

**State of California  
Office of Administrative Law**

In re:  
Department of Developmental Services

Regulatory Action:

Title 17, California Code of Regulations

Amend sections: 56782

NOTICE OF APPROVAL OF CHANGES  
WITHOUT REGULATORY EFFECT

California Code of Regulations, Title 1,  
Section 100

OAL Matter Number: 2025-0307-01

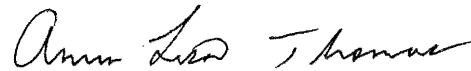
OAL Matter Type: Nonsubstantive (N)

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These changes without regulatory effect extend eligibility for in-home respite services to individuals in foster care in alignment with Senate Bill 1197 (Stats. 2024, ch. 909).

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: April 21, 2025



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Anna Thomas  
Attorney

For: Kenneth J. Pogue  
Director

Original: Peter Cervinka, Acting Director  
Copy: Nicole Smith

## NOTICE PUBLICATION/REGULATION SUBMISSION

STD. 400 (REV. 10/2019)

NONSUBSTANTIVE

See instructions  
reverse

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2025-0307-01N</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
<b>OFFICE OF ADMIN. LAW</b> <b>2025 MAR 7 PM4:14</b>			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Department of Developmental Services			

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

APR 21 2025

1:42 PM  
*[Signature]*

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Section 100- In-Home Respite Amendment		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
		AMEND	
TITLE(S) 17		REPEAL	
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____			
<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) N/A			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) N/A			
7. CONTACT PERSON Nicole Smith		TELEPHONE NUMBER 916-654-2287	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) nicole.smith@dds.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

Pete Cervinka

March 7, 2025

TYPED NAME AND TITLE OF SIGNATORY

Pete Cervinka, Director

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

APR 21 2025

Office of Administrative Law

## SECTION 100

### California Code of Regulations

#### Title 17. Public Health

#### Division 2. Health and Welfare Agency—Department of Developmental Services Regulations

#### Chapter 3. Community Services

#### Subchapter 5. Standards for Nonresidential Services

Amend section 56782, title 17, California Code of Regulations (CCR), to read as follows:

[NOTE: Amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions.]

#### Subchapter 5. Standards for Nonresidential Services

#### Article 5. Standards for in-Home Respite Services Agencies

#### § 56782. Consumer Eligibility for Services.

(a) A consumer shall be eligible for services from an in-home respite services agency pursuant to a determination by the ID Team that:

(1) The consumer resides with a family member(s) as described in 54302(a)(22~~9~~) and the need for the service is agreed by the family member(s) and the ID Team.

(A) Notwithstanding subsection (a)(1), a child or non-minor dependent who is a recipient of AFDC-FC and regional center services shall not be prohibited from receiving in-home respite services pursuant to Welfare and Institutions Code, section 4684(d)(1).

(2) The consumer's IPP /IFSP includes an objective which can be met by an in-home respite services agency.

NOTE: Authority cited: Section 11346.1, Government Code; and Section 4690.2, Welfare and Institutions Code. Reference: Sections 4646.5, 4648, 4684, 4685 and 4690.2, Welfare and Institutions Code.