OCRA argued that the service level was inadequate. OCRA requested an evaluation to determine the level of need and to develop a comprehensive intervention plan. The regional center agreed to the evaluation. Rita Defilippis, CRA, Eleanor LoBue, Assistant CRA, San Andreas Regional Center.

J.R. Found Eligible for Regional Center Services.

Four days after what was seemingly a normal birth, J.R. was diagnosed with seizure disorder, hydrocephalus, and hypoglycemia. At 10 months old, J.R. entered the Early Start program at the regional center. He continued to receive services until he was 3 years old and then J.R.'s case was closed. J.R. was transitioned to special education services. When J.R. continued to show significant delays, his mother contacted OCRA for assistance.

OCRA gathered records and determined that J.R. would benefit from an assessment by an independent psychologist. The psychologist reviewed records and agreed that J.R. should be assessed. OCRA submitted the independent assessment to the regional center and after 120 days, J.R. was made eligible under the 5th Category. Anastasia Bacigalupo, CRA, South Central Los Angeles Regional Center.

Regional Center Refusal to Address Supported Living Needs Reversed.

M.K. is a 20-year-old consumer living with friends. M.K. was informally told by her regional center service coordinator that she did not qualify for supported living services because she was still a student. OCRA researched the issue and, with her authorization, contacted M.K.'s service coordinator and requested clarification of regional center's position. M.K. reported shortly thereafter that the regional center had agreed to a supported living assessment. Doug Harris, CRA, Redwood Coast Regional Center.

Y.S. Gets the Day Program of Her Choice.

Y.S. is a Chinese-American young woman who is bilingual. She prefers to speak Chinese. She was attending a regional center funded day program three days per week. Although she regularly attended, she never felt comfortable there, as no one spoke Chinese. Her family then located a new day program that was vendored by the regional center with Chinese-speaking staff. The new day program also did more activities that Y.S. enjoyed and she could attend 5 days per week. Her family requested a change in day program from the regional center. It denied the request based on the new program being located further from her family home than her current program.

Y.S. contacted OCRA. OCRA met with her at the new day program which was allowing Y.S. to attend 2 days per week to determine if she liked the program. OCRA helped Y.S. and her mother complete the appeal paperwork and develop reasons for the informal meeting with the regional center. Following the informal meeting, the regional center agreed to fund 5 days per week at Y.S.'s day program of choice. Katie Hornberger, CRA, Abigail Perez, Assistant CRA, Harbor Regional Center.

Family Assisted with After School Care and Behavioral Services Following Mediation.

J.G. has a diagnosis of autism. His father asked the regional center for ABA services for his son and was denied. The regional center felt that J.G. had an "ABA like" program at school and was doing quite well.

They also said that they had visited J.G.'s after-school program and that the program was chaotic and not appropriate for J.G.

J.G.'s family filed a hearing request and requested mediation. At the mediation, the regional center agreed to assist J.G.'s parents in finding a more suitable after-school program and funding for that program. The regional center also agreed to provide the family with a Spanish-speaking behavioral consultant to work with them in their home. Katy Lusson, CRA, Golden Gate Regional Center.

RIGHTS IN THE COMMUNITY

B.D. Gets to Stay at Residence with No Share of Cost.

B.D. contacted OCRA because he was being told he would have to pay a share of cost in order to remain at his residential facility. If he did not pay, he would be asked to leave the facility. B.D.'s only income was a minimal amount from part-time work. B.D. received no public benefits at all. OCRA intervened and requested that the regional center assist B.D. in applying for SSI, which could be used to help pay for his residential facility. The regional center agreed to help B.D. apply for benefits and said he would not have to pay any money for his residence until he began receiving SSI. Ibrahim Saab, CRA, Ada Hamer, Assistant CRA, North Los Angeles County Regional Center.

Client Gets Feeding Tube.

The ARC of San Diego called OCRA and reported that, although ARC's medical director and the attending physician at the hospital said a consumer needed a feeding tube to live, the hospital was listening to the consumer's family, who was refusing to allow the tube. OCRA contacted the Risk Management office and the attorney for the hospital and explained that, unless the client's right to make decisions had been taken away by a court, the consumer had the right to make such a decision. With the help of the Area Board, the consumer signed that he wanted the tube inserted, and the hospital complied. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

Judge Dismisses Vehicle Code Violation.

K.J. is an adult with mental retardation who was cited for jaywalking in heavy traffic. He asked for OCRA's assistance to represent him in court as he has limited monthly income. Declarations were obtained from J.K.'s service coordinator and Independent Living Skills (ILS) instructor that K.J. usually understood rules in the community but that they would continue to work with K.J. on mobility and street crossing.

OCRA represented K.J. and argued that the case should be dismissed. OCRA offered a psychological evaluation and the declarations. The judge accepted the argument, and dismissed the case. Katie Meyer, CRA, Westside Regional Center.

J.T. Granted Reasonable Accommodation in Driver's Test.

J.T.'s driver's license was suspended after he was pulled over for failure to yield the right of way. He received a traffic ticket for making a right turn onto a roadway in front of two vehicles that had the right of way. The officer said that J.T. nearly caused a collision. The officer referred J.T.'s case to the Department of Motor Vehicle's (DMV) safety department.

