

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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August 10, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: DEPARTMENT DIRECTIVE 02-081020: DAY SERVICES FOR  
CONSUMERS AT HIGH RISK FOR SERIOUS ILLNESS DUE TO COVID-19

***This supersedes the Department of Developmental Services' (Department) March 12, 2020, Directive regarding this subject.***

Welfare and Institutions Code (WIC) section 4639.6 authorizes the Director of the Department to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with WIC section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

Pursuant to WIC section 4639.6, to reduce the risk of exposure to COVID-19 and consistent with the California Department of Public Health's recommendations for individuals who are at higher risk for serious illness, the Director of the Department is directing regional centers to take immediate action to ensure consumers who have compromised immune systems or who are more susceptible to respiratory illness, and/or who reside in the following home types, remain home rather than attend day services outside the home:

- Adult Residential Facilities for Persons with Special Health Care Needs
- Intermediate Care Facilities/Developmentally Disabled-Nursing
- Intermediate Care Facilities/Developmentally Disabled-Continuous Nursing

The Department's [March 12, 2020, correspondence](#) to regional centers regarding Governor Gavin Newsom's declared State of Emergency due to the COVID-19 outbreak authorizes, pursuant to Title 17, California Code of Regulations section 54326(a)(11), regional centers to pay vendors for absences that are a direct result of the COVID-19 outbreak in California. On July 17, 2020, the Department issued a [Directive](#) authorizing retention payments to nonresidential providers for consumer absences through August 31, 2020, and previewing the structure for subsequent reimbursement of claims for providing nonresidential services using alternative service delivery approaches during the State of Emergency.

**“Building Partnerships, Supporting Choices”**

Regional Center Executive Directors  
August 10, 2020  
Page two

If you have any questions regarding this Directive, please contact Christine Gephart at (916) 698-9567 or [chris.gephart@dds.ca.gov](mailto:chris.gephart@dds.ca.gov).

Sincerely,

*Original Signed by:*

NANCY BARGMANN  
Director

cc: Regional Center Board Presidents  
Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies