

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 555**

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**Introduced by Senator Correa  
(Principal coauthor: Senator Padilla)**

February 22, 2013

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An act to amend Section 95020 of the Government Code, and to amend Sections 4512, ~~4641~~, 4642, 4643, ~~4646~~, ~~4646.5~~, ~~4648~~, and ~~4685~~ and ~~4646~~ of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 555, as amended, Correa. Developmental services: regional centers: individual program plans and individualized family service plans.

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. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP) or individualized family service plan (IFSP), developed in accordance with prescribed requirements. Existing law states that it is the intent of the Legislature to ensure that the individual program plan and provision of services and supports by the regional center system is centered on the individual and the family of the individual with developmental disabilities and takes into account the needs and preferences of the individual and the family, as specified.

~~This bill would require those provisions to be implemented in a manner that meets the cultural preferences, values, lifestyle, and native~~

language of the consumer and the consumer's family, and require the IPP or IFSP, and the services and supports provided under the IPP or IFSP, to be designed to meet the cultural preferences, values, and lifestyle of the consumer and the consumer's family, and provided in their native language, as defined.

~~Under existing law, regional centers are required to conduct casefinding activities, including notification of the availability of services in English and other languages that are appropriate to the service area.~~

~~This bill would require the department and the regional centers to ensure that consumers and their families receive culturally and linguistically competent information, including written documents, about the IPP and the IFSP, and related processes and procedures, as prescribed. This bill would require each regional center to make this information available to the public, and require the department and the regional centers to make this information available on the department's and regional center's Internet Web sites.~~

*This bill would require a regional center to make every reasonable effort to communicate in the family's native language during the IFSP planning process and to provide a copy of the IFSP in the family's native language. The bill would require the family's native language to be documented in the IFSP. The bill would similarly require a regional center to make every reasonable effort to communicate in the consumer's native language, or, when appropriate, the native language of his or her family, legal guardian, conservator, or authorized representative, during the IPP planning process and to provide a copy of the IPP in the native language of the consumer or his or her family, legal guardian, conservator, or authorized representative, or both. The bill would require the native language of the consumer or his or her family, legal guardian, or authorized representative, or both, to be documented in the IPP.*

Under existing law, a person believed to have a developmental disability or to have a high risk of parenting a developmentally disabled infant is eligible for initial intake and assessment in the regional centers, as specified.

~~This bill would require all communication~~ *a regional center to make every reasonable effort to communicate* with the consumer and his or her family pursuant to those provisions ~~to be~~ in their native language.

This bill would make other conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
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) California’s diverse language and ethnic communities  
3 account for about 60 percent of its population. The number of  
4 people in the United States who do not speak English as their native  
5 language has grown 140 percent over the past three decades. In  
6 California, about 40 percent of Californians speak a language other  
7 than English at home, and the number of individuals whose first  
8 language is not English is rapidly growing.

9 (b) Health disparities can result in significant health, social, and  
10 economic consequences. Culturally and linguistically competent  
11 health care services can assist in achieving health equity. Health  
12 literacy plays a central role in promoting quality of life, health  
13 development, and health behaviors across all groups and life stages.

14 (c) To address any disparities in the regional center system, it  
15 is the intent of the Legislature that the State Department of  
16 Developmental Services and regional centers ensure that all  
17 consumers and their families receive culturally and linguistically  
18 competent information, including written documents, about the  
19 individual program plan and individualized family service plan  
20 processes and procedures. ~~It is also the intent of the Legislature  
21 that each regional center make available culturally and  
22 linguistically competent information to individuals living in its  
23 geographic catchment area about regional center services,  
24 processes, and procedures.~~

25 SEC. 2. Section 95020 of the Government Code is amended  
26 to read:

27 95020. (a) An eligible infant or toddler shall have an  
28 individualized family service plan. The individualized family  
29 service plan shall be used in place of an individualized education  
30 program required pursuant to Sections 4646 and 4646.5 of the  
31 Welfare and Institutions Code, the individualized program plan  
32 required pursuant to Section 56340 of the Education Code, or any  
33 other applicable service plan.

