

AMENDED IN SENATE JULY 5, 2011  
AMENDED IN ASSEMBLY MAY 27, 2011  
AMENDED IN ASSEMBLY APRIL 12, 2011  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 862**

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**Introduced by Assembly Members Silva and Jeffries  
(Principal coauthor: Assembly Member Logue)  
(Coauthors: Assembly Members Allen, Gorell, and Wagner)  
(Coauthors: Senators Emmerson and Harman)**

February 17, 2011

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An act to amend Section 4629.5 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 862, as amended, Silva. Developmental services: regional centers. Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities. Existing law requires a regional center to include specified information on its Internet Web site for the purpose of promoting transparency and access to public information that includes specified information.

This bill would add prescribed information to this requirement.

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 4629.5 of the Welfare and Institutions  
2 Code is amended to read:

3 4629.5. (a) In addition to the requirements set forth in Section  
4 4629, the department's contract with a regional center shall require  
5 the regional center to adopt, maintain, and post on its Internet Web  
6 site a board-approved policy regarding transparency and access to  
7 public information. The transparency and public information policy  
8 shall provide for timely public access to information, including,  
9 but not limited to, information regarding requests for proposals  
10 and contract awards, service provider rates, documentation related  
11 to establishment of negotiated rates, audits, and IRS Form 990.  
12 The transparency and public information policy shall be in  
13 compliance with applicable law relating to the confidentiality of  
14 consumer service information and records, including, but not  
15 limited to, Section 4514.

16 (b) To promote transparency, each regional center shall include  
17 on its Internet Web site, as expeditiously as possible, at least all  
18 of the following:

- 19 (1) Regional center annual independent audits.
- 20 (2) Biannual fiscal audits conducted by the department.
- 21 (3) Regional center annual reports pursuant to Section 4639.5.
- 22 (4) Contract awards, including the organization or entity  
23 awarded the contract, and the amount and purpose of the award.
- 24 (5) The actual rates paid to each vendor, updated semiannually,  
25 *except consumers or family members.*
- 26 (6) Any ~~public~~ *regional center purchase of services or*  
27 *operations* funds provided to a nonprofit housing organization  
28 outside the request for proposals process.
- 29 (7) Purchase of service policies.
- 30 (8) The names, types of service, ~~principals, and owner or~~  
31 *owners, and business* contact information of all vendors, except  
32 consumers or family members of consumers.
- 33 (9) Board meeting agendas and approved minutes of open  
34 meetings of the board and all committees of the board.
- 35 (10) Bylaws of the regional center governing board.
- 36 (11) The annual performance contract and yearend performance  
37 contract entered into with the department pursuant to this division.

- 1 (12) The biannual Home and Community-based Services Waiver  
2 program ~~review~~ *reviews* conducted by the department and the State  
3 Department of Health Care Services.
- 4 (13) The board-approved transparency and public information  
5 policy.
- 6 (14) The board-approved conflict-of-interest policy.
- 7 (15) Conflict-of-interest disclosures.
- 8 (16) Reports required pursuant to Section 4639.5.
- 9 (17) Any legal settlements that can be disclosed.
- 10 (c) The department shall establish and maintain a transparency  
11 portal on its Internet Web site that allows consumers, families,  
12 advocates, and others to access provider and regional center  
13 information. Posted information on the department's Internet Web  
14 site transparency portal shall include, but need not be limited to,  
15 all of the following:
  - 16 (1) A link to each regional center's Internet Web site information  
17 referenced in subdivision (b).
  - 18 (2) Biannual fiscal audits conducted by the department.
  - 19 (3) Vendor audits.
  - 20 (4) Biannual Home and Community-based Services Waiver  
21 program reviews conducted by the department and the State  
22 Department of Health Care Services.
  - 23 (5) Biannual targeted case management program and federal  
24 nursing home reform program reviews conducted by the  
25 department.
  - 26 (6) Early Start Program reviews conducted by the department.
  - 27 (7) Annual performance contract and yearend performance  
28 contract reports.

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