

ADVOCACY REPORT

OFFICE OF CLIENTS' RIGHTS ADVOCACY

July - December, 2013

ADA

J.H. Remains in His Apartment with Reasonable Accommodations.

J.H. was notified by his Supported Living Services (SLS) provider that he had to move from his one bedroom apartment to a two bedroom apartment with one bathroom which he would have to share with three other individuals, two in each room. The SLS provider said that the change was needed to save money and serve more clients. J.H. has cerebral palsy which results in very painful and severe muscle spasms. J.H. cannot use medication to relieve this pain due to his recovery from substance addiction. Instead, J.H. relieves his pain through positioning, hot baths, and relaxation techniques which require his sole use of common areas. OCRA helped J.H. write a letter requesting a reasonable accommodation to keep his apartment for his sole use, or at least a two bedroom, two bath apartment shared by only one other consumer. The agency said that the requested accommodation would cause undue financial hardship. The agency offered to compromise by placing J.H. in a two bedroom, one bathroom apartment with one other consumer. OCRA assisted J.H. in filing a complaint with the Department of Fair Employment and Housing. The SLS agency then settled the complaint and J.H. is remaining in his own apartment. Rita Defilippis, CRA, Filomena Alomar, Assistant CRA, Irma Wagster, Supervising CRA, San Andreas Regional Center.

M.S. Gets a Reasonable Accommodation and Changes College Policy.

M.S. had been attending a local community college with the assistance of a "personal assistant" or "PA" funded by the regional center. The PA was allowed by the college as a reasonable accommodation. When he began to attend a disability program at a

different community college he was told that they “don’t do that” when he asked about having a PA. OCRA drafted a request for a reasonable accommodation. OCRA gave specific disability-related reasons for M.S. needing the PA. The PA was funded by the regional center and worked for an agency who had insurance. The college drafted a “PA Policy” that only applied to people with physical disabilities. It did not apply to M.S.’s situation, and prohibited a PA from helping M.S. with non-physical disability accommodations. M.S. signed the policy in its discriminatory form so that he could at least begin classes.

OCRA filed a complaint with the Office for Civil Rights (OCR). OCR investigated and found the college’s policy violated disability laws by putting too many restrictions on a possible accommodation. OCR also found that the college failed to engage in the interactive process with M.S. after he asked for a reasonable accommodation. Without admitting any legal violations the college agreed to enter into a resolution agreement. The college agreed to change its policy, disseminate and publicize the modified policy, give guidance to instructors, and be monitored by OCR for compliance. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Katie Hornberger, Director, Westside Regional Center.

OCRA Complaint Results in an Agreement by County School for Students with Severe Disabilities, to Make Bathrooms Accessible to Students with Mobility Impairments.

While attending an IEP meeting, OCRA observed that the girl’s bathroom at a county school did not appear to be safe or accessible to students with mobility impairments. OCRA filed a complaint with the Office of Civil Rights (OCR). OCR investigated and concluded that the two bathrooms, girls and boys, were both inaccessible to students with mobility impairments. The entrance doors required too much pressure to open and were not marked with visual or tactile signs. There were no grab bars, the toilets were not of the correct height, and the stalls and sinks were not accessible to wheelchairs. The faucets could not be operated by the use of closed fists, the exposed pipes for hot water were not insulated to prevent burns, and the paper towel dispenser was blocked by a gurney. The school agreed to remedy all issues and OCR will monitor until completed.

Rita Defilippis, CRA, Filomena Alomar, Assistant CRA, Irma Wagster, Supervising CRA, San Andreas Regional Center.

BENEFITS

IN HOME SUPPORT SERVICES (IHSS)

A.D. Maintains His IHSS Hours and Receives and Increase in His Monthly SSI Benefit.

A.D. received a written letter from the county that his 283 hours of IHSS were being terminated. Although A.D. timely requested a hearing so his IHSS benefits would continue until a hearing decision, the county nevertheless stopped his benefits. After OCRA contacted the county on A.D.'s behalf, the county agreed to restore A.D.'s IHSS benefits immediately. The IHSS eligibility issue was also subsequently resolved and A.D. kept his 283 hours of IHSS.

