

AMENDED IN SENATE AUGUST 30, 2011

AMENDED IN SENATE JULY 5, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 12, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 862

Introduced by Assembly Members Silva and Jeffries
(Principal coauthor: Assembly Member Logue)
(Coauthors: Assembly Members Allen, Chesbro, Gorell, and
Wagner)

(Coauthors: Senators Emmerson and Harman)

February 17, 2011

An act to amend Section 4629.5 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 862, as amended, Silva. Developmental services: regional centers.

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities. Existing law requires a regional center to include specified information on its Internet Web site for the purpose of promoting transparency and access to public information that includes specified information.

This bill would add prescribed information to this requirement.

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

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

SECTION 1. Section 4629.5 of the Welfare and Institutions Code is amended to read:

4629.5. (a) In addition to the requirements set forth in Section 4629, the department's contract with a regional center shall require the regional center to adopt, maintain, and post on its Internet Web site a board-approved policy regarding transparency and access to public information. The transparency and public information policy shall provide for timely public access to information, including, but not limited to, information regarding requests for proposals and contract awards, service provider rates, documentation related to establishment of negotiated rates, audits, and IRS Form 990. The transparency and public information policy shall be in compliance with applicable law relating to the confidentiality of consumer service information and records, including, but not limited to, Section 4514.

(b) To promote transparency, each regional center shall include on its Internet Web site, as expeditiously as possible, at least all of the following:

- (1) Regional center annual independent audits.
- (2) Biannual fiscal audits conducted by the department.
- (3) Regional center annual reports pursuant to Section 4639.5.
- (4) Contract awards, including the organization or entity awarded the contract, and the amount and purpose of the award.
- (5) The actual rates paid to each vendor, updated ~~semiannually~~ *annually*, except consumers or family members.
- (6) Any regional center purchase of services or operations funds provided to a nonprofit housing organization outside the request for proposals process.
- (7) Purchase of service policies.
- (8) The names, types of service, ~~owner or owners~~, and business contact information of all vendors, except consumers or family members of consumers.
- (9) Board meeting agendas and approved minutes of open meetings of the board and all committees of the board.
- (10) Bylaws of the regional center governing board.
- (11) The annual performance contract and yearend performance contract entered into with the department pursuant to this division.

1 (12) The biannual Home and Community-based Services Waiver
2 program reviews conducted by the department and the State
3 Department of Health Care Services.

4 (13) The board-approved transparency and public information
5 policy.

6 (14) The board-approved conflict-of-interest policy.

7 ~~(15) Conflict-of-interest disclosures.~~

8 *(15) Completed conflict-of-interest statements pursuant to*
9 *subdivision (e) of Section 4626.*

10 (16) Reports required pursuant to Section 4639.5.

11 ~~(17) Any legal settlements that can be disclosed.~~

12 (c) The department shall establish and maintain a transparency
13 portal on its Internet Web site that allows consumers, families,
14 advocates, and others to access provider and regional center
15 information. Posted information on the department's Internet Web
16 site transparency portal shall include, but need not be limited to,
17 all of the following:

18 (1) A link to each regional center's Internet Web site information
19 referenced in subdivision (b).

20 (2) Biannual fiscal audits conducted by the department.

21 (3) Vendor audits.

22 (4) Biannual Home and Community-based Services Waiver
23 program reviews conducted by the department and the State
24 Department of Health Care Services.

25 (5) Biannual targeted case management program and federal
26 nursing home reform program reviews conducted by the
27 department.

28 (6) Early Start Program reviews conducted by the department.

29 (7) Annual performance contract and yearend performance
30 contract reports.