

SELF-DETERMINATION

UPDATE JANUARY 24, 2020

What is the “Final Rule?”

The services a participant chooses in the SDP must allow for that person to live, work, and play in places where they have choices in how they spend their time and with whom they spend their time. This is required by the federal government through what is called the HCBS waiver “Final Rule”. The Final Rule applies in SDP because federal dollars are being used to fund the services that participants are including on their spending plans.

If a participant chooses to use their SDP funds to pay for a service in a place that is intended mostly for people with disabilities or they receive a service with a group of other people with disabilities, that place where they receive those services must be assessed to make sure it meets the requirements of the Final Rule before they can start their service there.

Assessment means that the participant, someone from their Regional Center, and their service provider will follow a step by step process to make sure the setting meets the Final Rule requirements. For more information on that process and to view a Final Rule fact sheet, refer to the SDP orientation materials at <https://www3.dds.ca.gov/SDP/SDPMaterials.cfm>

Question of the Day

Q. May I use my own money to purchase something that is in my IPP and that my team agreed I need, and then request my FMS to reimburse me from my SDP Spending Plan?

A. No. The item or service must be purchased directly by the FMS on your behalf. Federal rules do not allow making payments for services directly to a participant, either to reimburse the participant for expenses incurred or enable the participant to directly pay a service provider.



“Fantastic!”

Ask Howard about Person Centered Planning and he will tell you “It is fantastic!” With his plan in place and his Individual Budget certified, he is ready to begin purchasing the services and supports he wants and needs from his Spending Plan. Howard has a vision, he wants to spread the word about ending violence in society. To that end, he has developed a website about emotional intelligence and violence prevention, and he envisions getting support to make the site more accessible and user friendly.

While he will be purchasing services in some new ways, Howard also plans on continuing receiving services from Easter Seals; in fact he rode on their float in the 2019 Rose Parade!

His advice regarding advocacy is “Communication!” Howard shares that there are rules of advocacy that apply all the time. “Use simple communication, it’s not about attacking or getting angry. Explain who you are and why you need something. Try to understand the other person and to help them understand how everyone’s interests are met when we simply communicate.”

WANT MORE INFORMATION ABOUT SELF -DETERMINATION?

- ◆ Visit the Self-Determination Page of the DDS website at <https://www.dds.ca.gov/SDP/>
- ◆ Attend a Self-Determination Local Advisory Committee Meeting
- ◆ Contact your Regional Center or Local State Council on Developmental Disabilities (SCDD) Regional Office
- ◆ SCDD hosts a SDP Facebook page at <https://www.facebook.com/groups/CA.SDP.Forum/>