

Statutes Authorizing the Use of State Staff in the Community

The trailer bill to the Budget Act of 2010, SB 853 (Chapter 717, Statutes of 2010, Budget Committee), included the following statutory changes related to the closure of Lanterman Developmental Center.

Section 4474.2 of the Welfare and Institutions Code is amended to read:

4474.2. (a) Notwithstanding any provision of law to the contrary, the department may operate any facility, provide its employees to assist in the operation of any facility, or provide other necessary services and supports if, in the discretion of the department, it determines that the activity will assist in meeting the goal of ~~an~~ *the orderly closure closures of Agnews Developmental Center and Lanterman Developmental Center*. The department may contract with any entity for the use of the department's employees to provide services in furtherance of ~~an~~ *the orderly closure closures of Agnews Developmental Center and Lanterman Developmental Center*. *For the Lanterman Developmental Center, the use of department employees is in effect for up to two years following the transfer of the last resident of the Lanterman Developmental Center, unless a later enacted statute deletes or extends this provision.*

(b) *The department shall prepare a report on the use of the department's employees in providing services in the community to assist in the orderly closures of Agnews Developmental Center and Lanterman Developmental Center. The report shall include data on the number and classification of state employees working in the community program. The report shall be submitted with the Governor's proposed budget for the 2012-13 fiscal year to the fiscal committees of both houses of the Legislature and annually thereafter.*

Section 4474.3 of the Welfare and Institutions Code is amended to read:

4474.3. The provisions of Section 10411 of the Public Contract Code shall not apply to any person who, in connection with the ~~closure closures~~ of Agnews Developmental Center *or Lanterman Developmental Center*, provides developmental services.

Section 854.1 of the Government Code is amended to read:

854.1.(a) It is the intent of the Legislature to ensure continuity of care for clients of Agnews Developmental Center *and Lanterman Developmental Center*.

(b) In the effort to achieve these goals, it is the intent of the Legislature to seek and implement recommendations that include all of the following services to retain Agnews *and Lanterman* staff as employees:

(1) Crisis management teams that provide behavioral, medical, and dental treatment, training, and technical assistance.

(2) Specialized services, including adaptive equipment design and fabrication, and medical, dental, psychological, and assessment services.

(3) Staff support in community homes to assist individuals with behavioral or psychiatric needs.

(c) As used in this chapter, the terms "mental institution" or "medical facility" also include a developmental services facility.
For the purposes of this chapter "developmental services facility" means any facility or place where a public employee provides developmental services relating to the closure of Agnews Developmental Center or *Lanterman Developmental Center*.