A.D. simultaneously sought legal advice from OCRA on how he could show the Social Security Administration (SSA) that his monthly Supplemental Security Income (SSI) amount should not be reduced because he paid his own rent and other monthly expenses. With the assistance of OCRA and a publication entitled SSI Applicants and Recipients: Not Knowing About In-Kind Support and Maintenance Can Cost You Money! A.D. provided the SSA with documentation of rent that he paid his father. Soon thereafter, A.D.'s SSI benefit was restored to the full amount. Jim Stoepler, CRA, Matthew O'Neill, Temporary Assistant CRA, Timothy Poe, Supervising CRA, Redwood Coast Regional Center.

M.R. is Granted IHSS Protective Supervision and Retroactive Payment for 2,300 Hours.

M. R. lives with her elderly parents. For several years M.R. was getting 49 hours a month of IHSS. After discussing her needs, OCRA advised M.R. and her family to request an assessment for protective supervision and additional service hours. The IHSS social worker did an in-home assessment but did not issue a Notice of Action. Several months later, after multiple attempts to communicate with the IHSS social worker to follow up on their request, the family contacted

OCRA. OCRA filed an appeal for additional hours and protective supervision. OCRA met with the county to negotiate and settled the case. M.R. was granted ongoing protective supervision and approximately 2,300 hours of retroactive payment. Margaret Oppel, CRA, Maricruz Magdaleno, Assistant CRA, Kay Spencer, Assistant CRA, Katherine Mottarella, Supervising CRA, Central Valley Regional Center.

D.C. Recoups Over 200 Hours of IHSS.

D.C.'s brother asked OCRA for help after he lost an appeal challenging Sacramento county's decision to reduce D.C.'s IHSS hours from 283 to 57. OCRA met with D.C. and her brother and agreed to assist D.C. to obtain a reassessment from the county. When the county again denied protective supervision for D.C., OCRA agreed to appeal the denial and represent her at a second administrative hearing. On the morning of the hearing, after viewing the evidence OCRA compiled to support D.C.'s claim for protective supervision, the county agreed to grant a conditional withdrawal and assign a different social worker to conduct yet another assessment. Soon after this assessment, which OCRA attended, the County restored D.C.'s 283 protective supervision hours, retroactive to the date of the date of the appeal. Asa Marie Standfeldt, CRA, Ramona Landeros, Assistant CRA, William Leiner, Supervising CRA, Alta California Regional Center.

L.G. Continues to Receive 283 Hours of IHSS.

L.G. is a 10-year-old who was receiving 283 hours of IHSS from San Bernardino County. Upon moving, Riverside County conducted a new assessment and determined that L.G. was a non-severely impaired individual as defined under the program and, therefore, only qualified for 195 hours of IHSS per month. L.G.'s mother contacted OCRA for assistance. OCRA agreed to provide direct representation at an administrative hearing and presented extensive testimony that Riverside County erroneously reduced many areas of need. Following the hearing, the Administrative Law Judge determined that L.G. is severely impaired and needs IHSS in the amount of 283 hours per month to remain safely in her home. Veronica Cervantes, CRA,

Jazmin Romero, Assistant CRA, Katie Meyer, Supervising CRA, Inland Regional Center.

OCRA Assists Z.Z. In Proving His Need for IHSS.

Z.Z. is a 23-year-old man diagnosed with autism. His mother contacted OCRA for assistance with filling out a twenty four hour care form required by IHSS. OCRA helped complete the form and explained the different areas of evaluation and how to demonstrate needs in those areas. The family speaks Mandarin and had difficulty finding information and resources they could understand. The CRA was able to speak to them and provide written information in their language. Z.Z. was approved for an increase from 68 hours to 118 hours per month following his reassessment. Jackie Dai, CRA, Lucy Garcia Assistant CRA, Irma Wagster, Supervising CRA, Eastern Los Angeles Regional Center.

M.N. Receives IHSS Hours She Needs to Live Safely at Home.

M.N. is a young woman with many support needs who lives with her family. M.N. and her family are refugees adapting to a new culture, dealing with language barriers, and learning to navigate the service systems that can help M.N. In March 2013, with the help of her sister, M.N. applied for IHSS, but her application was denied. At the time, M.N. did not know to appeal. Her sister helped her apply again, but the county delayed processing her application for many months, despite her sister's diligent efforts to follow up.

