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GAVIN NEWSOM
GOVERNOR

November 3, 2023

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: TRAILER BILL CHANGES FOR RESTORED SERVICES AND NEW PARTICIPANT-DIRECTED SERVICES

The purpose of this correspondence is to provide information related to a statutory change effective July 1, 2023, which added Welfare and Institutions (W&I) Code section [4688.22](#) and [4519.5\(a\)\(8\)](#), affecting camping services; social recreation activities; educational services for children; and nonmedical therapies, including, but not limited to, specialized recreation, art, dance, and music (herein referred to as restored services). Statutory changes include the prioritization and expedition of policies that may increase access, collect data, or track expenditures pertaining to these services.

The Department of Developmental Services (Department) previously provided guidance to regional centers on implementation and funding of restored services. The [October 7, 2021](#) correspondence required regional centers to develop or update purchase of service (POS) policies related to restored services and develop and conduct outreach to communities about the available services. On [February 8, 2022](#), regional centers were informed of a new sub-code for billing and claiming associated with restored services. The [November 16, 2022](#) correspondence provided clarification about the timing of payments for restored services to align with typical processes used by non-regional center payors under certain circumstances.

Changes Impacting POS Policies

As required by previous guidance, regional centers developed and updated POS policies for restored services and submitted those policies to the Department for approval. W&I Code section 4688.22(b) states regional centers must not require a consumer or family member to exhaust services under the In-Home Supportive Services program, exchange respite hours or any other service or support authorized by the regional center or pay a copayment or similar shared pay arrangement aimed at offsetting costs, in order to fund any restored service. Regional centers must review and revise their existing POS policies, as needed, related to the restored services, to be compliant with this change to statute.

In revising existing POS policies, pursuant to W&I Code section [4688.22](#), regional centers must prioritize increasing access to those services, particularly for children, individuals who are non-English speaking and communities of color. Policies must also reflect a priority on access to those services, not only by referring consumers and their families to existing opportunities for social recreation services and camping services, but also by funding those services directly along with the supports needed to access them.

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Regional centers must submit updated restored services POS policies for Department review and approval. When revising restored services POS policies, regional centers are highly encouraged to solicit input from their local communities and allow for discussion, prior to submitting to the Department. If a regional center determines that its POS policies for restored services meet the requirements of W&I Code section 4688.22, the regional center must submit those policies to the Department with an explanation of how the policies comply with statute. The regional center must also submit any procedures used to authorize these services. The regional center's response to the above is due within 60 calendar days of the date of this directive.

Increasing Availability of Vendors

W&I Code section 4688.22 requires regional centers to increase the availability of vendors and expedite vendorizations accordingly. To assist with vendorization of restored service providers, enclosed are a Restored Services Checklist and required documents (Enclosures A – E) that must be used by regional centers when vrending interested applicants. The Department appreciates regional centers' assistance in identifying the fewest documents necessary to carry out vendorization for these restored services.

Community Outreach Plans

Regional centers are required to take proactive steps to inform their communities of the changes to W&I Code section 4688.22 and submit a new outreach plan specific to these changes. The Department recommends that regional centers conduct outreach to individuals, families, providers, and local community organizations to facilitate awareness about the recent statutory changes and POS policy revisions. Plans must include service coordinator training for the purpose of disseminating information and discussing the availability of restored services to families and consumers. Updated plans must also include efforts to increase access to restored services and a streamlined vendorization process for entities not already vended with the regional center.

New outreach plans must be included with the submission of POS policies for restored services.

Use of Participant-Directed Services for Social Recreation and Camping Services

W&I Code section 4688.22(c) authorizes the Department to implement, by way of written directive, the provision of participant-directed services for social recreation and camping services. Regional centers may use financial management services, when authorizing social recreation, camping and non-medical therapies. Please refer to the enclosed service description (Enclosure F) for further information.

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Use of SRA Sub-code

Regional centers must ensure all authorized restored services use the “SRA” subcode as indicated in the [February 8, 2022](#) correspondence. This sub-code must be used for billing and claiming associated with restored services. Consistent use of the sub-code will allow regional centers and the Department to collect data and track expenditures as required by W&I Code section [4688.22](#) and [4519.5\(a\)\(8\)](#). Services purchased under participant-directed services do not require use of the SRA sub-code.

The Department will translate this directive into threshold languages and will post translated versions on the Department’s website.

Restored services POS policies and outreach plans must be submitted to oco@dds.ca.gov by the due date stated above. If you have questions about this directive, contact your Primary Regional Center Liaison or the Office of Community Operations at (833) 421-0061.

Sincerely,

Original Signed by:

ERNIE CRUZ
Deputy Director
Community Services Division

Enclosures

cc: Regional Center Administrators
Regional Center Directors of Consumer Services
Regional Center Community Services Directors
Association of Regional Center Agencies
Nancy Bargmann, Department of Developmental Services
Brian Winfield, Department of Developmental Services
Carla Castañeda, Department of Developmental Services
Jim Knight, Department of Developmental Services