

**Department of Developmental Services
Community Services and Support Division
Self-Directed Services Program
Frequently Asked Questions**

- Q.** What if I am happy with my current service delivery program and do not wish to enroll in the Self-Directed Services (SDS) Program?
- A.** **Enrollment in the SDS Program is completely voluntary. Just like any other program offered under the Lanterman Developmental Disabilities Act in California, individuals choose what is best for them. If this program does not fit your needs or desires, you can continue with your current services.**
- Q.** What are the differences in the services offered under the SDS Program and the traditional service programs?
- A.** **While there are some new services in the SDS Program, most of the services being offered are also offered in traditional service programs. However, in the SDS Program, participants will have more control over decisions about the resources that will be used to meet service and support needs as specified in the Individual Program Plan (IPP). Services and supports will be paid from an individualized budget.**
- Q.** How are the service needs accessed?
- A.** **Your Supports Broker (SB) will help you access your service needs through a person centered planning process.**
- Q.** What is a “congregate setting”?
- A.** **A congregate setting is defined as residence in a long-term health care facility, or community care facility, or day program. Congregate settings cannot be purchased under the SDS Program service.**
- Q.** How is the individual budget amount determined?
- A.** **There are two ways in which the individual budget will be calculated. 1) The individual budget amount shall equal 90 percent of the most recent consecutive 24 months of purchase of service expenditures for the individual. 2) The amount shall equal 90 percent of the average annual purchase of service expenditures for the previous two fiscal years for consumers with similar characteristics based on factors that include age, type of residence, type of disability and ability, functional skills, and transition status, if any. The participant will be presented with both**

calculations and choose the budget amount that is most suited to his or her needs.

Q. Is the budget methodology established by the regional center using regional center data or is it established using regional center statewide data?

A. **The budget methodology is established by the Department of Developmental Services (DDS) and is based on regional center statewide data.**

Q. Do consumers have to pay for the Supports Broker (SB) and Financial Management Services (FMS) vendor out of their budget?

A. **Yes, an FMS and SB are paid for out of the participant's individual budget. However, a qualified parent, conservator, or legal guardian may be designated by the participant to act as an unpaid FMS or SB.**

Q. What conditions, or circumstances, would necessitate accessing the risk pool?

A. **The risk pool may be used only in the event of a substantial change in a participant's service and support needs that were not known at the time the individual budget was established and agreed upon, such as an urgent need to relocate a residence, catastrophic injury, or illness.**

Q. Because of the mandated SB service, are participants going to be paying for case management out of their individual budget?

A. **No. Case management and supports brokerage are two distinct services. Regional centers will continue to provide case management services at no charge to the participant.**

Q. Are there any restrictions on what the individual budget can be used for?

A. **Yes, there are certain restrictions. A participant can only purchase services and supports as described in the SDS waiver and/or regulations. Specific services that cannot be purchased in the SDS Program are: residence in a long-term health care facility, community care facility or day program services as defined in California Code of Regulations, Title 17, Section 54302. Additionally, a participant may not purchase a vehicle or a home under this program.**

- Q.** What if a consumer determined that social interaction was required and that a day program was what he or she wanted?
- A.** There are many different ways to address a need for social interaction. SDS enables an individual to use his or her individual budget creatively in developing a plan that includes opportunities to meet people and have social interactions in the community. However, if an individual decides that the preferred way to meet this need is through a “day program”, the individual can choose to leave the SDS program and go back to traditional services.
- Q.** Could you describe customized services and supports?
- A.** Customized services and supports are participant designed activities, services, supports, and the schedule and cost of services that are provided.
- Q.** Can you use SDS Program individual budget funds for school or to go to college?
- A.** DDS cannot say for certain that funds can be used for this purpose until the SDS Program waiver is actually approved by the Centers for Medicare & Medicaid Services. However, as it is written today, a participant can use individual budget funds for school and college if school and/or college are not available as a “generic resource.”
- Q.** Would you please summarize the differences between the Self-Determination (SD) Pilot project and the new SDS Program?
- A.** The SD Pilot project was an experimental program that helped DDS understand what would work best for consumers. There was no federal oversight as all funding came from the state General Fund. The only rules applied to the SD Pilot project were that services and supports had to be related to the individual’s developmental disability and services and supports purchased could not be illegal. Additionally, as mentioned in a previous question and answer, there are some restrictions on the types of services and supports that can be purchased from the individual budget. The new SDS Program, on the other hand, will have to follow certain federal rules and policies because much of the funding will be federal. Statute is currently in place and regulations are being developed. A Federal Medicaid Waiver application is in process for submission and approval.

- Q.** Will SD Pilot project participants be expected to grandfather into the new program by July 2009, and if so, will their budgets have to be recalculated?
- A.** **As of this time, SD Pilot project participants may elect to continue receiving services within his or her current scope and existing procedures and parameters. Their participation may only be terminated upon their voluntary election and qualification to receive services under another service program. If an SD participant should choose to enroll in the new SDS Program they may elect between two individual budget methodologies described in question # 5 above.**
- Q.** If a consumer does not use all of his or her individual budget during the year, will the funds remaining roll over to the next year or be placed in some kind of account for them to use later on?
- A.** **No. Unused funds will be not be available to the individual in a subsequent year.**
- Q.** If a consumer does not use all of his or her budget during the year, will it affect their budget for the subsequent year? In other words, will they be penalized?
- A.** **No. Consumers will not be penalized if they do not use all of the individual budget funds during the year. Additionally, unused funds do not roll over from year-to-year. Should the participant choose to have their individual budget amount re-assessed one of the two budget methodologies described in # 5 above may be used.**
- Q.** Is California breaking new ground across the nation with this SDS Program waiver?
- A.** **Yes. Other states are implementing or have already implemented SDS Programs. However, California's program will have the most comprehensive array of services and supports and be the largest program in the nation.**
- Q.** How would a family be able to learn about the new SDS Program and what they will need to do to get enrolled?
- A.** **The regional centers will provide training and orientation for consumers and families to learn more about the SDS Program. To get enrolled they would need to contact their regional center and request enrollment.**
- Q.** How is the SDS Program going to impact the community-based service providers?

A. Under the SDS Program, service providers will now be hired and work directly for the participant. Services will be more customized to the participant's needs, and service rates will be negotiated by the participant with the assistance of their SB.

Q. Would you explain what "vendorization" means?

A. Vendorization is the process in which a provider contracts with the regional center to provide services to consumers as specified in, CCR, Title 17, Section 54310.

Q. Will participants be able to receive advance funds to pay service providers?

A. The regional centers may advance funds to the FMS. These funds may be available to fund specific services and supports specified in the participants IPP. Your FMS provider will pay the service providers for you as specified in service provider agreements.

Q. At what stage in the approval process is the SDS waiver application right now?

A. The Waiver is in the initial stages of development.