M.N.'s sister contacted OCRA. OCRA advised her regarding M.N.'s rights and encouraged her to appeal. M.N. appealed, and the county almost immediately issued a Notice of Action giving her 40 hours per month of IHSS. This was great progress, but M.N.'s sister knew she qualified for more hours, so she decided to go ahead with the hearing. OCRA helped M.N.'s sister as she prepared for the hearing. She exercised her right to an interpreter to help her communicate effectively, and her right to pick up the county's position statement two days before the hearing. She read the position statement carefully and discovered the social worker who wrote the report was not the one who came to the home to do the assessment. OCRA advised M.N.'s sister to share this information with the Administrative

Law Judge (ALJ). She did, and this information, combined with the fact that the social worker who actually did the assessment was not available as a witness at the hearing, worked in M.N.'s favor. The ALJ told M.N.'s sister at the hearing that she had won and that his favorable decision would be retroactive to her first application date in March 2013. Megan Chambers, CRA, Patricia Martin, Assistant CRA, Irma Wagster, Supervising CRA, San Diego Regional Center.

MEDI-CAL

R.R Obtains 95 Additional Nurse Hours to Remain Safely at Home.

R.R.'s mother, who is a monolingual Spanish-speaker, contacted OCRA seeking assistance with appealing Medi-Cal's In Home Operations' (IHO) determination that R.R. only qualified for 235 hours per month of nurse hours on the Nursing Facility waiver. R.R.'s mother did not believe these hours were sufficient to meet R.R.'s need for around-the-clock care. OCRA worked with R.R.'s nursing agency to obtain sufficient documentation to support a request for additional nursing hours from Medi-Cal. As a result of the additional information that was submitted, IHO determined that R.R. was eligible for an additional 95 hours per month of nursing hours under the Intermediate Care Facility/Developmentally Disabled Continuing Nursing (ICF-DD-CN) waiver. Ibrahim Saab, CRA, Carlos Mora, Assistant CRA, Timothy Poe, Supervising CRA, North Los Angeles County Regional Center.

C.D. Determined Eligible for Medi-Cal.

C.D. was denied Medi-Cal because of a special needs trust. With the help of OCRA, C.D. filed for a fair hearing to challenge the denial. Medi-Cal's hearing representative claimed that the trust must have a "pay-back" provision requiring that Medi-Cal be reimbursed for all Medi-Cal expenses upon C.D.'s death. The law does not require such a provision. OCRA presented the Medi-Cal representative with statements from two trust experts supporting the client's position, Medi-Cal agreed that the client's special needs trust was exempt from consideration as a financial resource for purposes of eligibility. C.D. was found to be eligible to receive Medi-Cal coverage without the

necessity of a hearing. Lynne Page, CRA, Timothy Poe, Supervising CRA, Redwood Coast Regional Center.

L.Y. Maintains Medi-Cal with No Share of Cost.

L.Y. is eligible for Medicare and Medi-Cal. When L.Y. noticed on his monthly bank statement that his Supplemental Security Income (SSI) benefit was reduced by \$105, he called the county office of social services. The county made the reduction to pay for L.Y.'s Medicare Part B premium. Shortly thereafter, L.Y. also received a letter from Medi-Cal stating that his share of cost would increase from zero to \$599. After contacting OCRA, L.Y. requested a hearing and keep his benefits in place until the matter was resolved through aid paid pending.

OCRA reviewed other letters that Y.L. received from Medi-Cal and concluded that the county had incorrectly changed him to the wrong Medi-Cal program. Medi-Cal agreed to correct the record. Y.L. did not owe any money and remained eligible for no-share-of-cost Medi-Cal. Medi-Cal is also paying for Y.L.'s Medicare Part B premiums. Jim Stoepler, CRA, Matthew O'Neill, Temporary Assistant CRA, Timothy Poe, Supervising CRA, Redwood Coast Regional Center.

L.S. Keeps EPSDT Nursing Hours.

L.S. had been receiving in-home private duty nursing care for about five years to care for her G-tube and other specialized needs. Medi-Cal's EPSDT program funded the nursing hours in the home. When California's Department of Health Care Services, required that all people with disabilities must choose a Medi-Cal managed care plan, L.S.'s mother chose the local public managed care plan. The managed care plan was not aware of L.S.'s case or her needs.

One day, the nursing agency informed L.S.'s mother that the managed care plan was no longer going to fund the nursing hours. The plan had "denied" the hours. The plan based the "denial" on the medical necessity standard for adults, which is incorrect since L.S. a 6-year-old and should receive services under the more flexible EPSDT standard.