34 (b) For an infant or toddler who has been evaluated for the first  
35 time, a meeting to share the results of the evaluation, to determine

1 eligibility and, for children who are eligible, to develop the initial  
2 individualized family service plan shall be conducted within 45  
3 calendar days of receipt of the written referral. Evaluation results  
4 and determination of eligibility may be shared in a meeting with  
5 the family prior to the individualized family service plan. Written  
6 parent consent to evaluate and assess shall be obtained within the  
7 45-day timeline. A regional center, local educational agency, or  
8 the designee of one of those entities shall initiate and conduct this  
9 meeting. Families shall be afforded the opportunity to participate  
10 in all decisions regarding eligibility and services. During intake  
11 and assessment, but no later than the individualized family service  
12 plan meeting, the parents, legal guardian, or conservator shall  
13 provide copies of any health benefit cards under which the  
14 consumer is eligible to receive health benefits, including, but not  
15 limited to, private health insurance, a health care service plan,  
16 Medi-Cal, Medicare, and TRICARE. If the individual, or, where  
17 appropriate, the parents, legal guardians, or conservators, have no  
18 such benefits, the regional center shall not use that fact to  
19 negatively impact the services that the individual may or may not  
20 receive from the regional center.

21 (c) Parents shall be fully informed of their rights, including the  
22 right to invite another person, including a family member or an  
23 advocate or peer parent, or any or all of them, to accompany them  
24 to any or all individualized family service plan meetings. With  
25 parental consent, a referral shall be made to the local family  
26 resource center or network.

27 (d) The individualized family service plan shall be in writing  
28 and shall address all of the following:

29 (1) A statement of the infant's or toddler's present levels of  
30 physical development including vision, hearing, and health status,  
31 cognitive development, communication development, social and  
32 emotional development, and adaptive developments.

33 (2) With the concurrence of the family, a statement of the  
34 family's concerns, priorities, and resources related to meeting the  
35 special developmental needs of the eligible infant or toddler.

36 (3) A statement of the major outcomes expected to be achieved  
37 for the infant or toddler and family where services for the family  
38 are related to meeting the special developmental needs of the  
39 eligible infant or toddler.

1 (4) The criteria, procedures, and timelines used to determine  
2 the degree to which progress toward achieving the outcomes is  
3 being made and whether modifications or revisions are necessary.

4 (5) (A) A statement of the specific early intervention services  
5 necessary to meet the unique needs of the infant or toddler as  
6 identified in paragraph (3), including, but not limited to, the  
7 frequency, intensity, location, duration, and method of delivering  
8 the services, and ways of providing services in natural generic  
9 environments, including group training for parents on behavioral  
10 intervention techniques in lieu of some or all of the in-home parent  
11 training component of the behavior intervention services, and  
12 purchase of neighborhood preschool services and needed qualified  
13 personnel in lieu of infant development programs.

14 (B) Effective July 1, 2009, at the time of development, review,  
15 or modification of an infant's or toddler's individualized family  
16 service plan, the regional center shall consider both of the  
17 following:

18 (i) The use of group training for parents on behavior intervention  
19 techniques, in lieu of some or all of the in-home parent training  
20 component of the behavior intervention services.

21 (ii) The purchase of neighborhood preschool services and needed  
22 qualified personnel, in lieu of infant development programs.

23 (6) A statement of the agency responsible for providing the  
24 identified services.

25 (7) The name of the service coordinator who shall be responsible  
26 for facilitating implementation of the plan and coordinating with  
27 other agencies and persons.

28 (8) The steps to be taken to ensure transition of the infant or  
29 toddler upon reaching three years of age to other appropriate  
30 services. These may include, as appropriate, special education or  
31 other services offered in natural environments.

32 (9) The projected dates for the initiation of services in paragraph  
33 (5) and the anticipated duration of those services.

