

AMENDED IN SENATE AUGUST 22, 2013

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 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 *additionally* 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~~ *measures to evaluate the linguistic and cultural competency of regional center services that are provided to consumers across their lifetime*. 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 that although
 2 existing law requires the State Department of Developmental
 3 Services to establish a quality assessment system to provide
 4 evaluation and oversight for regional center services, the current
 5 quality assessment system does not require evaluation or oversight
 6 ~~on issues of equity and diversity~~ to ensure that regional center
 7 services are provided in a linguistically and culturally competent
 8 manner.

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

11 4571. (a) It is the intent of the Legislature to ensure the
 12 well-being of consumers, taking into account their informed and
 13 expressed choices. It is further the intent of the Legislature to
 14 support the satisfaction and success of consumers through the
 15 delivery of quality services and supports. Evaluation of the services
 16 that consumers receive is a key aspect to the service system.
 17 Utilizing the information that consumers and their families provide
 18 about those services in a reliable and meaningful way is also critical
 19 to enable the department to assess the performance of the state’s
 20 developmental services system and to improve services for
 21 consumers in the future. To that end, the State Department of
 22 Developmental Services, on or before January 1, 2010, shall
 23 implement an improved, unified quality assessment system, in
 24 accordance with this section.

25 (b) The department, in consultation with stakeholders, shall
 26 identify a valid and reliable quality assurance instrument that
 27 assesses consumer and family satisfaction, provision of services

1 in a linguistically and culturally competent manner, and personal
2 outcomes. The instrument shall do all of the following:

3 (1) Provide nationally validated, benchmarked, consistent,
4 reliable, and measurable data for the department's Quality
5 Management System.

6 (2) Enable the department and regional centers to compare the
7 performance of California's developmental services system against
8 other states' developmental services systems and to assess quality
9 and performance among all of the regional centers.

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

14 (4) Include outcome-based measures ~~on issues of equity and~~
15 ~~diversity~~ to evaluate the linguistic and cultural competency of
16 regional center services that are provided to consumers across their
17 lifetime.

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

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

25 (1) Designing valid quality assurance instruments for
26 developmental service systems.

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

31 (3) Developing data systems.

32 (4) Data analysis and report preparation.

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

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

38 (e) The department, in consultation with the contractor described
39 in subdivision (d), shall establish the methodology by which the
40 quality assurance instrument shall be administered, including, but

1 not limited to, how often and to whom the quality assurance will
2 be administered, and the design of a stratified, random sample
3 among the entire population of consumers served by regional
4 centers. The contractor shall provide aggregate information for all
5 regional centers and the state as a whole. At the request of a
6 consumer or the family member of a consumer, the survey shall
7 be conducted in the primary language of the consumer or family
8 member surveyed.

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

21 (g) The department, in consultation with stakeholders, shall
22 annually review the data collected from and the findings of the
23 quality assurance instrument described in subdivision (b) and
24 accept recommendations regarding additional or different criteria
25 for the quality assurance instrument in order to assess the
26 performance of the state's developmental services system and
27 improve services for consumers.

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

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

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

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