

**Introduced by Senator Anderson**

February 20, 2014

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An act to amend Section 4684.55 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1191, as introduced, Anderson. Developmental services.

Existing law, the Lanterman Developmental Disabilities Services Act, authorizes establishment of various facilities for persons with developmental disabilities, including a type of facility known as an Adult Residential Facility for Persons with Special Health Care Needs (ARFPSHN). Existing law requires the State Department of Developmental Services and the State Department of Social Services to jointly implement a licensing program to provide special health care and intensive support services to adults in homelike community settings, and requires each ARFPSHN to possess a community care facility license. Existing law generally prohibits a regional center from paying any ARFPSHN a rate for services that exceeds the rate in the State Department of Developmental Services community placement plan for that facility.

This bill would make a technical, nonsubstantive change to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 4684.55 of the Welfare and Institutions
- 2 Code is amended to read:

1 4684.55. (a) ~~No~~A regional center may *not* pay a rate to any  
2 ARFPSHN for any consumer that exceeds the rate in the State  
3 Department of Developmental Services’ approved community  
4 placement plan for that facility unless the regional center  
5 demonstrates that a higher rate is necessary to protect a consumer’s  
6 health and safety, and the department has granted prior written  
7 authorization.  
8 (b) The payment rate for ARFPSHN services shall be negotiated  
9 between the regional center and the ARFPSHN, and shall be paid  
10 by the regional center under the service code “Specialized  
11 Residential Facility (Habilitation).”  
12 (c) The established rate for a full month of service shall be made  
13 by the regional center when a consumer is temporarily absent from  
14 the ARFPSHN 14 days or less per month. When the consumer’s  
15 temporary absence is due to the need for inpatient care in a health  
16 facility, as defined in subdivision (a), (b), or (c) of Section 1250  
17 of the Health and Safety Code, the regional center shall continue  
18 to pay the established rate as long as no other consumer occupies  
19 the vacancy created by the consumer’s temporary absence, or until  
20 the individual health care plan team has determined that the  
21 consumer will not return to the facility. In all other cases, the  
22 established rate shall be prorated for a partial month of service by  
23 dividing the established rate by 30.44 then by multiplying the  
24 quotient by the number of days the consumer resided in the facility.