

AMENDED IN SENATE MAY 4, 2010
AMENDED IN SENATE APRIL 6, 2010

SENATE BILL

No. 1129

Introduced by Senator Wiggins

February 18, 2010

An act to add Section 4510.5 to the Welfare and Institutions Code, relating to developmental disabilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1129, as amended, Wiggins. Health services: Sonoma Developmental Center.

Existing

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services contracts with private nonprofit regional centers to provide or purchase services and supports for persons with developmental disabilities.

Existing law vests in the State Department of Developmental Services department jurisdiction over various state developmental centers, including the Sonoma Developmental Center, for the medical and nursing care of patients with developmental disabilities. Existing law imposes various functions and duties on the Director of Developmental Services with respect to the provision of services for the care and protection of persons with developmental disabilities.

This bill would require the director to provide, prior to an unspecified date, intensive behavioral treatment services at the Sonoma Developmental Center, through the center's operation of an outpatient clinic, to persons with developmental disabilities who reside at the center, and also to individuals residing in community settings in the surrounding area make a consumer from any regional center eligible

to receive temporary intensive behavioral intervention services at the Sonoma Developmental Center through the center’s existing behavioral treatment units in specified circumstances. The bill would require the regional center to make the determination of whether to provide those services and would specify that the consumer is prohibited from remaining in the Sonoma Developmental Center for a period exceeding 6 months without a review by the regional center and the Sonoma Developmental Center.

~~This bill would authorize the department to obtain status as a Medi-Cal provider in order to receive reimbursement for services provided to nondevelopmental center patients, and would require the department to pursue other funding sources. The bill would make the provision of services to nondevelopmental patients contingent upon obtaining appropriate status as a Medi-Cal provider or otherwise obtaining sufficient funds through other funding sources.~~

This bill would require the costs of administering the program to be funded through existing resources of the department.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Sonoma.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) State developmental centers are an integral part of the system
- 4 of care provided to consumers of services for the developmentally
- 5 disabled.
- 6 (b) As a part of that system of care, state developmental centers
- 7 have developed and maintained intensive behavioral treatment
- 8 services of the highest quality.
- 9 (c) Consumers of services for the developmentally disabled who
- 10 do not choose to live in a state developmental center experience
- 11 difficulty accessing intensive behavioral treatment services.
- 12 (d) California has an enduring commitment to meeting the
- 13 intensive behavioral treatment service needs of all consumers of
- 14 services for the developmentally disabled, and should find ways
- 15 to make these high-quality developmental center services available
- 16 to the broader disabled community.

1 ~~SEC. 2. Section 4510.5 is added to the Welfare and Institutions~~
2 ~~Code, to read:~~

3 ~~4510.5. (a) Notwithstanding any other provision of law, prior~~
4 ~~to _____, the Director of Developmental Services shall provide~~
5 ~~intensive behavioral treatment services at Sonoma Developmental~~
6 ~~Center to residents of the center and to individuals residing in~~
7 ~~community settings in the surrounding area through the center's~~
8 ~~operation of an outpatient clinic.~~

9 ~~(b) The department may obtain appropriate status as a Medi-Cal~~
10 ~~provider in order to be reimbursed for services provided to~~
11 ~~nondevelopmental center patients. The department shall pursue~~
12 ~~other funding sources to minimize the fiscal impact of the program~~
13 ~~on the General Fund. Other sources may include the establishment~~
14 ~~of a certified public expenditure program or procurement of a~~
15 ~~waiver under federal Medicaid provisions. The department may~~
16 ~~contract with a billing service to ensure accurate and timely billing~~
17 ~~of, and reimbursement by, the State Department of Health Care~~
18 ~~Services through the Medi-Cal program.~~

19 ~~(c) Provision of services to nondevelopmental center patients~~
20 ~~required pursuant to subdivision (a) shall be contingent on the~~
21 ~~department obtaining appropriate status as a Medi-Cal provider~~
22 ~~or otherwise obtaining sufficient funds through other sources as~~
23 ~~provided in subdivision (b).~~

24 ~~(d) Administration of this program shall be funded through~~
25 ~~existing resources of the department. No additional General Fund~~
26 ~~moneys shall be appropriated to the department for the~~
27 ~~administration of the program.~~

28 ~~SEC. 2. Section 4510.5 is added to the Welfare and Institutions~~
29 ~~Code, to read:~~

30 ~~4510.5. (a) Notwithstanding any provision of law, a consumer~~
31 ~~from any regional center shall be eligible to receive temporary~~
32 ~~intensive behavioral intervention services at the Sonoma~~
33 ~~Developmental Center through the center's existing behavioral~~
34 ~~treatment units in circumstances requiring immediate action when~~
35 ~~a consumer is a danger to himself or herself or others and,~~
36 ~~pursuant to Section 6506, when a consumer has a pending hearing.~~

37 ~~(b) A regional center may choose to provide intensive behavioral~~
38 ~~intervention services pursuant to subdivision (a).~~

39 ~~(c) A consumer receiving intensive behavioral intervention shall~~
40 ~~be considered a temporary resident at the Sonoma Developmental~~

1 *Center, but the consumer shall be prohibited from remaining a*
2 *resident for a period exceeding six months without a review by the*
3 *regional center and the Sonoma Developmental Center.*

4 *(d) Administration of this section shall be funded through*
5 *existing resources of the department. No additional General Fund*
6 *moneys shall be appropriated to the department for this section.*

7 SEC. 3. The Legislature finds and declares that a special law
8 is necessary and that a general law cannot be made applicable
9 within the meaning of Section 16 of Article IV of the California
10 Constitution because of the unique circumstances concerning the
11 County of Sonoma.