J.T. was told that he would have to pass a driving test in order to get his license reinstated. The instructor claimed that during his driving test, J.T. committed critical errors and created numerous hazards which could have caused or contributed to a traffic collision.

J.T. said that the reason he had such a difficult time taking the driving test was that he was having trouble following the multiple instructions the instructor was giving to him during the driving test.

J.T. contacted OCRA for assistance in getting his driver's license reinstated. The Assistant CRA contacted the DMV and requested that J.T. be allowed to retake the driving test with a reasonable accommodation of being given one instruction at a time. The matter went to a hearing and OCRA provided technical assistance to J.T. and his mother. J.T. was granted the reasonable accommodation. Andrew Holcombe, CRA, Lorie Atamian, Assistant CRA, Far Northern Regional Center.

SPECIAL EDUCATION

OCRA Advocates for ABA and OT Services.

B.D. is a 5-year-old boy with autism. His mother contacted OCRA requesting representation during B.D.'s Independent Education Program (IEP) meeting. His regional center service coordinator offered to assist in communicating with B.D.'s mother who is monolingual-Vietnamese speaking.

The mother had requested an increase in her son's ABA and occupational therapy (OT) services. The school district's position was that two hours a day of 1:1 ABA and 30 minutes of OT once a week was sufficient. OCRA represented the student at the IEP meeting.

The district agreed to increase OT services to twice a week for 30 minutes. The district also agreed to provide B.D. with a 1:1 ABA therapist who would work as his full-time aide throughout his school day and to provide B.D.'s parent with a daily ABA log. Rita Defilippis, CRA, Eleanor LoBue, Assistant CRA, San Andreas Regional Center.

OCRA Convinces District to Diagnose Correctly.

T.H.'s family contacted OCRA complaining that the school district had an incorrect diagnosis noted in school records. Because the types of services and supports the student receives is based upon the disability diagnosis, it was important that the district have the correct diagnosis. The CRA represented T.H. during IEPs and negotiated with the district's attorney to add the correct diagnosis to the IEP. Also at the CRA's request, the district agreed to do a functional behavioral analysis and to provide T.H. with counseling services. Arthur Lipscomb, CRA, Kay Spencer, Assistant CRA, Anna Ochoa, Assistant CRA, Central Valley Regional Center.

Special Education Waiting List Does Not Exist.

S.P. and B.P. moved into a new school district. When S.P. and B.P.'s parent contacted the new district for placement, S.P. and B.P.'s sibling, who did not have a disability, was immediately enrolled in school and placed into a class. The parent was informed that S.P. and B.P. would

be placed on a waiting list, and the school district did not know when placement would be available. S.P. and B.P. were out of school for over one month. OCRA contacted the Director of Special Education for the district and was told that the school district did not have a waiting list. S.P. and B.P. were placed within two days. Jacqueline Miller, CRA, Cynthia P. Salomón, Assistant CRA, Regional Center of Orange County.

LEA to Continue after School Transport as a Related Service.

R.J. is a 5-year-old child with autism and limited expressive language development. His parent was referred to OCRA for assistance by R.J.'s service coordinator.

From the start of the 2008-09 school year, R.J. was provided round trip transportation by the local education agency (LEA.) On October 7, 2008, the teacher advised the parent by telephone that effective immediately, R.J. would no longer be provided transportation after school, even though this related service had been identified in his current and previous IEPs. No explanation was provided by the teacher as to the termination of R.J.'s transportation. R.J. was not immediately transported after school that day. Instead, he waited two hours in the school office until another bus was dispatched after the parent explained her inability to leave work to pick up R.J. that day. When R.J. finally arrived at his destination, he was extremely upset and could not stop crying. On the following day, the LEA failed to provide after-school transportation to R.J. His mother contacted OCRA for assistance.

OCRA staff provided technical assistance to the parent by explaining R.J.'s special education rights and preparing a letter for the parent to submit to the school. The letter explained that anytime an LEA proposes to change a component of a student's IEP, a written notification has to be issued, explaining the reasons for the termination. R.J.'s mother requested a written notification within 7 days. The letter further stated that in accordance with R.J.'s current IEP, after-school transportation should be reinstated immediately until the matter was resolved.

R.J.'s parent submitted the letter to the school principal on October 9, 2008, and after-school transportation was reinstated and has remained in place without further interruption. Christine Armand, Associate CRA, South Central Los Angeles Regional Center.

Early Start Transition Delay Addressed.

R.F. is a consumer who is within three months of turning 3-years old. His mother contacted OCRA because she was dissatisfied with the local school district's approach to transitioning from Early Start to public preschool. The school expected R.F. to be enrolled in preschool without prior development of an IEP. The Early Start service coordinator's request for a transition IEP planning meeting had gone unanswered.

OCRA provided technical assistance to R.F.'s mother, and then appeared at an IEP team meeting on behalf of R.F. A thorough assessment plan was agreed upon and completed. As a result, R.F. entered school with a variety of services and supports in place including services for visual impairment and 1:1 paraprofessional support. Doug Harris, CRA, Redwood Coast Regional Center.

Parent Successfully Advocates for Increase in Speech Therapy.