OCRA filed for a hearing against the plan for terminating the nursing hours without proper notice. The day before hearing, OCRA negotiated a settlement with the medical director of the plan in which the plan agreed to pay claims for nursing back to the date that Medi-Cal last paid and the plan took over L.S.'s Medi-Cal. The plan also authorized nursing for another six month period, agreed to re-evaluate the medical necessity of the service using the correct EPSDT medical necessity standard, and inform the appropriate parties of its decision about any subsequent service authorizations 30 days prior to the effective date. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Katherine Mottarella, Supervising CRA, Westside Regional Center.

SOCIAL SECURITY

SOCIAL SECURITY DISABILITY INSURANCE (SSDI)

S.P.'s SSDI Benefits Are Reinstated and a \$48,383 Overpayment is Cleared.

S.P. works at a courthouse job site through Exceptional Children's Foundation (ECF). He receives SSDI because he has worked and paid into the system enough to receive these disability benefits. One day, his mother/representative payee received a notice that S.P.'s disability had ended and his SSDI benefits stopped. The notice also stated he had an overpayment of \$48,383.80, because SSA continued to send him benefits even after his disability "ended."

OCRA asked S.P.'s supervisor at ECF about his work and then asked her to complete the Work Activity Questionnaire, a form about subsidized and special conditions at work. OCRA learned that the position at the courthouse was created especially for regional center consumers. One of the job requirements is that workers must have a developmental disability. ECF certified that S.P. works 40 hours per week and has a job coach for 40 hours per week. S.P. requires extra help and supervision, has fewer and easier duties, and must meet lower production standards than a non-disabled employee in a similar job. ECF also certified that S.P. performs about 70% of the work that a non-disabled employee in the same position performs because of his intellectual disability.

OCRA filed an appeal of the disability cessation and asked for S.P.'s benefits to start again. OCRA provided evidence of subsidy, special employment conditions, and Impairment-Related Work Expenses, which meant that S.P. was not performing substantial work, is still eligible for benefits, and the overpayment should be cleared. SSA agreed, reinstated S.P.'s benefits, and cleared the overpayment. Katie Meyer, CRA, Luisa Delgadillo, Assistant CRA, Katherine Mottarella, Supervising CRA, Westside Regional Center.

SUPPLEMENTAL SECURITY INCOME

SSI Restored for Siblings.

S.M. and her brother, D.M., received Notices of Action announcing large reductions in the amount of SSI they receive. Their mother did not understand the notices and contacted the OCRA for assistance. After reviewing all the records and letters, it was discovered that the IHSS income was improperly being counted by SSI. IHSS wages paid to a parent for the care of a minor child do not get deemed as do other types of wages. OCRA accompanied the family to an appointment at the local office to correct the mistake. SSI agreed and restored the SSI for both children. Aimee Delgado, CRA, Marisol Cruz, Assistant CRA, Irma Wagster, Supervising CRA, San Gabriel/Pomona Regional Center.

OCRA Obtains Waiver of E.M.'s Overpayment for SSI.

E.M. is a 19-year-old man with autism. He has been receiving SSI due to his disability since infancy. Due to the nature of E.M.'s father's employment, his father's monthly income varies. However, E.M.'s father has always timely submitted his pay stubs to the Social Security Administration (SSA). Surprisingly, E.M. received a notice of action stating that he owed an overpayment of approximately \$9,000 back to 2008. OCRA filed both a request for overpayment of this amount and a request for reconsideration. Both were denied. OCRA then filed for hearing. At the hearing, OCRA argued (1) the family was without fault and (2) to collect the overpayment would cause a financial hardship. A fully favorable hearing decision was received stating that the entire overpayment amount is waived. SSA did not

abide by the decision and was still trying to collect the overpayment. OCRA then represented E.M. at a meeting and have obtained documentation that the overpayment was waived. Jackie Dai, CRA, Lucy Garcia Assistant CRA, Irma Wagster, Supervising CRA, Eastern Los Angeles Regional Center.

C.J.'s SSI Benefits Reinstated.

