

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1704

Introduced by Assembly Member La Malfa

February 23, 2007

An act to amend Section ~~12300.1~~ of 4860 of, and to add Sections 4860.2 and 4681.2 to, the Welfare and Institutions Code, relating to social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1704, as amended, La Malfa. ~~In-home supportive services. Developmental services.~~

Existing law, the Lanterman Developmental Disabilities Services Act grants persons with developmental disabilities the right to receive treatment and services to meet their needs, regardless of age or degree of handicap, at each stage of life. Existing law requires that the state pay for these services through contracts with various private nonprofit corporations for the operation of regional centers for the developmentally disabled, and requires regional centers to develop an Individual Program Plan (IPP) for each consumer. The plan is required to set forth the treatment and services to be provided for the consumer.

Existing law authorizes the department to specify rates for community care for consumers, including, but not limited to, direct care, as defined.

This bill would require the regulations to include rates for community transition specialist services.

Existing law establishes the hourly rate for supported employment services, and authorizes payment of prescribed fees for consumers who are referred for vocational rehabilitation services, including, but not

limited to, a \$400 intake fee, an \$800 placement fee, and an \$800 retention fee.

This bill would, instead make those fees applicable for individualized services and would set forth other authorized fees applicable for group services. The bill would authorize the department to adopt regulations to increase the percentage of job coaching services that may be provided to maximize the likelihood that a consumer will achieve stabilization and independence on the job.

~~Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium.~~

~~This bill would make technical, nonsubstantive changes.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4681.2 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 4681.2. As a component of direct care the department
- 4 regulations shall specify rates for community transition specialist
- 5 services.
- 6 SEC. 2. Section 4860 of the Welfare and Institutions Code is
- 7 amended to read:
- 8 4860. (a) (1) The hourly rate for supported employment
- 9 services provided to consumers receiving individualized services
- 10 shall be thirty-four dollars and twenty-four cents (\$34.24).
- 11 (2) Job coach hours spent in travel to consumer worksites may
- 12 be reimbursable for individualized services only when the job
- 13 coach travels from the vendor’s headquarters to the consumer’s
- 14 worksite or from one consumer’s worksite to another, and only
- 15 when the travel is one way.
- 16 (b) The hourly rate for group services shall be thirty-four dollars
- 17 and twenty-four cents (\$34.24), regardless of the number of
- 18 consumers served in the group. Consumers in a group shall be

1 scheduled to start and end work at the same time, unless an
2 exception that takes into consideration the consumer's compensated
3 work schedule is approved in advance by the regional center. The
4 department, in consultation with stakeholders, shall adopt
5 regulations to define the appropriate grounds for granting these
6 exceptions. When the number of consumers in a supported
7 employment placement group drops to fewer than the minimum
8 required in subdivision (r) of Section 4851 the regional center may
9 terminate funding for the group services in that group, unless,
10 within 90 days, the program provider adds one or more regional
11 center, or Department of Rehabilitation funded supported
12 employment consumers to the group.

13 (c) Job coaching hours for group services shall be allocated on
14 a prorated basis between a regional center and the Department of
15 Rehabilitation when regional center and Department of
16 Rehabilitation consumers are served in the same group.

17 (d) When Section 4855 applies, fees shall be authorized for *any*
18 *of the following, as appropriate:*

19 (1) *For individualized services, fees shall be authorized for any*
20 *of the following, as appropriate:*

21 (1)

22 (A) A four hundred dollar (\$400) fee shall be paid to the program
23 provider upon intake of a consumer into a supported employment
24 program. No fee shall be paid if that consumer completed a
25 supported employment intake process with that same supported
26 employment program within the previous 12 months.

27 (2)

28 (B) An eight hundred dollar (\$800) fee shall be paid upon
29 placement of a consumer in an integrated job, ~~except that no fee~~
30 ~~shall be paid if that consumer is placed with another consumer or~~
31 ~~consumers assigned to the same job coach during the same hours~~
32 ~~of employment.~~

33 (3)

34 (C) An eight hundred dollar (\$800) fee shall be paid after a
35 90-day retention of a consumer in a job, ~~except that no fee shall~~
36 ~~be paid if that consumer has been placed with another consumer~~
37 ~~or consumers, assigned to the same job coach during the same~~
38 ~~hours of employment.~~

39 (2) *For group services, fees shall be authorized for any of the*
40 *following, as appropriate:*

1 (A) A four hundred dollar (\$400) fee shall be paid to the
2 program provider upon intake of a consumer into a supported
3 employment program. No fee shall be paid if that consumer
4 completed a supported employment intake process with the same
5 supported employment program within the previous 12 months.

6 (B) A two hundred fifty dollar (\$250) fee shall be paid upon
7 placement of a consumer in an integrated job.

8 (C) A two hundred fifty dollar (\$250) fee shall be paid after a
9 90-day retention of a consumer in a job.

10 (e) Notwithstanding paragraph (4) of subdivision (a) of Section
11 4648 the regional center shall pay the supported employment
12 program rates established by this section.

13 SEC. 3. Section 4860.2 is added to the Welfare and Institutions
14 Code, to read:

15 4860.2. The department shall adopt regulations to increase
16 the percentage of job coaching services that may be provided over
17 a period not to exceed one year at a level of intensity sufficient to
18 maximize the likelihood that a consumer will achieve stabilization
19 and independence on the job.

20 SECTION 1. ~~Section 12300.1 of the Welfare and Institutions~~
21 ~~Code is amended to read:~~

22 ~~12300.1. As used in Section 12300 and in this article,~~
23 ~~“supportive services” include those necessary paramedical services~~
24 ~~that are ordered by a licensed health care professional who is~~
25 ~~lawfully authorized to do so, that persons could provide for~~
26 ~~themselves but for their functional limitations. Paramedical services~~
27 ~~include the administration of medications, puncturing the skin or~~
28 ~~inserting a medical device into a body orifice, activities requiring~~
29 ~~sterile procedures, or other activities requiring judgment based on~~
30 ~~training given by a licensed health care professional. These~~
31 ~~necessary services shall be rendered by a provider under the~~
32 ~~direction of a licensed health care professional, subject to the~~
33 ~~informed consent of the recipient obtained as a part of the order~~
34 ~~for service. Any and all references to Section 12300 of this code~~
35 ~~in any statute heretofore or hereafter enacted shall be deemed to~~
36 ~~also be references to this section. All statutory references to the~~
37 ~~supportive services specified in Section 12300 shall be deemed to~~
38 ~~also include paramedical services.~~

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