

ASSEMBLY BILL

No. 254

Introduced by Assembly Member Beall

February 3, 2011

An act to amend Section 4646.5 of, and to add Section 4869 to, the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 254, as introduced, Beall. Developmental services: Employment First Policy.

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide support and services to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP), developed in accordance with prescribed requirements.

Existing law requires the State Council on Developmental Disabilities to form a standing Employment First Committee to identify strategies and recommend legislative, regulatory, and policy changes to increase integrated employment for persons with developmental disabilities, as specified.

This bill would require the regional center, when developing an individual program plan for a transition age youth or working age adult, to be guided by the Employment First Policy. The bill also, beginning when a consumer is 14 years of age, would require the planning team to discuss school-to-work opportunities during individual program plan meetings and to inform the consumer, parent, legal guardian, or conservator that the regional center is available, upon request, to participate in the consumer's individualized education plan meetings

to discuss transition planning. The bill would require the planning team, as part of the individual program plan process for working age adults, to address integrated employment opportunities, while respecting the consumer’s right to choose.

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. Section 4646.5 of the Welfare and Institutions
2 Code is amended to read:

3 4646.5. (a) The planning process for the individual program
4 plan described in Section 4646 shall include all of the following:

5 (1) Gathering information and conducting assessments to
6 determine the life goals, capabilities and strengths, preferences,
7 barriers, and concerns or problems of the person with
8 developmental disabilities. For children with developmental
9 disabilities, this process should include a review of the strengths,
10 preferences, and needs of the child and the family unit as a whole.
11 Assessments shall be conducted by qualified individuals and
12 performed in natural environments whenever possible. Information
13 shall be taken from the consumer, his or her parents and other
14 family members, his or her friends, advocates, providers of services
15 and supports, and other agencies. The assessment process shall
16 reflect awareness of, and sensitivity to, the lifestyle and cultural
17 background of the consumer and the family.

18 (2) A statement of goals, based on the needs, preferences, and
19 life choices of the individual with developmental disabilities, and
20 a statement of specific, time-limited objectives for implementing
21 the person’s goals and addressing his or her needs. These objectives
22 shall be stated in terms that allow measurement of progress or
23 monitoring of service delivery. These goals and objectives should
24 maximize opportunities for the consumer to develop relationships,
25 be part of community life in the areas of community participation,
26 housing, work, school, and leisure, increase control over his or her
27 life, acquire increasingly positive roles in community life, and
28 develop competencies to help accomplish these goals.

29 (3) When developing individual program plans for children,
30 regional centers shall be guided by the principles, process, and
31 services and support parameters set forth in Section 4685.

1 (4) *When developing an individual program plan for a transition*
2 *age youth or working age adult, the regional center shall be guided*
3 *by the Employment First Policy described in Chapter 14*
4 *(commencing with Section 4868). Beginning when a consumer is*
5 *14 years of age, the planning team shall discuss school-to-work*
6 *opportunities during individual program plan meetings, and the*
7 *regional center representative shall inform the consumer, parent,*
8 *legal guardian, or conservator that the regional center is available,*
9 *upon request, to participate in the consumer's individualized*
10 *education plan meetings to discuss transition planning.*

11 ~~(4)~~

12 (5) A schedule of the type and amount of services and supports
13 to be purchased by the regional center or obtained from generic
14 agencies or other resources in order to achieve the individual
15 program plan goals and objectives, and identification of the
16 provider or providers of service responsible for attaining each
17 objective, including, but not limited to, vendors, contracted
18 providers, generic service agencies, and natural supports. The plan
19 shall specify the approximate scheduled start date for services and
20 supports and shall contain timelines for actions necessary to begin
21 services and supports, including generic services.

22 ~~(5)~~

23 (6) When agreed to by the consumer, the parents or legally
24 appointed guardian of a minor consumer, or the legally appointed
25 conservator of an adult consumer or the authorized representative,
26 including those appointed pursuant to subdivision (d) of Section
27 4548 and subdivision (e) of Section 4705, a review of the general
28 health status of the adult or child including a medical, dental, and
29 mental health needs shall be conducted. This review shall include
30 a discussion of current medications, any observed side effects, and
31 the date of last review of the medication. Service providers shall
32 cooperate with the planning team to provide any information
33 necessary to complete the health status review. If any concerns
34 are noted during the review, referrals shall be made to regional
35 center clinicians or to the consumer's physician, as appropriate.
36 Documentation of health status and referrals shall be made in the
37 consumer's record by the service coordinator.

38 ~~(6)~~

39 (7) A schedule of regular periodic review and reevaluation to
40 ascertain that planned services have been provided, that objectives

1 have been fulfilled within the times specified, and that consumers
2 and families are satisfied with the individual program plan and its
3 implementation.

4 (b) For all active cases, individual program plans shall be
5 reviewed and modified by the planning team, through the process
6 described in Section 4646, as necessary, in response to the person’s
7 achievement or changing needs, and no less often than once every
8 three years. If the consumer or, where appropriate, the consumer’s
9 parents, legal guardian, or conservator requests an individual
10 program plan review, the individual program shall be reviewed
11 within 30 days after the request is submitted.

12 (c) (1) The department, with the participation of representatives
13 of a statewide consumer organization, the Association of Regional
14 Center Agencies, an organized labor organization representing
15 service coordination staff, and the Organization of Area Boards
16 shall prepare training material and a standard format and
17 instructions for the preparation of individual program plans, which
18 embodies an approach centered on the person and family.

19 (2) Each regional center shall use the training materials and
20 format prepared by the department pursuant to paragraph (1).

21 (3) The department shall biennially review a random sample of
22 individual program plans at each regional center to assure that
23 these plans are being developed and modified in compliance with
24 Section 4646 and this section.

25 SEC. 2. Section 4869 is added to the Welfare and Institutions
26 Code, to read:

27 4869. In furtherance of the Employment First Policy established
28 pursuant to this chapter, the individual program plan process for
29 working age adults shall address integrated employment
30 opportunities, while respecting the consumer’s right to choose.