

DEPARTMENT OF DEVELOPMENTAL SERVICES

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July 28, 2022

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: PROVISIONAL ELIGIBILITY FOR REGIONAL CENTER SERVICES

The purpose of this correspondence is to clarify the Department of Developmental Services' (Department) [August 5, 2021 correspondence](#) of the same subject.

Background

As of July 16, 2021, a child who is three or four years of age may be provisionally eligible for regional center services under specified conditions. This change in eligibility was enacted by Developmental Services Trailer Bill, AB 136 (Chapter 76, Statutes of 2021), which amended Welfare and Institutions (W&I) Code section 4512. The policy and process for provisional eligibility were outlined in the Department's August 5, 2021 correspondence.

Provisional eligibility is intended to avoid delays and reduce gaps in regional center services to children at a particularly vulnerable time in their development.

Initial Assessment

Provisional eligibility is available in the absence of a finding that a child who is three or four years of age (or approaching three years of age) has a developmental disability listed in W&I Code section 4512(a)(1). Regional centers must first assess for a developmental disability as defined by W&I Code section 4512(a)(1). If the child is not determined to have a developmental disability, the child should be assessed for provisional eligibility.

Reassessment Before Five Years of Age

To preserve services to a child who is provisionally eligible, regional centers must complete the reassessment to determine if the child has a developmental disability at least 90 days before the child turns five years of age. If the reassessment is not completed before the child turns five years of age, regional centers should continue services until the reassessment is complete.

“Building Partnerships, Supporting Choices”

Regional Center Executive Directors
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If you have any questions regarding this correspondence, please contact me at brian.winfield@dds.ca.gov or (916) 654-1897.

Sincerely,

Original Signed by:

BRIAN WINFIELD
Chief Deputy Director

cc: Regional Center Administrators
Regional Center Directors of Consumer Services
Regional Center Community Services Directors
Association of Regional Center Agencies
Ernie Cruz, Department of Developmental Services
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