34 (e) Each service identified on the individualized family service  
35 plan shall be designated as one of three types:

36 (1) An early intervention service, as defined in subsection (4)  
37 of Section 1432 of Title 20 of the United States Code, and  
38 applicable regulations, that is provided or purchased through the  
39 regional center, local educational agency, or other participating  
40 agency. The State Department of Health Care Services, State

1 Department of Social Services, and State Department of Alcohol  
2 and Drug Programs shall provide services in accordance with state  
3 and federal law and applicable regulations, and up to the level of  
4 funding as appropriated by the Legislature. Early intervention  
5 services identified on an individualized family service plan that  
6 exceed the funding, statutory, and regulatory requirements of these  
7 departments shall be provided or purchased by regional centers or  
8 local educational agencies under subdivisions (b) and (c) of Section  
9 95014. The State Department of Health Care Services, State  
10 Department of Social Services, and State Department of Alcohol  
11 and Drug Programs shall not be required to provide early  
12 intervention services over their existing funding, statutory, and  
13 regulatory requirements.

14 (2) Another service, other than those specified in paragraph (1),  
15 which the eligible infant or toddler or his or her family may receive  
16 from other state programs, subject to the eligibility standards of  
17 those programs.

18 (3) A referral to a nonrequired service that may be provided to  
19 an eligible infant or toddler or his or her family. Nonrequired  
20 services are those services that are not defined as early intervention  
21 services or do not relate to meeting the special developmental  
22 needs of an eligible infant or toddler related to the disability, but  
23 that may be helpful to the family. The granting or denial of  
24 nonrequired services by a public or private agency is not subject  
25 to appeal under this title. Notwithstanding any other provision of  
26 law or regulation to the contrary, effective July 1, 2009, with the  
27 exception of durable medical equipment, regional centers shall not  
28 purchase nonrequired services, but may refer a family to a  
29 nonrequired service that may be available to an eligible infant or  
30 toddler or his or her family.

31 (f) An annual review, and other periodic reviews, of the  
32 individualized family service plan for an infant or toddler and the  
33 infant's or toddler's family shall be conducted to determine the  
34 degree of progress that is being made in achieving the outcomes  
35 specified in the plan and whether modification or revision of the  
36 outcomes or services is necessary. The frequency, participants,  
37 purpose, and required processes for annual and periodic reviews  
38 shall be consistent with the statutes and regulations under Part C  
39 of the federal Individuals with Disabilities Education Act (20  
40 U.S.C. Sec. 1431 et seq.) and this title, and shall be specified in

1 regulations adopted pursuant to Section 95028. At the time of the  
2 review, the parents, legal guardian, or conservator shall provide  
3 copies of any health benefit cards under which the consumer is  
4 eligible to receive health benefits, including, but not limited to,  
5 private health insurance, a health care service plan, Medi-Cal,  
6 Medicare, and TRICARE. If the parents, legal guardian, or  
7 conservator have no such benefit cards, the regional center shall  
8 not use that fact to negatively impact the services that the individual  
9 may or may not receive from the regional center.

10 ~~(g) Individualized family service plans and the provision of~~  
11 ~~services and supports shall be designed to meet the cultural~~  
12 ~~preferences, values, and lifestyle of the infant or toddler and his~~  
13 ~~or her family, and shall be provided in their native language. A~~  
14 ~~copy of the individualized family service plan shall be provided~~  
15 ~~in their native language.~~

16 *(g) (1) A regional center shall make every reasonable effort to*  
17 *communicate in the family’s native language during the planning*  
18 *process for the individualized family service plan, including during*  
19 *the individualized family service plan meeting.*

20 *(2) A regional center shall make every reasonable effort to*  
21 *provide a copy of the individualized family service plan in the*  
22 *family’s native language.*

23 *(3) The family’s native language shall be documented in the*  
24 *individualized family service plan.*

25 SEC. 3. Section 4512 of the Welfare and Institutions Code is  
26 amended to read:

27 4512. As used in this division:

28 (a) “Developmental disability” means a disability that originates  
29 before an individual attains age 18 years *of age*, continues, or can  
30 be expected to continue, indefinitely, and constitutes a substantial  
31 disability for that individual. As defined by the Director of  
32 Developmental Services, in consultation with the Superintendent  
33 of Public Instruction, this term shall include mental retardation,  
34 cerebral palsy, epilepsy, and autism. This term shall also include  
35 disabling conditions found to be closely related to mental  
36 retardation or to require treatment similar to that required for  
37 individuals with mental retardation, but shall not include other  
38 handicapping conditions that are solely physical in nature.