J.P. was due for his annual IEP. J.P.'s mother was told that J.P.'s speech therapy services would be reduced or even discontinued. J.P.'s mother disagreed with the reduction in speech services. J.P.'s mother contacted OCRA to request assistance in preparation for his upcoming IEP. J.P.'s mother informed the Assistant CRA of documentation she had from J.P.'s pediatrician and an evaluation supporting J.P.'s need for speech services. The mother had never shared this information with the LEA. The Assistant CRA assisted J.P.'s mother to organize the documentation to present to the IEP team. J.P.'s mother attended the IEP meeting and was successful. J.P.'s speech services were not reduced, but instead were increased. He will now receive 30-minute sessions twice a week instead of the two sessions a month he had been receiving. Aimee Delgado, CRA, Marisol Cruz, Assistant CRA, San Gabriel/Pomona Regional Center.

Student Receives Increase in 1:1 Aide Hours.

T.V.W. was transferred into his current school district without having a 30-day placement IEP meeting to discuss services. His IEP stated that he must have a 1:1 aide with him all day. The school was out of compliance. OCRA represented T.V.W. during the IEP meeting.

The service time of a contract aide was increased from 6 hours to 6.5 hours. The district also agreed to have T.V.W. supervised by a district aide in the morning from 8:00-8:30 prior to school starting. In addition, the district agreed to schedule an addendum IEP in January to discuss compensatory services for the total amount of time owed to T.V.W. for missed OT and speech services. Rita Defilippis, CRA, Eleanor LoBue, Assistant CRA, San Andreas Regional Center

A.L. Will Be Better Prepared to Enter Transition Program.

A.L.'s parents filed for due process, arguing that the district had not prepared A.L. to enter a transition program. The CRA agreed that the district had not provided A.L., who could communicate only with simple sign language, with an adequate communication system. The parents were insisting that sign language be taught as the primary mode of communication. The CRA agreed to represent and, in mediation, reached an agreement which, among other things, provided that A.L. would remain in the high school program for an additional year and be assessed for an appropriate communication system. This included an augmentative communication assessment and a psychological assessment by a school psychologist fluent in sign language. The assessments were conducted and an IEP held to review the results. A specific augmentative communication device was recommended and, with the parents' approval, was provided by the district. Matt Pope, CRA, Lucy Garcia, Assistant CRA, Eastern Los Angeles Regional Center.

OCRA Helps J.L. Get Home Instruction.

J.L.'s family contacted OCRA because the school staff was often placing J.L. in restraints. OCRA provided representation at an IEP where the district offered the parents five options: 1) individualized instruction (one teacher and one aide); 2) a split schedule between

home and school instruction; 3) Non public school; 4) counseling plus therapy; 5) allow the parents to bring in their own team to work with J.L. at the district's expense. Because J.L.'s family was afraid of J.L. being injured at school, the family wanted home instruction. OCRA negotiated a settlement agreement whereby the district agreed to provide services in J.L.'s home 5 days a week for one hour a day. He will also receive speech, occupational and behavior therapies in the home. Arthur Lipscomb, CRA, Kay Spencer, Assistant CRA, Anna Ochoa, Assistant CRA, Central Valley Regional Center.

OCRA Advocates for Additional IEP Goals.

M.M.'s mother called OCRA for help with several issues. Because of M.M.'s limited communication skills, the mother had been advocating unsuccessfully for American Sign Language (ASL) for her son. Although OCRA secured ASL goals in M.M.'s new IEP, the district was not following through. OCRA went to a follow-up IEP and negotiated a resolution with the Special Education Director. The school agreed to: 1) communicate better with the mother, 2) translate documents into the parents' native language and 3) change some goals to what the mother recommended. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

OCRA Helps Student Get 1:1 Aide.

K.S.'s parents called because K.S. was being assaulted in class by another student. The parents wanted a 1:1 aide in class to protect K.S. OCRA contacted the assistant superintendant who agreed to provide K.S. with a 1:1 aide while a new, more appropriate class, to which K.S. can transfer, is being developed. Arthur Lipscomb, CRA, Kay Spencer, Assistant CRA, Anna Ochoa, Assistant CRA, Central Valley Regional Center.

R.P. Gets Private School Services and Assistive Technology.

When R.P. transferred school districts, the new district ended all of the services from the previous IEP, including 1) services from a private education center (reading and language comprehension), 2) A.T. equipment – laptop computer with pin, 3) Smart Board, and 4) use of a

projector in the classroom. OCRA drafted and filed a compliance complaint and various motions for a due process hearing. OCRA also provided representation at mediation. Although the mediator failed to come to the mediation, OCRA negotiated with the district and reached a settlement that gave the family all the services from the prior district pending the completion of new assessments. Arthur Lipscomb, CRA, Kay Spencer, Assistant CRA, Anna Ochoa, Assistant CRA, Central Valley Regional Center.

Parent Protect Client's Privacy.

V.S. moved to a private school where no IEP was developed. Three months after he entered the private school, his mother met at the school for a parent-teacher conference and noticed that the teacher had a copy of the IEP from the special education program in public school. The mother had not agreed to this IEP. The mother contacted OCRA, which explained that California law does not allow disclosure, without the parent's consent, of special education records. Armed with the law, V.S.' mother demanded that the school destroy any copies of V.S. records. The CRA also advised the parent that she had grounds for a compliance complaint and possible law suit against the district. The mother reported back that the private school principal agreed to the mother's demands. Matt Pope, CRA, Lucy Garcia, Assistant CRA, Eastern Los Angeles Regional Center.

