

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 321

Introduced by Senator Price

February 19, 2013

An act to amend Section 4629 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 321, as amended, Price. Developmental services: regional centers: performance contracts.

Under the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is required to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires the state to enter into 5-year contracts with the regional centers, subject to the annual appropriation of funds by the Legislature, and requires that the contracts include annual performance objectives, as specified.

This bill would, in this regard, require *the annual performance objectives, among other things, to be designed to develop culturally and linguistically appropriate services and supports, and require the department to establish performance contract guidelines and measures relating to issues of cultural and linguistic competency. This bill would require the department to, beginning July 1, 2014, specify in the performance contract any areas that require improvement by the regional center to reduce racial and ethnic disparities.*

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 of the Welfare and Institutions Code
2 is amended to read:
- 3 4629. (a) The state shall enter into five-year contracts with
4 regional centers, subject to the annual appropriation of funds by
5 the Legislature.
- 6 (b) The contracts shall include a provision requiring each
7 regional center to render services in accordance with applicable
8 ~~provision~~ *provisions* of state laws and regulations.
- 9 (c) (1) The contracts shall include annual performance
10 objectives that shall do both of the following:
- 11 (A) Be specific, measurable, and designed to do all of the
12 following:
- 13 (i) Assist consumers to achieve life quality outcomes.
14 (ii) Achieve meaningful progress above the current baselines.
15 (iii) Develop services and ~~supports~~ *supports, including culturally*
16 *and linguistically appropriate services and supports*, identified as
17 necessary to meet identified needs.
- 18 (B) Be developed through a public process as described in the
19 department's guidelines that includes, but is not limited to, all of
20 the following:
- 21 (i) Providing information, in an understandable form *and in*
22 *appropriate languages*, to the community about regional center
23 services and supports, including budget information and baseline
24 data on services and supports and regional center operations.
- 25 (ii) Conducting a public meeting where participants can provide
26 input on performance objectives and using focus groups or surveys
27 *that take into consideration the linguistic and ethnic diversity of*
28 *the community* to collect information from the community.
- 29 (iii) Circulating a draft of the performance objectives to the
30 community for input prior to presentation at a regional center board
31 meeting where additional public input will be taken and considered
32 before adoption of the objectives.
- 33 (2) In addition to the performance objectives developed pursuant
34 to this section, the department may specify in the performance
35 contract additional areas of service and support that require
36 development or enhancement by the regional center. In determining
37 those areas, the department shall consider public comments from
38 individuals and organizations within the regional center catchment

1 area; *and* the distribution of services and supports within the
2 regional center catchment area, *including any racial or ethnic*
3 *disparities in the distribution of services and supports*, and shall
4 review how the availability of services and supports in the regional
5 area catchment area compares with other regional center catchment
6 areas.

7 (3) In addition to the performance objectives developed pursuant
8 to this section, the department shall establish performance contract
9 guidelines and measures relating to issues of cultural and linguistic
10 ~~competency~~ *competency and, for the contract year beginning July*
11 *1, 2014, the department shall specify in the performance contract*
12 *any areas that require improvement by the regional center to*
13 *reduce racial and ethnic disparities identified pursuant to Section*
14 *4519.5.*

15 (d) Each contract with a regional center shall specify steps to
16 be taken to ensure contract compliance, including, but not limited
17 to, all of the following:

18 (1) Incentives that encourage regional centers to meet or exceed
19 performance standards.

20 (2) Levels of probationary status for regional centers that do
21 not meet, or are at risk of not meeting, performance standards. The
22 department shall require that corrective action be taken by any
23 regional center which is placed on probation. Corrective action
24 may include, but is not limited to, mandated consultation with
25 designated representatives of the Association of Regional Center
26 Agencies or a management team designated by the department, or
27 both. The department shall establish the specific timeline for the
28 implementation of corrective action and monitor its
29 implementation. When a regional center is placed on probation,
30 the department shall provide the appropriate area board with a
31 copy of the correction plan, timeline, and any other action taken
32 by the department relating to the probationary status of the regional
33 center.

34 (e) In order to evaluate the regional center's compliance with
35 its contract performance objectives and legal obligations related
36 to those objectives, the department shall do both of the following:

37 (1) Annually assess each regional center's achievement of its
38 previous year's objectives and make the assessment, including
39 baseline data and performance objectives of the individual regional
40 centers, available to the public. The department may make a special

1 commendation of the regional centers that have best engaged the
2 community in the development of contract performance objectives
3 and have made the most meaningful progress in meeting or
4 exceeding contract performance objectives.

5 (2) Monitor the activities of the regional center to ensure
6 compliance with the provisions of its contracts, including, but not
7 limited to, reviewing all of the following:

8 (A) The regional center’s public process for compliance with
9 the procedures set forth in paragraph (2) of subdivision (c).

10 (B) Each regional center’s performance objectives for
11 compliance with the criteria set forth in paragraph (1) of
12 subdivision (c).

13 (C) Each regional center’s performance objectives for
14 compliance with the guidelines and measures established by the
15 department pursuant to paragraph (3) of subdivision (c).

16 (D) Any public comments on regional center performance
17 objectives sent to the department or to the regional centers, and
18 soliciting public input on the public process and final performance
19 standards.

20 (f) The renewal of each contract shall be contingent upon
21 compliance with the contract, including, but not limited to, the
22 performance objectives, as determined through the department’s
23 evaluation.