

AMENDED IN SENATE JUNE 13, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1232

Introduced by Assembly Member V. Manuel Pérez

February 22, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1232, as amended, 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~~ *contracts* 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 that although existing law requires the State~~
- 13 ~~Department of Developmental Services to establish a quality~~
- 14 ~~assessment system to provide evaluation and oversight for regional~~
- 15 ~~center services.~~
- 16 ~~(e) The department has established a contractual relationship~~
- 17 ~~with the National Core Indicators to meet these statutory~~
- 18 ~~requirements with an annual expenditure of \$3,235,000 for the~~
- 19 ~~2012-13 fiscal year.~~
- 20 ~~(f) The services,~~ the current quality assessment system does not
- 21 require evaluation or oversight on issues of equity and diversity
- 22 to ensure that regional center services are provided in a
- 23 linguistically and culturally competent manner.
- 24 SEC. 2. Section 4571 of the Welfare and Institutions Code is
- 25 amended to read:
- 26 4571. (a) It is the intent of the Legislature to ensure the
- 27 well-being of consumers, taking into account their informed and
- 28 expressed choices. It is further the intent of the Legislature to
- 29 support the satisfaction and success of consumers through the
- 30 delivery of quality services and supports. Evaluation of the services
- 31 that consumers receive is a key aspect to the service system.
- 32 Utilizing the information that consumers and their families provide

1 about those services in a reliable and meaningful way is also critical
2 to enable the department to assess the performance of the state's
3 developmental services system and to improve services for
4 consumers in the future. To that end, the State Department of
5 Developmental Services, on or before January 1, 2010, shall
6 implement an improved, unified quality assessment system, in
7 accordance with this section.

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

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

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

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

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

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

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

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

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

1 (3) Developing data systems.

2 (4) Data analysis and report preparation.

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

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

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

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

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

38 (h) All reports generated pursuant to this section shall be made
39 publicly available, but shall not contain any personal identifying
40 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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