OCRA Gets Student New Communication Program.

I.S., a 7-year-old boy whose speech is limited to 1-2 word phrases, was not making progress on his communication goals. The parents, unable to resolve the issue through IEPs, called OCRA. At the next IEP, OCRA convinced the district to use SCERTS, a new teaching method that helps children learn to communicate. The school also agreed to communicate better with the parents and update them twice a year on I.S.' progress. Wendy Dumlao, CRA, Alba Gomez, Assistant CRA, San Diego Regional Center.

K.P. Receives Behavioral Services at School instead of Suspension.

K.P.'s mother contacted OCRA after K.P. was reported to have inappropriately touched a teaching assistant. There was a history of similar incidents which had never been addressed in the IEP. The school district was threatening to suspend K.P. if the inappropriate touching occurred again.

OCRA represented K.P. at an IEP and advocated for the IEP team to address K.P.'s behavior, instead of punishing K.P. The district agreed and a behavior plan was developed for school. The regional center is also working with K.P. at home so that he will develop socialization skills both at school and in the community. Yulahlia Hernandez, CRA, Trina Saldana, Assistant CRA, North Bay Regional Center.

Teenager Will Finally Receive an Appropriate Education.

14-year-old G.C.'s IEP called for her to have a 1:1 health care aide, which was not being provided by the school district. As OCRA began reviewing records and talking to G.C., it became clear that her educational services were lacking in many areas. G.C. wanted to participate in extra-curricular activities at her high school but had been denied because of the lack of the 1:1. G.C. also wanted a computer class and placement in a less restrictive environment for her academic work.

OCRA requested an IEP meeting and represented G.C. at her IEP. Through this process, G.C. got 20 hours of compensatory tutoring time, a computer class, mainstream classes, a new seizure plan, a new 1:1 aide, and a 1:1 aide for an extra-circular activity. The new 1:1 aide started 3 days after the IEP. G.C. will also receive new testing to determine future academic needs and transition planning. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Westside Regional Center.

S.P. Gets a Spanish Speaking 1:1 Aide in an Autism-Specific Special Day Class.

S.P. is a 6-year-old monolingual Spanish-speaking child with Autism. S.P.'s mother contacted OCRA for help because S.P. would plead not to be sent to school each morning, and because she was not making any educational progress. OCRA made a classroom observation, and found that S.P. was not able to communicate even her most basic needs to her teacher or to the classroom aide, because neither of them spoke or understood any Spanish. In addition, the curriculum and teaching methods being used in S.P.'s classroom had not been designed for children with Autism. As a result, S.P. was observed to spend most of her time crying or wandering aimlessly around the classroom.

OCRA advocacy at several IEP meetings resulted in a change in placement to an Autism-specific special day class (SDC), but there were no Spanish speakers in the new classroom.

Because the district refused to provide a Spanish-speaking classroom aide to support S.P., OCRA and Disability Rights California filed for hearing against the district. After two mediation sessions, the school district agreed to provide S.P. with a 1:1 Spanish-speaking aide from a non-public agency, trained in ABA, to support S.P. in her new classroom. The district also agreed to provide S.P. with 76 hours of 1:1 in-home ABA instruction during the 2008-2009 extended school year. Anna Leach-Proffer, CRA, Celeste Palmer, Associate CRA, Regional Center of the East Bay.

C.C. Remains in School after Manifestation Determination.

C.C. is 20, has mental retardation and a brain injury. She attends a post-high school program. Due to C.C.'s brain injury, she has anger control issues and acts out physically. C.C. was suspended in September for hitting another student and a behavior plan was developed. The behavior plan worked well, but slowly staff stopped following the plan and C.C.'s behavior got worse. C.C. got upset and pushed the teacher. The parents of C.C. were told that C.C. would be expelled.

OCRA was asked to help. OCRA explained to the parents that a Manifestation Determination Meeting was required before the school district could expel C.C. and the importance of showing that C.C.'s behavior was caused by or had a direct and substantial relationship to C.C.'s mental retardation and brain injury.

C.C.'s parent used this information at the meeting and the IEP Team agreed that C.C.'s behavior was caused by her disabilities. C.C. was not expelled. Jackie Coleman, CRA, Elizabeth Kennedy, Temporary Assistant CRA, Alta California Regional Center.

O.B. Obtains Regional Center Eligibility.

O.B. is a 17-year-old youth who was suspected of having mental retardation. Another advocacy agency had initially been called by the Public Defender about the case because the regional center had denied O.B. regional center eligibility following an assessment that found O.B. had borderline intellectual functioning and depression.

OCRA met with O.B. and referred him for an assessment. That assessor found that O.B. tested clearly in the range for mental retardation. The psychologist did find some evidence of anxiety and depression but felt those were solely related to O.B.'s being detained in jail. OCRA submitted the report to regional center before the hearing date and negotiated for eligibility. The regional center made O.B. eligible. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Westside Regional Center



*Serving Consumers of
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MEMORANDUM

DATE: February 3, 2009

TO: Jeanne Molineaux, Director

FROM: Anastasia Bacigalupo, OCRA Statewide Outreach Coordinator

RE: Semi-Annual Outreach Report, 2007-2009 Reporting Period

On July 1, 2008, OCRA staff began the second year of their current two-year outreach plans. On December 31, 2008, OCRA staff ended the first two quarters of the remaining outreach year ending in June 2009. OCRA staff met their commitment to developing on-going relationships within their communities, increasing community contacts and the strength of individual office relationships with members of their communities.