C.J. received several Notices of Action regarding his SSI. The notices indicated that his SSI was going to be reduced by \$236.66 per month due to In-Kind Support and Maintenance because he was living in the home of another. He also had a \$1,739.66 overpayment, and he was no longer eligible due to being over resourced. OCRA helped C.J. file a request for reconsideration. OCRA assisted C.J. with preparing documents to show that he did not have excess resources, and that he was paying his fair share of the household expenses. After C.J. submitted the documents, it was determined that he was eligible for SSI, that he was not over the allowable resource limit and he did not have an overpayment. C.J.'s full amount of SSI was reinstated. Jacqueline Miller, CRA, Jazmin Romero, Assistant CRA, Irma Wagster, Supervising CRA, Regional Center of Orange County.

HOUSING

OCRA Advocacy Results in Door Locks to Prevent Disability Related Unsafe Running Away Behavior.

O.V. is a 4-year-old child whose disability related behavior results in her running out of her home during the day and night. O.V.'s parent requested the apartment complex to install upper door locks to prevent O.V. from leaving the apartment. The apartment management refused, claiming that the locks would violate fire codes, which would result in their loss of federal subsidies. OCRA researched the codes cited and determined that they were not applicable to private dwellings and confirmed this with the San Jose Fire Battalion Chief and shares its research with the apartment owner. The apartment management installed the locks. Rita Defilippis, CRA, Filomena Alomar, Assistant CRA, Irma Wagster, Supervising CRA, San Andreas Regional Center.

Outreach and Training

OCRA Provides Bilingual Workshop Regarding Regional Center Services.

As part of broader outreach efforts to the local community, OCRA collaborated with a parent support organization, Matrix Parents Network, to conduct a four-part workshop regarding regional center services for children and adults. The presentation was conducted for both Spanish and English speaking families and professionals.

OCRA educated families and professionals about the different types of services offered by regional centers, provided specific examples of how services are typically provided in the regional center's catchment area, and provided information regarding rights to appeal service denials or terminations. Attendees enjoyed the workshops and gained more knowledge about regional center services. Many attendees also commented on the value of having a separate workshop conducted in Spanish. Yulahlia Hernandez, CRA, Annie Breuer, Assistant CRA, William Leiner, Supervising CRA, North Bay Regional Center.

REGIONAL CENTER

COMMUNITY PLACEMENT

18-Year-Old is Discharged From Locked Psychiatric Facility to Community Group Home.

F.S. is an upbeat young man who has Prader-Willi syndrome which results in excessive eating and obesity. He also has behavior problems stemming from the extreme urge to seek food. F.S. also has an intellectual disability.

F.S. contacted OCRA for help because he felt his right to have visits from his mother and right to live in the least restrictive environment were being violated. F.S. had been removed from his parents home on allegations that his parents could not manage his condition and that this was tantamount to neglect. After being removed from his

home the juvenile court also set restrictions on F.S.'s right to have visits from his mother. As a result, F.S. became increasingly upset and aggressive while placed in several group homes. Eventually F.S. was placed in an involuntary psychiatric hold at College Hospital as a danger to himself and others. While there F.S. was allowed more regular visits from his mother and his behavior soon stabilized. Unfortunately, F.S. remained in a locked psychiatric facility for many months after meeting discharge criteria.

Planning for F.S.'s discharge to a less restrictive community setting was complicated because of his Prader-Willi syndrome and the multi-agency coordination that had to take place between the juvenile court, the regional center, county mental health, and the Department of Children and Family Services to find an appropriate placement. OCRA collaborated with F.S.'s court-appointed attorney and represented F.S. at his discharge planning meetings to ensure he would not be deprived of his right to continued visits from his mother and to ensure that he would be placed in a group home specializing in meeting the needs of persons with Prader-Willi syndrome. F.S. was eventually placed in a group home offering specializing services to persons with Prader-Willi syndrome, and his mother is allowed to visit him regularly at his new group home. Eva Casas-Sarmiento, CRA, Cynthia Salomon, Assistant CRA and Katherine Mottarella, Supervising CRA, Harbor Regional Center.

I.R. Moves From Locked Setting to the Community.

I.R. is a 42-year-old woman who had been living in a locked setting since 2007. I.R. wanted to live in the community. She had made tremendous progress in her program. OCRA assisted I.R. and her parents in requesting that regional center find an appropriate community placement. After several IPP meetings and a letter to regional center administrators, I.R. was placed in a small community group home. I.R. is now living in her new group home, has her own bedroom, has made new friends and is living a more independent life. Mary Melendrez, CRA, Christine Armand, Associate CRA, Katherine Mottarella, Supervising CRA, South Central Los Angeles Regional Center.

