

DEPARTMENT OF DEVELOPMENTAL SERVICES

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December 30, 2022

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: SELF-DETERMINATION PROGRAM: CONTINUING THE INDIVIDUAL BUDGET AND SPENDING PLAN

In alignment with the key principles of the Self-Determination Program (SDP), participants have the authority to control a certain amount of money to purchase needed goods and services through their individual budget. Individual planning teams have a shared responsibility to collaboratively develop and approve individual budgets and review spending plans for the subsequent year before the end of the participant's current budget year. During this process there may be disagreement about the budget and/or services. This correspondence provides guidance to regional centers for ensuring a participant continues to have access to the goods and services needed to implement their individual program plan (IPP).

Similar to an individual receiving services through the traditional system, regional centers have a responsibility to ensure the continuity of services necessary to implement an SDP participant's IPP. In SDP, this includes any time period in which an enrolled participant does not have a certified budget and/or current spending plan. Pending completion of a new budget and spending plan, a regional center shall continue services through any process that achieves this outcome, including:

- If the SDP participant has not exhausted the individual budget funds needed to continue implementing their IPP, extension of the end date of the current budget and spending plan.
- Continuation of the budget and spending plan from the previous year as a new purchase of service authorization, removing any one-time expenditures.

Regional centers shall notify the Financial Management Services provider about how the individual budget and spending plan will be extended pending the completion of a budget and spending plan at least 14 days prior to the end of the current budget year. The new budget and spending plan shall be completed no later than 60 days following the end date of the previous budget year, or a Notice of Action shall be issued. A Notice of Action may also be issued at any other time there is not mutual consent with a decision. A participant who timely files an appeal will continue to have access to the last agreed upon individual budget, minus one-time expenditures during the appeal process. The start date of the new budget cycle will be agreed to by the individual planning team.

“Building Partnerships, Supporting Choices”

Regional Center Executive Directors

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Consumers, family members, or providers should contact their local regional center with questions regarding this correspondence.

Sincerely,

VICKI L. SMITH, Ph.D.
Deputy Director
Policy and Program Development Division

cc: Regional Center Administrators
Regional Center Directors of Consumer Services
Regional Center Community Services Directors
Association of Regional Center Agencies
State Council on Developmental Disabilities
Nancy Bargmann, Department of Developmental Services
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