The OCRA outreach committee and the OCRA Supervising CRAs continue to encourage staff to seek out opportunities to educate consumers, their families and community leaders. In December 2008, DDS presented an outreach training on emergency preparedness to OCRA staff. The training was a "Train the Trainer" type of presentation, with hands-on participation of staff. DDS staff gave OCRA staff materials to be used in outreach presentations and OCRA is in the process of developing an approach for staff to use these materials in an effective and thoughtful manner.

Over the course of the first and second quarters, OCRA continued its focus on the development of on-going relationships with traditionally underserved communities of color, providing trainings to communities on a variety of subjects including the following: Early Start/Intervention, IEP Development, IFSP Development, IPP Development, Regional Center Fair

Hearing Process, Supportive Living Services, Medi-Cal, Social Security, In Home Supportive Services, Alternatives to Conservatorships, Voting Rights and Denial of Rights. OCRA also conducted numerous client-centered outreaches, training consumers on financial abuse, voting rights, and clients' rights.

Over the past year, OCRA has provided more than 175 outreach activities statewide including participation with groups that develop activities statewide and impacted more than 8,100 people. Below are highlights from the review period. It is a sampling of the work by staff to creatively reach out and meet the training needs of consumers, family members, support groups, vendors, and other providers statewide.

July

Foster Care and Children with Special Health Care Needs

Katie Casada-Hornberger gave a presentation at the Family Voices conference on the foster care system. She addressed how children with special healthcare needs within the foster care system are significantly impacted by moving between counties and competing service systems. She offered caregivers strategies and solutions to issues around decision making authority, signatory rights and the transition process.

August

Multi-Lingual SSI Clinic

Katy Lusson and Amanda St. James conducted a SSI Clinic for English, Spanish and Cantonese speaking attendees. Katy and Amanda worked individually with families to address their questions and concerns.

September

"Transdisciplinary" Advocacy: A Presentation to Service Providers

Matt Pope and Lucy Garcia provided a presentation on how various service systems work to provide regional center clients with services and supports. It contained tips for service providers working within those systems to assist clients and families better advocate for the wants and needs of a client.

October

Voting Rights Series

Jackie Coleman did a series of Voting Rights outreach presentations. She provided materials on OCRA and voter information. She had an interactive

“question and answer” discussion with consumers at several day programs about their voting rights and helped consumers who wished to register to vote. She provided assistance by reading and explaining how to fill out the numbered areas of the form correctly.

November

Transition Training for DD High School Students

Kathy Mottarella and Gina Gheno provided a transition from high school to higher education training to consumer students and staff at Santa Barbara Community College, using the bingo self-advocacy training materials.

December

Reaching out to Non-Target Groups: Hmong Asian Community & Native American Community.

On December 30th, Arthur Lipscomb first conducted an introductory outreach to the Hmong community on the Hmong New Year, covering topics related to OCRA and Disability Rights California. Then, on December 31st, Arthur attended the New Year’s Eve Red Road Pow Wow, an event put on by the local North American Indian community, providing information on OCRA and Disability Rights California.

Office of Clients' Rights Advocacy
Semi-Annual Report - July 1, 2008 through December 31, 2008
Report by Service Level

	ARC	CVRC	ELARC	FNRC	GGRC	HRC	IRC	KRC	LRC	NBRC	NLARC	RCEB	RCOC	RCRC	SARC	SCLARC	SDRC	SGPRC	TCRC	VMRC	WRC	Total	
0 - Pending		2								9		4										15	
1 - Information/Referral	103	30	17	48	136	69	21	54	9	30	18	21	50	27	31	32	23	44	32	137	73	1005	
2 - Rights Information/Consultation (RC/Generic)	51	48	26	42	5	99	130	20	14	94	39	26	89	56	15	89	54	144	103	29	134	1307	
3 - Rights Information/Consultation (Other)	78	10	115	56	10	1	7	32	75	48	44	69	56	24	67	40	82	1	161	53	18	1047	
4 - Abuse/Neglect Investigation	9	3	3		2		1	2								1	2					23	
5 - Special Education Compliance Complaint	3		2	1	1		1	4				8		1	2	1	6				2	7	39
6 - IEP	3	20	20	8	4	2	1	3	1	2		2	10		34	8	11					5	134
7 - IPP/IDT	1	7		1	1	5	1	2		6	1		5	1	5			7				4	47
8 - W&I 4731		1					2	1		2	1		1				1	1					10
9 - Technical Assistance	23	9	48	7	23	19	3	38	19	8	4	18	35	5	9	1	6	2	2	19	10	308	
10 - Evaluation and Assessment	9	24	61	29	9	6	10	11		32	10	9	16	1	31	13	7	2	6	4	9	299	
11 - Informal Regional Center / Provider Problem Resolution	5	12	2	2	14	1	14	12		2	13	13	5	1	4	15	1					9	125
12 - Informal Generic Service Agency Problem Resolution	1	13	5	2	32	2	4	2		1	7	13	2		11	7	2					14	118
13 - Case Settlement Prior to Informal Meeting, Mediation or Hearing			1	3		2									1		3					1	11
14 - Direct Representation in RC "Voluntary Informal Meeting"	1		3								1		5									2	12
15 - Direct Representation in Mediation / RC Fair Hearing	1		3		1						1		1				1						8
16 - Direct Representation in an Appeal for Generic Services	3		9	1	3	5	4	1			4	2		1		1	2			1	7	44	
17 - Court Litigation	1	1															1					1	4
Total	292	180	315	200	241	211	199	182	118	234	143	185	275	117	210	209	202	200	304	245	294	4556	