After 6 Years in Developmental Center, R.R. Moves to the Community.

R.R. is 25-year-old woman who, at 19 years of age, was committed to a developmental center because of challenging behaviors. By all accounts, R.R. has progressed well and no longer met the criteria for the commitment. R.R.'s regional center notified OCRA of R.R.'s IPP meetings pursuant to recent legislation and informed OCRA that it identified a quality community placement for R.R.

OCRA participated in IPP meetings at the developmental center to advocate for R.R.'s right to live in the least restrictive setting with all necessary transition and on-going support services. R.R.'s IPP team agreed to move forward with the placement, and R.R. moved to her new home. Leinani Walter, CRA, Christine Hager, Assistant CRA, William Leiner, Supervising CRA, Valley Mountain Regional Center.

B.A. Obtains Extensive Regional Center Services so He Can Successfully Transition from College Hospital Back into the Community.

B.A.'s parent contacted OCRA concerned that B.A. would be committed to Fairview Developmental Center. B.A. had been at College hospital for the past 18 months because of his past reported aggressive behavior and property destruction.

OCRA agreed to represent B.A. for the purpose of preventing his admission to FDC and creating a plan with the parent and the regional center to have B.A. return home with adequate supports and structured day activities. OCRA provided direct representation at a series of meetings at College Hospital, reviewed B.A.'s extensive records and advocated for the funding and completion of a comprehensive assessment, which identified the kinds of supports and services that B.A. would need once he moved back into the family home. OCRA also acted as an intermediary between the regional center and the parent in preparing the Individualized Person Plan document, which included all of the supports that the regional center would provide to B.A. B.A. is now scheduled to move out of College Hospital and back to his family home. Hannah Liddell, CRA,

Ada Hamer, Associate CRA, Timothy Poe, Supervising CRA, Frank D. Lanterman Regional Center.

C.H.'s is Discharged with Additional Respite Hours.

C.H. was in a psychiatric facility and preparing for discharge. C.H. would be tapering off the medications that she was prescribed while in the hospital when she returned home. C.H.'s mother believed that additional support in the home was necessary to ensure C.H.'s safety. OCRA advocated for additional support to ensure a smooth discharge. The regional center agreed to fund 16-hour shifts per day of behavioral respite services for 3-weeks while C.H.'s medications were adjusted and her behaviors stabilized. Ibrahim Saab, CRA, Carlos Mora, Assistant CRA, Timothy Poe, Supervising CRA, North Los Angeles County.

ELIGIBILITY

C.F. becomes Eligible for Regional Center Services.

Eligibility for regional center services had been unsuccessfully sought on C.F.'s behalf at least five times during his life, beginning when he was an infant. C.F.'s matter was brought to OCRA's attention when he was 19-years-old by a local non-profit, Youth4Change, that works with at-risk children and families. C.F. grew up primarily in foster care with behavioral health issues surfacing early. The agency explained that, despite testing completed when he was 18 which indicated an I.Q. in the range of a diagnosis Intellectual Disability, C. F. had yet again been found ineligible, and appealed the denial.

OCRA met with C.F. and staff from Youth4Change multiple times, obtained and reviewed all pertinent records and prepared to represent C.F. at the informal meeting. OCRA prepared a written brief which summarized all of the relevant records and testing and which cited applicable statutory law, the DSM and peer-reviewed articles on IQ testing. At the informal meeting, OCRA presented the brief and ensured that both C.F. and his long-time social worker spoke about his impairments. Regional center granted eligibility.

Kimberlee Candela, CRA, Lorie Atamian, Associate CRA, Katie Hornberger, Director, Far Northern Regional Center.

SERVICES

J.B. Maintains Personal Assistance Service Following Mediation.

J.B. contacted OCRA to appeal the regional center's notice of proposed action that J.B.'s personal assistance service was being terminated. OCRA requested that the regional center agree to postpone the hearing date so that J.B. could have more time in trying to obtain services from IHSS, the generic resource. Once appropriate generic resources were in place, there would be no need for personal assistance services and the termination would be appropriate.