39 (b) “Services and supports for persons with developmental  
40 disabilities” means specialized services and supports or special

1 adaptations of generic services and supports directed toward the  
2 alleviation of a developmental disability or toward the social,  
3 personal, physical, or economic habilitation or rehabilitation of an  
4 individual with a developmental disability, or toward the  
5 achievement and maintenance of independent, productive, *and*  
6 normal lives. The determination of which services and supports  
7 are necessary for each consumer shall be made through the  
8 individual program plan process. The determination shall be made  
9 on the basis of the needs and preferences of the consumer or, when  
10 appropriate, the consumer's family, and shall include consideration  
11 of a range of service options proposed by individual program plan  
12 participants, the effectiveness of each option in meeting the goals  
13 stated in the individual program plan, and the cost-effectiveness  
14 of each option. Services and supports listed in the individual  
15 program plan may include, but are not limited to, diagnosis,  
16 evaluation, treatment, personal care, day care, domiciliary care,  
17 special living arrangements, physical, occupational, and speech  
18 therapy, training, education, supported and sheltered employment,  
19 mental health services, recreation, counseling of the individual  
20 with a developmental disability and of his or her family, protective  
21 and other social and sociolegal services, information and referral  
22 services, follow-along services, adaptive equipment and supplies,  
23 advocacy assistance, including self-advocacy training, facilitation  
24 and peer advocates, assessment, assistance in locating a home,  
25 child care, behavior training and behavior modification programs,  
26 camping, community integration services, community support,  
27 daily living skills training, emergency and crisis intervention,  
28 facilitating circles of support, habilitation, homemaker services,  
29 infant stimulation programs, paid roommates, paid neighbors,  
30 respite, short-term out-of-home care, social skills training,  
31 specialized medical and dental care, supported living arrangements,  
32 technical and financial assistance, travel training, training for  
33 parents of children with developmental disabilities, training for  
34 parents with developmental disabilities, vouchers, and  
35 transportation services necessary to ensure delivery of services to  
36 persons with developmental disabilities. Nothing in this subdivision  
37 is intended to expand or authorize a new or different service or  
38 support for any consumer unless that service or support is contained  
39 in his or her individual program plan.

1 (c) Notwithstanding subdivisions (a) and (b), for any  
2 organization or agency receiving federal financial participation  
3 under the federal Developmental Disabilities Assistance and Bill  
4 of Rights Act of 2000, as amended, “developmental disability”  
5 and “services for persons with developmental disabilities” mean  
6 the terms as defined in the federal act to the extent required by  
7 federal law.

8 (d) “Consumer” means a person who has a disability that meets  
9 the definition of developmental disability set forth in subdivision  
10 (a).

11 (e) “Natural supports” means personal associations and  
12 relationships typically developed in the community that enhance  
13 the quality and security of life for people, including, but not limited  
14 to, family relationships, friendships reflecting the diversity of the  
15 neighborhood and the community, associations with fellow students  
16 or employees in regular classrooms and workplaces, and  
17 associations developed through participation in clubs,  
18 organizations, and other civic activities.

19 (f) “Circle of support” means a committed group of community  
20 members, who may include family members, meeting regularly  
21 with an individual with developmental disabilities in order to share  
22 experiences, promote autonomy and community involvement, and  
23 assist the individual in establishing and maintaining natural  
24 supports. A circle of support generally includes a plurality of  
25 members who neither provide nor receive services or supports for  
26 persons with developmental disabilities and who do not receive  
27 payment for participation in the circle of support.

28 (g) “Facilitation” means the use of modified or adapted  
29 materials, special instructions, equipment, or personal assistance  
30 by an individual, such as assistance with communications, that  
31 will enable a consumer to understand and participate to the  
32 maximum extent possible in the decisions and choices that effect  
33 his or her life.

34 (h) “Family support services” means services and supports that  
35 are provided to a child with developmental disabilities or his or  
36 her family and that contribute to the ability of the family to reside  
37 together.

38 (i) “Voucher” means any authorized alternative form of service  
39 delivery in which the consumer or family member is provided with  
40 a payment, coupon, chit, or other form of authorization that enables

1 the consumer or family member to choose his or her own service  
2 provider.