Office of Clients' Rights Advocacy
Memorandums of Understanding

REGIONAL CENTER	STATUS OF MOU
Alta	MOU dated 9/17/07.
Central Valley	MOU dated 12/19/06.
East Los Angeles	MOU dated 10/17/06.
Far Northern	MOU dated 11/17/06.
Golden Gate	MOU dated 3/07.
Harbor	Previous MOU dated 4/02. MOU needs final signatures.
Inland	MOU dated 4/10/07.
Kern	MOU dated 5/2007.
Lanternman	Previous MOU adopted 8/17/07.
North Bay	MOU dated 5/30/07.
North Los Angeles	MOU dated 11/1/08.
Redwood Coast	Previous MOU dated 10/01. Need to schedule meeting.
Regional Center of East Bay	MOU dated 8/8/08.
Regional Center of Orange	MOU dated 9/07.
San Andreas	MOU dated 2/07.
San Diego	MOU dated 1/07.
San Gabriel/Pomona	MOU dated 7/30/07.
South Central	MOU dated 10/06.
Tri-Counties	MOU dated 10/06.
Valley Mountain	MOU dated 11/14/06.
Westside	MOU dated 4/07.



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Memo

To: OCRA Advisory Committee
From: Jeanne Molineaux, Director
Date: January 15, 2009
Re: Consumer Satisfaction Surveys – July 1, 2008, through December 31, 2008

Attached are the results of the current Consumer Satisfaction Survey. The surveys were sent out for the period of July 1, 2008, through December 31, 2008. Every fourth closed case was randomly selected from OCRA's computer intake system to receive a survey, which included a self-addressed stamped envelope.

Three hundred seventy-six surveys were mailed out. 96 people returned the surveys. This represents a 26 percent return rate. The results were excellent. Of those responding to the questions, 89 percent of the respondents who answered the questions felt they were treated well by the staff, 90 percent understood the information they were provided, 86 percent believed their CRA listened to them, 89 percent would ask for help from the Clients' Rights Advocate again, 81 percent were helped by the CRA, and 79 percent received a call back within two days.

OCRA is justly proud of the results of its Consumer Satisfaction Survey.

	<u>Satisfied</u>	<u>Not Satisfied</u>	<u>Did Not Check</u>
1. I was treated well by the staff.	82 ☺	11 ☹	3
2. My call was returned within two (2) days	74	20	2
3. I could understand the information I got.	79	13	4
4. My Clients' Rights Advocate listened to me.	80	13	3
5. I was helped with my question/problem by my Clients' Rights Advocate.	74	18	4
6. I would ask for help from the Clients' Rights Advocate again.	78	11	7

Comments: ¹

- Excellent, Always Excellent. I would absolutely ask for help from the Clients' Rights Advocate again. That Katie Casada-Hornberger is amazing as an advocate in representing my son and his rights. As well as, Lucy Garcia!!
- I never got a call back as a result my family re-located to San Diego.
- I never got to speak to the CRA. The last time I called the CRA office in Bakersfield was in July 2008, Valerie the Secretary answered my questions & assisted me.
- Katie Hornberger is Fantastic! She held my hand through the process – Thank you!
- Crystal Padilla helped me. She answered my questions (back).
- Celeste Palmer que gracias por ayudarme y que...(Celeste Palmer Thank you for helping me and...)
- Estoy muy contenta con su alluda. (I am very happy with your assistance.)

¹ The comments are copied directly from the survey forms, including punctuation and spelling. If an adverse statement was made about a specific person or agency, the name was deleted for purposes of this report.

- Dear Lori and Andy – You two have been very instrumental in our family’s success through the I.E.P. process for _____. Several times I called to “tell my story” blow by blow, and I always received support and direction. Thank you!
- El trató fue excelente muchisimas Gracias a Mi Defensora y Personal. Bendiciones para todos ustedes. (Treatment was excellent, thank you very much to my personal advocate. Blessings for all of you.)
- Impressive, helpful, happy to have found them. Wendy Dumlao is an excellent asset to your organization. She knows the law, advocates for the consumer and makes sure that the law is implemented. Words cannot say enough about how well she does her job.
- I was put off, shelved.
- My call was never returned!
- I would maybe ask for help from the Clients’ Rights Advocate again. I did not receive the help I needed, yet I got a letter stating that my case was going to be close because I did not return the call but they never called me at home, cell #, e-mail. I called back left msg. and they still did not return call. Thank you for everything else you do.
- Mi llamada fue regresada hasta la tercera vez que pedi ayuda. La primera y segunda vez que trate de recibir ayuda de _____ jamas regreso mi llamada. Hasta la tercera vez hable con Marisol y ella fue quien me asesoro y me brindo ayuda...porque por lo general, ellas siempre estan demasiado ocupadas. Gracias. (My call was returned back the third time that I requested help. The first and second time that I tried to get assistance from _____ she never returned my call. Until the third time I talked to Marisol and she was the one that provided me assistance and advice...because in general they are always much too busy. Thank you.
- Please take me off your mailing list. I thank you for all the help that your company had given me, but my daughter has passed away.
- No me volvieron a llamar y lo unico que me dijieron era que si mi hijo tenia syndrome de Down/Autismo. (They didn’t call me back and the only thing they asked me was if my son had Down Síndrome/Autism.)
- Matt Pope and Lucy are exceptional! I have 2 children with very different needs – advocate very nice, accessible and great help!
- I would have liked someone to be with me the day of the hearing.
- Katie Hornberger is fantastic! She is Godsend to my family.
- Things are no better and cannot do anything – no – help.