After the regional center refused to postpone the hearing, OCRA agreed to represent J.B. at hearing and filed a motion for continuance with the Office of Administrative Hearings (OAH). At the hearing on the motion for continuance of the hearing, the regional center reconsidered the offer by OCRA to represent J.B. in pursuing IHSS in exchange for the regional center keeping J.B.'s personal assistance services in place until the IHSS matter was resolved. The regional center will keep J.B. at his current level of personal assistance service and OCRA will pursue IHSS services. Mario Espinoza, CRA, Valerie Geary Associate CRA, Timothy Poe, Supervising CRA, Kern Regional Center.

S.S. Retains Home Health Aide Care After Aging Out of EPSDT.

Shortly before turning 21-years-old, S.S. received a notice of action denying her eligibility for services under the Medicaid Nursing Facility (NF) waiver. S.S.'s mother contacted OCRA for assistance with securing appropriate services for S.S. to remain in her family home. S.S. requires around the clock care and supervision and home health aide care with all activities of daily living. S.S. received home health aide care with nursing supervision for many years and there had been no change in her condition.

OCRA agreed to represent S.S. in several regional center IPP meetings where it was determined that the NF waiver services were not appropriate to meet S.S.'s needs and that she was fully utilizing all generic services, including In-Home Supportive Services. All parties agreed that S.S. would remain on the DD waiver as it was more appropriate to meet her needs. The IPP was drafted to ensure that S.S. would receive, through the regional center and the DD waiver, the home health aide services needed to allow her to stay in her home. Kendra McWright, CRA, Gina Gheno, Assistant CRA, Katherine Mottarella, Supervising CRA, Tri-Counties Regional Center.

OCRA Assists B.A. in Getting Respite Services Reinstated and Obtaining Retroactive Services.

B.A.'s mother contacted OCRA when her respite services were terminated by the regional center. B.A.'s mother explained that the respite services were denied verbally, and the regional center did not provide her with a written notice of proposed action. OCRA helped B.A.'s mother file a 4731 complaint regarding the lack of written notice.

The regional center quickly reinstated B.A.'s respite services and approved retroactive services to make up for the lost respite hours. B.A.'s family also has the information it needs to appeal the regional center's actions if the services are terminated in the future. Yulahlia Hernandez, CRA, Annie Breuer, Assistant CRA, William Leiner, Supervising CRA, North Bay Regional Center.

E.G. Obtains Travel Reimbursement to Receive Mental Health Services.

E.G.'s parent needed help preparing for a hearing to appeal the regional center's denial of hotel and gas reimbursement costs associated with the travel to a distant hospital for mental health treatment. The regional center denied the reimbursement request because it did not consider E.G.'s mental health condition to be a qualifying condition for regional center funding. OCRA helped the parent prepare for the hearing and show that a regional center client with a mental health diagnosis can obtain case management mental

health services and supports from the regional center. E.G. received a favorable decision, the Administrative Law Judge ordered the regional center to reimburse the travel expenses. Mario Espinoza, CRA, Valerie Geary, Associate CRA, Timothy Poe, Supervising CRA, Kern Regional Center.

T.M. Gets New Caseworker and Day Program.

T.M. was unhappy with his day program. OCRA learned that T.M.'s circle of support, including his doctor and group home, supported his desire to find something new. However, his regional center caseworker did not. OCRA also learned that T.M. wanted a new caseworker who would better help support his goals. OCRA helped T.M. exercise his right to have a new caseworker. T.M. now has a new caseworker who is helping him make the transition to a day program of his choice. Katy Lusson, CRA, Aruti Patel, CRA, Christine Tarrant, Assistant CRA, William Leiner, Supervising CRA, Golden Gate Regional Center.

SPECIAL EDUCATION

OCRA Stops Bullying by Other Students.

O.D. had recently transitioned from a special day class to a fully integrated high school program. She was experiencing daily bullying from students who did not understand some of O.D.'s autistic-like behaviors. OCRA agreed to represent O.D. at an Individualized Education Plan (IEP) to develop ideas to stop the bullying.

During the IEP meeting, the team agreed that assigning a school aide to observe O.D. throughout the day might make O.D. feel safer and assist her with her school work. It was agreed that the school aide would not hover-over her because O.D., being a teenager, would not like that kind of attention. Instead, the aide would remain at a distance only to observe and be available should O.D. need help. OCRA is also assisting O.D. in obtaining social skills' training in the community which she can apply school. Hannah Liddell, CRA, Ada Hamer, Associate CRA, Timothy Poe, Supervising CRA, Frank D. Lanterman Regional Center.