3 (j) “Planning team” means the individual with developmental  
4 disabilities, the parents or legally appointed guardian of a minor  
5 consumer or the legally appointed conservator of an adult  
6 consumer, the authorized representative, including those appointed  
7 pursuant to subdivision (d) of Section 4548 and subdivision (e) of  
8 Section 4705, one or more regional center representatives,  
9 including the designated regional center service coordinator  
10 pursuant to subdivision (b) of Section 4640.7, any individual,  
11 including a service provider, invited by the consumer, the parents  
12 or legally appointed guardian of a minor consumer or the legally  
13 appointed conservator of an adult consumer, or the authorized  
14 representative, including those appointed pursuant to subdivision  
15 (d) of Section 4548 and subdivision (e) of Section 4705, and  
16 including a minor’s, dependent’s, or ward’s court-appointed  
17 developmental services decisionmaker appointed pursuant to  
18 Section 319, 361, or 726.

19 (k) “Stakeholder organizations” means statewide organizations  
20 representing the interests of consumers, family members, service  
21 providers, and statewide advocacy organizations.

22 (l) “Substantial disability” means the existence of significant  
23 functional limitations in three or more of the following areas of  
24 major life activity, as determined by a regional center, and as  
25 appropriate to the age of the person:

- 26 (1) Self-care.
- 27 (2) Receptive and expressive language.
- 28 (3) Learning.
- 29 (4) Mobility.
- 30 (5) Self-direction.
- 31 (6) Capacity for independent living.
- 32 (7) Economic self-sufficiency.

33 Any reassessment of substantial disability for purposes of  
34 continuing eligibility shall utilize the same criteria under which  
35 the individual was originally made eligible.

36 (m) “Native language” means the language normally used *or*  
37 *the preferred language identified* by the individual and, when  
38 appropriate, his or her parent, legal guardian or conservator, or  
39 authorized representative.

1 ~~SEC. 4. Section 4641 of the Welfare and Institutions Code is~~  
2 ~~amended to read:~~

3 ~~4641. (a) All regional centers shall conduct casefinding~~  
4 ~~activities, including notification of availability of service in English~~  
5 ~~and such other languages as may be appropriate to the service area,~~  
6 ~~outreach services in areas with a high incidence of developmental~~  
7 ~~disabilities, and identification of persons who may need service.~~

8 ~~(b) The department and the regional centers shall ensure that~~  
9 ~~consumers and their families receive culturally and linguistically~~  
10 ~~competent information, including written documents, about the~~  
11 ~~individual program plan required by Section 4646, and the~~  
12 ~~individualized family service plan required by Section 95020 of~~  
13 ~~the Government Code, and related processes and procedures. Each~~  
14 ~~regional center shall make available to the public information about~~  
15 ~~regional center services, processes, and procedures. The department~~  
16 ~~and the regional centers shall fulfill these obligations in a manner~~  
17 ~~that meets the standards set forth in Sections 7295.2 and 7296.2~~  
18 ~~of the Government Code, and ensure that its materials are written~~  
19 ~~in plain, straightforward language and in an easily readable style.~~  
20 ~~The materials provided by the department and the regional centers~~  
21 ~~shall also be available on the department's and the regional centers'~~  
22 ~~Internet Web sites.~~

23 ~~SEC. 5.~~

24 ~~SEC. 4. Section 4642 of the Welfare and Institutions Code is~~  
25 ~~amended to read:~~

26 ~~4642. (a) (1) Any person believed to have a developmental~~  
27 ~~disability, and any person believed to have a high risk of parenting~~  
28 ~~a developmentally disabled infant shall be eligible for initial intake~~  
29 ~~and assessment services in the regional centers. In addition, any~~  
30 ~~infant having a high risk of becoming developmentally disabled~~  
31 ~~may be eligible for initial intake and assessment services in the~~  
32 ~~regional centers. For purposes of this section, "high-risk infant"~~  
33 ~~means a child less than 36 months of age whose genetic, medical,~~  
34 ~~or environmental history is predictive of a substantially greater~~  
35 ~~risk for developmental disability than that for the general~~  
36 ~~population. The department, in consultation with the State~~  
37 ~~Department of Public Health, shall develop specific risk and service~~  
38 ~~criteria for the high-risk infant program on or before July 1, 1983.~~  
39 ~~These criteria may be modified in subsequent years based on~~  
40 ~~analysis of actual clinical experience.~~