- Que traten muy bien a las personas. Todos somos iguales y merecemos un mejor trato. Otra cosa poner más personal bilingüe y comprensibles. Gracias por todo lo que ustedes están haciendo para mejorar el sistema. Que Dios los bendiga. (To treat people very well. We are all equal and deserve better treatment. Another thing place more bilingual and compassionate staff. Thank you for all you do to better the system. God bless you.)
- Valerie Geary is very knowledgeable about clients' rights. She is very helpful.
- The answers in this survey apply only to the secretary. She was extremely helpful, patient and informative. I never actually got to speak or meet with the attorney. Don't know why.
- Special needs director has been ...
- I spoke with Kay Spencer regarding bus transportation issues. She was helpful ...
- Muy mal servicio y atención. (Very bad service and attention.)
- Thank you so much for helping. You made a difference. My son is now back in school and happy. It's a relief to know that I have someone to turn to and help when things get tough.
- Que fueron muy explícitos en cómo ayudarme. Gracias por su ayuda. (You were very explicit in how you helped me. Thank you for your help.)
- Got no help whatsoever on our situation. No call back.
- Carol Campbell is an excellent advocate. She is personable and kind and we look forward to seeing the results of her actions in place for my sister!
- Gracias a ustedes nosotros podremos defendernos. Gracias. (Thanks to you we will be able to defend ourselves. Thank you.)
- San Diego Regional Center at Santee ...
- I think Protection and Advocacy (Katy Lusson) is a tremendous resource for families and am very grateful for this agency.
- Valerie is very professional and helpful. She gives great advice.
- The second time I was told no lawyer to give a paper to KRC.
- Jacqueline Miller, esq. represented our son ... for regional center eligibility. Jacqueline was just great ...
- They were great and I really appreciate their help and I'm very thankful.
- They (staff) were fantastic!
- Katie Hornberger is an excellent advocate for children like mine.

- Please warn clients no to move to the High Desert areas. Too many lawsuits! Terrible school placements for special needs children!
- They were not able to help me with my case because my son is not a regional center client, but they are exceptionally good and helpful.
- Receptionist needs a class in phone etiquette. She was rude, loud and not a person I felt comfortable leaving information with.
- Marcie Gladson was so nice and patient. I felt empowered ...
- Jacqueline was fantastic.

DISABILITY RIGHTS CALIFORNIA BOARD
OCRA ADVISORY COMMITTEE
December, 2008

Committee Members:

Dan Owen	(Bishop)
Ted Cottini	(Oroville)
Spencer McClay	(Grass Valley)
Eric Ybarra	(Stockton)
Billy Hall	(Glendale)

OFFICE OF CLIENTS' RIGHTS ADVOCACY

Protection & Advocacy, Inc.

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Sacramento, CA 95825-8202

Telephone (916) 575-1615

FAX (916) 575-1623

MEMORANDUM

TO: OCRA Advisory Committee

FROM: Jeanne Molineaux

RE: Minutes from Meeting of August 22, 2008

DATE: August 28, 2008

Sacramento:

Jeanne Molineaux
Aice Ximenez
Spencer McClay
Larry Hawthorne
Gail Gresham
Lisa Navarro
Manuella Osborn
Evelyn Abouhassan

Oakland:

Anna Leach-Proffer
Celeste Palmer
Christine Walters
Portia Lemmons
Los Angeles:
Katie Hornberger
Diana Nelson

Bishop KRC:

Dan Owen
Christina McMillen
By Telephone:
Marylou Perez
Sugar
Anastacia Bacigalupo
Arthur Lipscomb
Kay Spencer

- 1) Evelyn Abouhassan – Report on current legislation & budget stalemate.
- 2) Dan Owen motioned to approve minutes of last meeting. Portia seconded the motion to approve minutes.
- 3) Jeanne – Annual Report
- 4) Anna Leach-Proffer/Celeste Palmer - Report
- 5) Will Leiner – CPF 2002

- 1) on its way to trial

- 2) collecting evidence to litigate case
 - 3) taking depositions
 - 4) settlement discussion on 3/9/08 in Alameda County Superior Court
-
- 6) Dan Owen – Report on transportation issues in Fresno & Inyo Counties.
 - 7) Katie Hornberger – Report on case handling, and foster care system in L.A.
 - 8) Kay Spencer/Arthur Lipscomb – Report on cases that office is handling.
Fresno Open House will be held on October 17, 2008.
 - 9) Katie Hornberger – Conservatorship Training
 - 10) Anastasia Bacigalupo/Lisa Navarro – Report on OCRA outreach and training