OCRA Helps D.C. Receive Services.

D.C.'s mother was concerned the district would reduce or stop school services after D.C. was injured at school. OCRA represented D.C. at multiple IEP team meetings. OCRA helped D.C. obtain the services and supports he needs to meet the goals in his IEP, including extended school year services, a new school placement for the following year, and a 1:1 aide for the first 30-days after the transition to the new placement. The district also agreed to provide 5 hours of compensatory speech services. In addition, OCRA worked with the regional center, which agreed to provide in home support and counseling services for D.C. and his mother. Arthur Lipscomb CRA, Celeste Palmer, Associate CRA, William Leiner, Supervising CRA, Regional Center of the East Bay.

School Provides Plethora of Services after OCRA's Representation at IEP Meetings.

When OCRA first met J.M., she was non-verbal, had significant behaviors, and was academically at a standstill. After repeated and great difficulties at school, her mother was attempting to home-school her. However, it was acknowledged by all that J.M. had stopped gaining academic skills altogether. Despite the loss of skills, the school had determined there was no need for updated assessments. The communication device that had previously been approved had not been purchased by the school.

OCRA attended the IEP and successfully advocated for the school to place J.M. back in the classroom. It was agreed that J.M. would begin summer school the very next week. The school agreed to assess J.M. in the areas of augmentative communication, occupational therapy, academics, and complete a functional behavior assessment. Pivotal to J.M.'s success, the school also conceded that J.M. would need a 1:1 aide throughout the day.

As a result of all the assessments that were done, the school agreed to provide J.M. with direct speech therapy, occupational services for fine motor skills and adaptive physical therapy. J.M. has the use of an iPad which is loaded with software to assist her with communication. A new behavioral support plan was put into place to

address her behaviors, which decreased substantially since she was placed in the classroom with proper supports and services. Currently, J.M. is mainstreamed for a portion of her day and, with the direct support of her 1:1 aide, she has been quite successful. Lorie Atamian, Associate CRA, Kimberlee Candela, CRA, Katie Hornberger, Director, Far Northern Regional Center.

OCRA Helps A.H. Obtain Post-Secondary Transition Services.

A.H. has been home schooled. A.H.'s school district never informed him or his mother about transition services when he turned 16, as required by law. When A.H.'s mother learned about transition services just before his 18th birthday, she requested them from the district. Following this request, the district called an IEP team meeting and agreed to explore appropriate transition services. After a series of IEP team meetings, the district retracted its offer for A.H. to visit a transition program and stated that they were going to exit A.H. from special education.

OCRA agreed to represent A.H. to help him secure appropriate transition services. After a series of negotiations and a mediation with the district, the district agreed to reverse its decision to exit A.H. from special education and to fund a transition program. The district also agreed to provide transportation to the transition program until A.H. is able to safely get there on his own. Arthur Lipscomb CRA, Celeste Palmer, Associate CRA, William Leiner, Supervising CRA, Regional Center of the East Bay.

OTHER

Debt Collector No Longer Pursues P.D.'s Debt.

P.D. began receiving harassing phone calls after accumulating large amounts of credit card debt as a result of unknowingly entering into a business contract. Because P.D.'s sole income was SSI, which is not garnishable, OCRA wrote debt forgiveness letters to each credit card issuer. After the letters were sent, a debt collector called OCRA to discuss the situation. The debt collector agreed to close the file and cease further actions to collect the debt. Katy Lusson, CRA, Aruti

Patel, CRA, Christine Tarrant, Assistant CRA, William Leiner, Supervising CRA, Golden Gate Regional Center.

OCRA Helps Adult Client Reduce Child Support Garnishment.

T.M. is the non-custodial parent of an adult child. OCRA staff assisted T.M. in contacting the county Department of Social Services Child Support Unit to request a reduction of the child support arrears being garnished from T.M.'s monthly SSDI check.

T.M. contacted OCRA who assisted him in providing supporting documentation. The county agreed to issue an amended wage garnishment order to reduce the withholding on T.M.'s monthly check from \$245 to \$50.05 per month. This amended amount is the California state maximum allowable deduction (5%) based upon T.M.'s receipt of SSDI. The reduction became effective January 1, 2014. Mary Melendrez, CRA, Christine Armand, Associate CRA, Katherine Mottarella, Supervising CRA, South Central Los Angeles Regional Center.