1 (2) Initial intake shall be performed within 15 working days  
 2 following request for assistance. Initial intake shall include, but  
 3 need not be limited to, information and advice about the nature  
 4 and availability of services provided by the regional center and by  
 5 other agencies in the community, including guardianship,  
 6 conservatorship, income maintenance, mental health, housing,  
 7 education, work activity and vocational training, medical, dental,  
 8 recreational, and other services or programs that may be useful to  
 9 persons with developmental disabilities or their families. Intake  
 10 shall also include a decision to provide assessment.

11 (b) ~~All communication~~ *A regional center shall make every*  
 12 *reasonable effort to communicate* with the consumer and his or  
 13 her family pursuant to this section ~~shall be~~ in their native language.

14 ~~SEC. 6.~~

15 *SEC. 5.* Section 4643 of the Welfare and Institutions Code is  
 16 amended to read:

17 4643. (a) If assessment is needed, the assessment shall be  
 18 performed within 120 days following initial intake. Assessment  
 19 shall be performed as soon as possible and in no event more than  
 20 60 days following initial intake where any delay would expose the  
 21 client to unnecessary risk to his or her health and safety or to  
 22 significant further delay in mental or physical development, or the  
 23 client would be at imminent risk of placement in a more restrictive  
 24 environment. Assessment may include collection and review of  
 25 available historical diagnostic data, provision or procurement of  
 26 necessary tests and evaluations, and summarization of  
 27 developmental levels and service needs and is conditional upon  
 28 receipt of the release of information specified in subdivision (b).

29 (b) In determining if an individual meets the definition of  
 30 developmental disability contained in subdivision (a) of Section  
 31 4512, the regional center may consider evaluations and tests,  
 32 including, but not limited to, intelligence tests, adaptive functioning  
 33 tests, neurological and neuropsychological tests, diagnostic tests  
 34 performed by a physician, psychiatric tests, and other tests or  
 35 evaluations that have been performed by, and are available from,  
 36 other sources.

37 (c) At the time of assessment, the individual, or, where  
 38 appropriate, the parents, legal guardian, or conservator, shall  
 39 provide copies of any health benefit cards under which the  
 40 consumer is eligible to receive health benefits, including, but not

1 limited to, private health insurance, a health care service plan,  
2 Medi-Cal, Medicare, and TRICARE. If the individual, or where  
3 appropriate, the parents, legal guardians, or conservators, have no  
4 such benefits, the regional center shall not use that fact to  
5 negatively impact the services that the individual may or may not  
6 receive from the regional center.

7 ~~All communication~~—*A regional center shall make every*  
8 *reasonable effort to communicate* with the consumer and his or  
9 her family pursuant to this section ~~shall be~~ in their native language.

10 ~~SEC. 7.~~

11 *SEC. 6.* Section 4646 of the Welfare and Institutions Code is  
12 amended to read:

13 4646. (a) It is the intent of the Legislature to ensure that the  
14 individual program plan and provision of services and supports  
15 by the regional center system is centered on the individual and the  
16 family of the individual with developmental disabilities and takes  
17 into account the needs and preferences of the individual and the  
18 family, where appropriate, as well as promoting community  
19 integration, independent, productive, and normal lives, and stable  
20 and healthy environments. It is the further intent of the Legislature  
21 to ensure that the provision of services to consumers and their  
22 families be effective in meeting the goals stated in the individual  
23 program plan, reflect the preferences and choices of the consumer,  
24 and reflect the cost-effective use of public resources.

25 (b) The individual program plan is developed through a process  
26 of individualized needs determination. The individual with  
27 developmental disabilities and, where appropriate, his or her  
28 parents, legal guardian or conservator, or authorized representative,  
29 shall have the opportunity to actively participate in the development  
30 of the plan.

