

Senate Bill No. 577

CHAPTER 431

An act to add and repeal Section 4850.3 of the Welfare and Institutions Code, relating to developmental disabilities.

[Approved by Governor September 18, 2014. Filed with
Secretary of State September 18, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 577, Pavley. Autism and other developmental disabilities: employment.

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities, including autism. Existing law governs the habilitation services provided for adult consumers of regional centers, including work activity programs, as described, and establishes an hourly rate for supported employment services provided to consumers receiving individualized services.

This bill would require the department, contingent upon receiving federal financial participation, to conduct a 4-year demonstration project to determine whether community-based vocational development services will increase employment outcomes for consumers and reduce purchase of service costs for working age adults, as specified. The bill would require the development and semiannual review of a plan, as specified, if community-based vocational development services, as defined, are determined to be a necessary step to achieve a supported employment outcome. The bill would establish an hourly rate for community-based vocational development services, for purposes of the demonstration project, of \$40 per hour for a maximum of 75 hours per calendar quarter for all services identified and provided in the plan. The bill would provide that a consumer's hours of participation in community-based vocational development services may be provided in lieu of hours of participation in other community-based day program services, for up to 2 years, except as specified. The bill would require the department to publish a notice on the department's Internet Web site when the demonstration project has been implemented, and to make determinations and notify the Legislature concerning the project's effectiveness, as specified, at the project's conclusion. The bill would repeal these provisions as of January 1, 2025.

The bill would also set forth related legislative findings and declarations and a statement of legislative intent.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Individuals with developmental disabilities have to struggle to find gainful employment. Unemployment amongst the developmentally disabled population is approximately 80 percent.

(b) Within the developmentally disabled community, autism is the fastest growing population, making up approximately 50 percent of the annual new caseload of regional centers in some parts of the state.

(c) One in three adults with autism do not have paid work experience or a college or technical education seven years after leaving the K–12 school system.

(d) In order to increase the self-sufficiency of young adults with autism and other developmental disabilities, including increased earning capacity and reduced government benefit support, it is important that the state implement a program to provide individualized skills assessment, social cue training, and specific support to ensure their academic and employment success.

(e) The Governor and the Legislature must address the growing need for new models of assessment, career training, and expanding employment opportunities and support options for young adults with autism and other developmental disabilities between 18 and 30 years of age. If this population is left without purposefully designed pathways into employment, these young adults will remain at high risk of public dependency throughout the course of their lives.

(f) The passage of the State of California’s Employment First Policy requires the state to increase the opportunities for individuals with developmental disabilities to achieve integrated competitive employment.

SEC. 2. Section 4850.3 is added to the Welfare and Institutions Code, to read:

4850.3. (a) The Legislature intends that in order to increase effectiveness and opportunity to gain meaningful integrated competitive employment opportunities, pursuant to paragraph (1) of subdivision (a) of Section 4869, habilitation services shall also provide community-based vocational development services to enhance community employment readiness, develop social skills necessary for successful community employment, and build a network of community and employment opportunities for individuals with developmental disabilities.

(b) The department shall conduct a four-year demonstration project, pursuant to paragraph (1) of subdivision (a) of Section 4869, to determine whether community-based vocational development services increase integrated competitive employment outcomes and reduce purchase of service costs for working age adults.

(1) For purposes of this section, “community-based vocational development services” means (A) services provided to enhance community employment readiness, which may include the use of discovery and job exploration opportunities, (B) social skill development services necessary

to obtain and maintain community employment, (C) services to use internship, apprenticeship, and volunteer opportunities to provide community-based vocational development skills development opportunities, (D) services to access and participate in postsecondary education or career technical education, and (E) building a network of community and employment opportunities.

(2) If community-based vocational development services are determined to be a necessary step to achieve a supported employment outcome, a plan shall be developed and may include, but is not limited to, all of the following:

(A) An inventory of potential employment interests.

(B) Preferences for types of work environments or situations.

(C) Identification of any training or education needed for the consumer's desired job.

(D) Opportunities to explore jobs or self-employment as a means to meet the consumer's desired employment outcome.

(E) Identification of any personal or family networks the consumer may use to achieve his or her desired employment outcomes.

(3) The habilitation service provider and the regional center shall review the plan developed pursuant to paragraph (2) semiannually to document progress towards objectives, additional barriers, and other changes that impact the consumer's desired employment outcome.

(4) The hourly rate for community-based vocational development services, for the purposes of this section, shall be forty dollars (\$40) per hour for a maximum of 75 hours per calendar quarter for all services identified and provided in the community-based vocational development plan as developed pursuant to paragraphs (2) and (3). Prior to the implementation of community-based vocational development services, the department shall secure federal Medicaid funding for this service.

(5) Hours of participation in community-based vocational development services may be provided in lieu of hours of participation in other community-based day program services, as determined by the consumer's individual program planning team, for up to two years. Community-based vocational development services may be authorized for an additional two years, if the consumer's individual program planning team determines and documents at each semiannual review that the consumer is making significant progress toward the habilitation services objectives. A consumer's participation in community-based vocational development services shall not exceed a total of four years.

(c) The department shall select up to five volunteer regional centers that reflect the geographic diversity of California to participate in the demonstration project.

(d) The department shall publish a notice on the department's Internet Web site when the demonstration project has been implemented.

(e) (1) After conclusion of the demonstration project, the department shall review the effectiveness of the demonstration project and make determinations whether community-based vocational development services

(A) increase employment outcomes, (B) reduce purchase of service costs, and (C) may be implemented on a statewide basis.

(2) The department shall notify the appropriate fiscal and policy committees of both houses of the Legislature of the determinations made pursuant to this subdivision.

(f) This section shall be implemented only to the extent that federal financial participation is available and any necessary federal approvals have been obtained.

(g) This section shall remain in effect only until January 1, 2025, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2025, deletes or extends that date.