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Office of Clients' Rights Advocacy
Self-Advocacy Trainings
July 1, 2008 - December 31, 2008

Self-Advocacy Trainings held:

Alta RC	August 27, 2008
	October 1, 2008
	October 2, 2008
	October 6, 2008
	October 16, 2008
	December 18, 2008
East LA RC	July 24, 2008
	October 14, 2008
Far Northern RC	December 8, 2008
Golden Gate RC	September 22, 2008
	September 22, 2008
Harbor RC	September 9, 2008
	September 16, 2008
	September 20, 2008
	September 23, 2008
Lanterman RC	September 23, 2008
	October 17, 2008
	October 24, 2008
North Bay RC	August 1, 2008
	September 16, 2008
	October 20, 2008
North LAC RC	September 8, 2008
San Andreas RC	August 29, 2008
	September 23, 2008
San Diego RC	October 29, 2008
San Gabriel/Pomona RC	November 19, 2008
Tri-Counties RC	November 7, 2008
	November 14, 2008
Valley Mountain RC	August 29, 2008
	August 29, 2008
	September 9, 2008
	October 3, 2008
	October 7, 2008
	October 10, 2008

**OFFICE OF CLIENTS' RIGHTS ADVOCACY
SEMI-ANNUAL REPORT
(July 1, 2008 – December 31, 2008)**

DENIAL OF CLIENTS' RIGHTS

Regional Center	Good Cause	Right(s) Denied	Date Denial Began	Date of Review	Date of Restoration
ACRC08-121		V,T,L,P	11/1/08	12/1/08	12/10/08
ACRC08-122		V,T,L,P	11/1/08	12/1/08	10/10/08
ACRC08-123		V,T,L,P	11/1/08	12/1/08	12/10/08
CVRC08-01	O	T	6/25/08	8/8/08	Moved to a new grouphome on 1/2/09.
CVRC08-02	I	C	7/11/08	8/12/08	Client passed away on 10/1/08.
HRC08-02	I, O, D	V, T	3/27/08	7/18/08	7/18/08
NBRC08-04	I, O	T	9/17/08	9/18/08	Ongoing Review
NBRC08-04	I, O	T	9/17/08	9/24/08	Ongoing Review
NBRC08-04	I, O	T	9/17/08	10/7/08	Ongoing Review
NBRC08-04	I, O	T	9/17/08	10/14/08	Ongoing Review
NBRC08-04	I, O	T	9/17/08	11/12/08	Ongoing Review
NBRC08-04	I, O	T	9/17/08	12/2/08	Ongoing Review
NBRC08-04	I, O	T	9/17/08	12/12/08	Telephone access with supervision restored on 9/24/08.
NBRC08-05	I, O	T	12/5/08	12/10/08	Ongoing Review
NBRC08-05	I, O	T	12/5/08	12/16/08	Telephone access with supervision.
SARC08-02	I	V	5/25/08	8/28/08	Ongoing Review
SARC08-02	I	V	5/25/08	9/9/08	Ongoing Review
SARC08-02	I	V	5/25/08	9/16/08	Ongoing Review
SARC08-02	I	V	5/25/08	9/19/08	Ongoing Review

SARC08-02	I	V	5/25/08	9/24/08	Ongoing Review
SARC08-02	I	V	5/25/08	10/6/08	Ongoing Review
SARC08-02	I	V	5/25/08	11/10/08	Ongoing Review
SARC08-02	I	V	5/25/08	12/3/08	Ongoing Review
SARC08-02	I	V	5/25/08	12/19/08	Client concurs with plan of implementation regarding restoration of visitation
SDRC08-10	L, O, D	P, C	10/23/08	11/18/08	11/18/08

Clients' Rights:

- M** To keep and be allowed to spend one's own *money* for personal and incidental needs.
- V** To see *visitors* each day.
- C** To keep and wear one's own *clothes*.
- T** To have reasonable access to *telephones*, both to make and receive confidential calls, and to have calls made for one upon request.
- L** To mail and receive unopened correspondence and to have ready access to *letter* writing materials, including sufficient postage.
- P** To keep and use one's own personal *possessions*, including toilet articles.
- S** To have access to individual *storage* space for one's private use.

OFFICE OF CLIENTS' RIGHTS ADVOCACY
SEMI-ANNUAL REPORT
JULY 1, 2008 - DECEMBER 31, 2008

CONSUMER GRIEVANCES WITH CONTRACTOR

DATE OF RESOLUTION LETTER	COMPLAINT (INITIALS)	NATURE OF COMPLAINT	STATUS	OUTCOME
7/17/08	A.T.	3 rd Level- Failure to represent in regional center matter	Closed	Upheld OCRA's actions
7/10/08	D & D.P.	1 st Level- Failure to provide advocacy	Closed	Upheld OCRA's actions
9/23/08		2 nd Level- Failure to provide advocacy	Closed	Upheld OCRA's actions
11/5/08	J.T.	2 nd Grievance- Failure to provide representation in regional center matter.	Closed	Upheld OCRA's actions
11/18/08	M.Y.	1 st Level- Failure to provide effective advocacy	Closed	Upheld OCRA's staff's actions