31 (c) An individual program plan shall be developed for any  
32 person who, following intake and assessment, is found to be  
33 eligible for regional center services. These plans shall be completed  
34 within 60 days of the completion of the assessment. At the time  
35 of intake, the regional center shall inform the consumer and, where  
36 appropriate, his or her parents, legal guardian or conservator, or  
37 authorized representative, of the services available through the  
38 local area board and the protection and advocacy agency designated  
39 by the Governor pursuant to federal law, and shall provide the  
40 address and telephone numbers of those agencies.

1 (d) Individual program plans shall be prepared jointly by the  
2 planning team. Decisions concerning the consumer's goals,  
3 objectives, and services and supports that will be included in the  
4 consumer's individual program plan and purchased by the regional  
5 center or obtained from generic agencies shall be made by  
6 agreement between the regional center representative and the  
7 consumer or, where appropriate, the parents, legal guardian,  
8 conservator, or authorized representative at the program plan  
9 meeting.

10 (e) Regional centers shall comply with the request of a  
11 consumer, or ~~where~~ *when* appropriate, the request of his or her  
12 parents, legal guardian, conservator, or authorized representative,  
13 that a designated representative receive written notice of all  
14 meetings to develop or revise his or her individual program plan  
15 and of all notices sent to the consumer pursuant to Section 4710.  
16 The designated representative may be a parent or family member.

17 (f) If a final agreement regarding the services and supports to  
18 be provided to the consumer cannot be reached at a program plan  
19 meeting, then a subsequent program plan meeting shall be  
20 convened within 15 days, or later at the request of the consumer  
21 or, when appropriate, the parents, legal guardian, conservator, or  
22 authorized representative or when agreed to by the planning team.  
23 Additional program plan meetings may be held with the agreement  
24 of the regional center representative and the consumer or, where  
25 appropriate, the parents, legal guardian, conservator, or authorized  
26 representative.

27 (g) An authorized representative of the regional center and the  
28 consumer or, ~~where~~ *when* appropriate, his or her ~~parents~~ *parent*,  
29 legal guardian, conservator, or authorized representative shall sign  
30 the individual program plan prior to its implementation. If the  
31 consumer or, ~~where~~ *when* appropriate, his or her ~~parents~~ *parent*,  
32 legal guardian, conservator, or authorized representative, does not  
33 agree with all components of the plan, he or she may indicate that  
34 disagreement on the plan. Disagreement with specific plan  
35 components shall not prohibit the implementation of services and  
36 supports agreed to by the consumer or, ~~where~~ *when* appropriate,  
37 his or her ~~parents~~ *parent*, legal guardian, conservator, or authorized  
38 representative. If the consumer or, ~~where~~ *when* appropriate, his  
39 or her ~~parents~~ *parent*, legal guardian, conservator, or authorized  
40 representative, does not agree with the plan in whole or in part, he

1 or she shall be sent written notice of the fair hearing rights, as  
2 required by Section 4701.

3 ~~(h) Individual program plans and the provision of services and~~  
4 ~~supports shall be designed to meet the cultural preferences, values,~~  
5 ~~and lifestyle of the individual and, when appropriate, his or her~~  
6 ~~parent, legal guardian or conservator, or authorized representative,~~  
7 ~~and shall be provided in their native language. A copy of the~~  
8 ~~individual program plan shall be provided in their native language.~~

9 *(h) (1) A regional center shall make every reasonable effort to*  
10 *communicate in the consumer's native language, or, when*  
11 *appropriate, the native language of his or her family, legal*  
12 *guardian, conservator, or authorized representative, during the*  
13 *planning process for the individual program plan, including during*  
14 *the program plan meeting.*

15 *(2) A regional center shall make every reasonable effort to*  
16 *provide a copy of the individual program plan in the native*  
17 *language of the consumer or his or her family, legal guardian,*  
18 *conservator, or authorized representative, or both.*

19 *(3) The native language of the consumer or his or her family,*  
20 *legal guardian, conservator, or authorized representative, or both,*  
21 *shall be documented in the individual program plan.*

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**All matter omitted in this version of the bill  
appears in the bill as amended in the  
Senate, April 1, 2013. (JR11)**