

**ASSEMBLY BILL**

**No. 1232**

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**Introduced by Assembly Member V. Manuel Pérez**

February 22, 2013

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An act to amend Section 4571 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1232, as introduced, V. Manuel Pérez. Developmental services: quality assessment system.

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires the department to implement a quality assessment system, as prescribed, to enable the department to assess the performance of the state's developmental services system and to improve services for consumers. Under existing law, the department is required, in consultation with stakeholders, to identify a valid and reliable quality assurance instrument that assesses consumer and family satisfaction, provision of services, and personal outcomes, and, among other things, includes outcome-based measures such as health, safety, and well-being. Under existing law, the department is required to contract with an independent agency or organization that is, in part, experienced in designing valid quality assurance instruments, to implement the system.

This bill would require the quality assurance instrument to assess the provision of services in a linguistically and culturally competent manner and include an outcome-based measure on issues of equity and diversity. This bill would require the independent agency or organization the

department contracts with to be experienced in issues relating to linguistic and cultural competency.

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 the following:

2 (a) The Lanterman Developmental Disabilities Services Act  
3 requires that regional centers provide services to consumers in a  
4 manner that is determined by the individual program plan (IPP)  
5 or the individual family service plan (IFSP).

6 (b) The act requires the active participation of the consumer,  
7 and his or her family, in the planning and implementation of the  
8 IPP and the IFSP.

9 (c) The IPP and the IFSP and all regional center services must  
10 be provided in a linguistically and culturally competent manner  
11 for the consumer.

12 (d) Existing law requires the State Department of Developmental  
13 Services to establish a quality assessment system to provide  
14 evaluation and oversight for regional center services.

15 (e) The department has established a contractual relationship  
16 with the National Core Indicators to meet these statutory  
17 requirements with an annual expenditure of \$3,235,000 for the  
18 2012–13 fiscal year.

19 (f) The current quality assessment system does not require  
20 evaluation or oversight on issues of equity and diversity to ensure  
21 that regional center services are provided in a linguistically and  
22 culturally competent manner.

23 SEC. 2. Section 4571 of the Welfare and Institutions Code is  
24 amended to read:

25 4571. (a) It is the intent of the Legislature to ensure the  
26 well-being of consumers, taking into account their informed and  
27 expressed choices. It is further the intent of the Legislature to  
28 support the satisfaction and success of consumers through the  
29 delivery of quality services and supports. Evaluation of the services  
30 that consumers receive is a key aspect to the service system.  
31 Utilizing the information that consumers and their families provide  
32 about ~~such~~ those services in a reliable and meaningful way is also  
33 critical to enable the department to assess the performance of the

1 state's developmental services system and to improve services for  
2 consumers in the future. To that end, the State Department of  
3 Developmental Services, on or before January 1, 2010, shall  
4 implement an improved, unified quality assessment system, in  
5 accordance with this section.

6 (b) The department, in consultation with stakeholders, shall  
7 identify a valid and reliable quality assurance instrument that  
8 ~~includes assessments of~~ *assesses* consumer and family satisfaction,  
9 provision of services *in a linguistically and culturally competent*  
10 *manner*, and personal outcomes. The instrument shall do all of the  
11 following:

12 (1) Provide nationally validated, benchmarked, consistent,  
13 reliable, and measurable data for the department's Quality  
14 Management System.

15 (2) Enable the department and regional centers to compare the  
16 performance of California's developmental services system against  
17 other states' developmental services systems and to assess quality  
18 and performance among all of the regional centers.

19 (3) Include outcome-based measures such as health, safety,  
20 well-being, relationships, interactions with people who do not have  
21 a disability, employment, quality of life, integration, choice,  
22 service, and consumer satisfaction.

23 (4) *Include outcome-based measures on issues of equity and*  
24 *diversity to evaluate the linguistic and cultural competency of*  
25 *regional center services that are provided to consumers across*  
26 *their lifetime.*

27 (c) To the extent that funding is available, the instrument  
28 identified in subdivision (b) may be expanded to collect additional  
29 data requested by the State Council on Developmental Disabilities.

30 (d) The department shall contract with an independent agency  
31 or organization to implement by January 1, 2010, the quality  
32 assurance instrument described in subdivision (b). The contractor  
33 shall be experienced in all of the following:

34 (1) Designing valid quality assurance instruments for  
35 developmental service systems.

36 (2) Tracking outcome-based measures such as health, safety,  
37 well-being, relationships, interactions with people who do not have  
38 a disability, employment, quality of life, integration, choice,  
39 service, and consumer satisfaction.

40 (3) Developing data systems.

1 (4) Data analysis and report preparation.

2 (5) Assessments of the services received by consumers who are  
3 moved from developmental centers to the community, given the  
4 Legislature's historic recognition of a special obligation to ensure  
5 the well-being of these persons.

6 (6) *Issues related to linguistic and cultural competency.*

7 (e) The department, in consultation with the contractor described  
8 in subdivision (d), shall establish the methodology by which the  
9 quality assurance instrument shall be administered, including, but  
10 not limited to, how often and to whom the quality assurance will  
11 be administered, and the design of a stratified, random sample  
12 among the entire population of consumers served by regional  
13 centers. The contractor shall provide aggregate information for all  
14 regional centers and the state as a whole. At the request of a  
15 consumer or the family member of a consumer, the survey shall  
16 be conducted in the primary language of the consumer or family  
17 member surveyed.

18 (f) The department shall contract with the state council to collect  
19 data for the quality assurance instrument described in subdivision  
20 (b). If, during the data collection process, the state council identifies  
21 any suspected violation of the legal, civil, or service rights of a  
22 consumer, or if it determines that the health and welfare of a  
23 consumer is at risk, that information shall be provided immediately  
24 to the regional center providing case management services to the  
25 consumer. At the request of the consumer, or family, when  
26 appropriate, a copy of the completed survey shall be provided to  
27 the regional center providing case management services to improve  
28 the consumer's quality of services through the individual planning  
29 process.

30 (g) The department, in consultation with stakeholders, shall  
31 annually review the data collected from and the findings of the  
32 quality assurance instrument described in subdivision (b) and  
33 accept recommendations regarding additional or different criteria  
34 for the quality assurance instrument in order to assess the  
35 performance of the state's developmental services system and  
36 improve services for consumers.

37 (h) All reports generated pursuant to this section shall be made  
38 publicly available, but shall not contain any personal identifying  
39 information about any person assessed.

1 (i) All data collected pursuant to subdivision (c) shall be  
2 provided to the state council, but shall contain no personal  
3 identifying information about the persons being surveyed.

4 (j) Implementation of this section shall be subject to an annual  
5 appropriation of funds in the Budget Act for this purpose.

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