

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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September 25, 2009

Community-based Day Program and Work Activity Program Service Providers:

The purpose of this correspondence is to provide information on two statutory changes affecting community-based day and work activity programs (WAPs) that became effective July 28, 2009, upon the enactment of the Fiscal Year (FY) 2009-10 Trailer Bill language (ABX4 9, Chapter 9, Statutes of 2009). The entire text of AB X4 9 can be found at [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

**New Service for Seniors at Reduced Rates**

ABX4 9 Section 21: Section 4688.1 was added to the Welfare and Institutions Code requiring vendors of activity center, adult development center, behavior management and social recreation programs, socialization training programs, community integration training programs, community activities support programs, creative arts programs and work activity programs to offer an alternative senior (over 50 years of age) program component at a ratio of no more than one staff to 8 consumers. The senior program component must be offered within the program's existing vendored capacity and vendor number, and movement of a consumer currently being served by the program to the senior program component does not open up a slot in the vendored program for a new consumer. New consumers referred by the regional center can be served in the senior component if the vendor is not at its vendored capacity. TBL further requires that at the time of development, review, or modification of an eligible consumer's individual program plan, regional centers, as appropriate, shall provide information about, and offer, an alternative senior program. Movement of a consumer into the senior program component does not open up a slot in the vendored program for a new consumer. The rate for this new program component shall not exceed the lesser of thirty-five dollars (\$35) per day or the vendor's existing daily rate. Except for the statutorily required ratio of 1:8 for the senior program component, vendors must continue to comply with the established staffing requirements associated with their program vendorization as specified in Title 17.

**Custom Endeavors Options (CEO)**

ABX4 9 Section 22: Section 4688.2 was added to the Welfare and Institutions Code requiring vendors of activity center, adult development center and behavior management day programs, community integration training programs and community activities support services programs to offer an alternative customized program component with an appropriate staffing component to meet individualized consumer needs. The alternative customized program is to focus on a consumer's individualized needs and interests to develop or maintain employment or volunteer activities in lieu of their current program, and is to range between 20 and 80 hours per month for each participant. The regional center shall fund customized programs based on the vendor's existing rate and only fund those hours provided to the consumer. TBL further specifies that at the time of development, review or modification of a consumer's individual program plan, regional centers, as appropriate, shall provide information about and make available the customized program option. The CEO program component must be offered within the program's existing vendored capacity and through its existing vendor number. Movement of a consumer into the CEO program component does not open up a slot in the vendored program for a new consumer nor does a reduction in program hour participation open up a slot for less than full time participation by a new consumer admitted to the program. Vendors must continue to comply with the established staffing requirements associated with their program vendorization as specified in Title 17.

Sincerely,

Department of Developmental Services

cc: 21 Regional Centers

**"Building Partnerships, Supporting Choices"**