



## 2022-2023 Appeal Process Changes

([Senate Bill 188](#), Chapter 49, Statutes of 2022)

### Why Were Changes Made?

Regional center clients, families, and advocates said that the process of solving disagreements with regional centers was difficult, hard to figure out, and scary, especially when questioning authority is not common or is not culturally acceptable. They wanted a safe place to go to help them resolve conflicts with regional centers about eligibility and service decisions. Many families also said their legal representation during the process was not equal to the representation for regional centers, and that they do not have the time or financial resources to appeal a regional center decision.

### What Changed?

The laws about the appeal process were [changed](#) to make the process easier. The last of the changes began on March 1, 2023. The changes included:

- The Individual Program Plan (IPP) team and decision-makers at regional centers must consider your need for services, the problems you have getting services, and anything else you want them to know.
- If you and the regional center don't agree, you will be sent a Notice of Action, known as a NOA. An agreement means that you signed the IPP, list of services or something else that includes the disagreement. If the regional center believes you agreed, they send you a "Good Faith Belief Letter" letter saying so.
- The Department of Developmental Services (DDS) created a new [website](#) for the appeal process, providing information about it, and displaying forms and data about the process. The new information packet on the website explains the entire process, how to do things at each part of the process, and how you can get help.
- DDS made new appeal process forms that can be filled out online. The new appeal request form lets you choose if you want an informal meeting, mediation, or hearing. You may change your mind later about which options you want to use.
- Appeal requests now are sent to DDS before they are sent to the regional center that made the decision.
- You now have 60 calendar days to appeal a regional center decision, instead of 30 days.
- The regional center cannot have a lawyer at an informal meeting, mediation, or hearing unless you are a lawyer or have a lawyer with you.
- Your first request to re-schedule your hearing to a later date will be approved.
- Regional centers must give you a statement about what action they are taking. The statement must include the reason for its decision, the law, and documents about it.
- If you have professional assessments or reports related to your appeal, you must give them to your regional center. You must also provide a list of who will speak at the hearing with you.

- Hearing officers must make the hearing a comfortable place for you to share information and get all the facts out.
- DDS now makes final hearing decisions about specific [topics](#).
- You may ask for reconsideration of a final hearing decision within 15 calendar days if you think there was a legal, factual, or clerical mistake in the decision.
- Regional centers must [carry out](#) the final hearing decision within 30 calendar days of the decision or corrected decision. If they do not, you can ask DDS for help.
- The Office of Administrative Hearings started an [Advisory Committee](#) to recommend potential improvements to the hearing process.

### **Where Are We Now?**

DDS continues to make the appeal process easier for self-advocates and families. If you have feedback or ideas for other changes, please email [appealsinput@dds.ca.gov](mailto:appealsinput@dds.ca.gov).