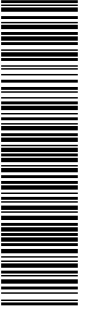


An act to amend Sections 4435.1 and 4754 of, to repeal Section 4753 of, and to repeal and add Section 4752 of, the Welfare and Institutions Code, relating to developmental services.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) It is the intent of the Legislature to promote equity in the practices and services of regional centers with respect to intake processes and the evaluation of individual needs. The Legislature seeks to remedy inconsistent practices in the regional center intake process by establishing standardized protocols for determining whether the criteria for “developmental disability” and “substantial disability” are met. It is further the intent of the Legislature to modernize and strengthen the way California evaluates the needs of eligible individuals with developmental disabilities so that all people receive fair and equitable access to services and supports in alignment with their level of need as guaranteed under the Lanterman Act. While regional centers assess individual needs as part of the individualized program planning process, the tools used today vary significantly with little fidelity, and no longer reflect current research, best practices, or the diverse cultural, linguistic, and communication needs of individuals with intellectual and developmental disabilities.

(b) The Legislature therefore intends to establish a standardized, evidence-based statewide strengths and needs evaluation that promotes equity, transparency, and consistency in how an individual’s support needs are understood, while reinforcing the person-centered principles of the Lanterman Act. A standardized, updated strengths and needs evaluation will support equity in service access and provision, whereas individuals with similar needs receive equal consideration across the state, while preserving all rights to individualized planning and culturally and linguistically responsive supports.

SEC. 2. Section 4435.1 of the Welfare and Institutions Code is amended to read:

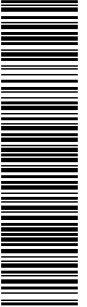
4435.1. (a) It is the intent of the Legislature to provide more statewide uniformity and consistency and promote equity in the administrative practices and services of regional centers, consistent with the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500)), as specified in this section.

(b) (1) No later than June 30, 2024, the department shall establish common data definitions that shall be used to promote service access and equity in all regional center services and programs. No later than January 1, 2025, regional centers shall start recording the race and ethnicity and preferred language identified by each individual, subject to paragraph (4), at the time of initial intake, assessment, and the individual program plan meeting following the individual’s 18th birthday. Individuals have the right to update their demographic information at any time.

(2) The categories for race and ethnicity shall be based on the latest categories adopted by the United States Core Data for Interoperability set forth by the United States Office of the National Coordinator for Health Information Technology.

(3) “Preferred language” means the language chosen by the applicant or individual, or, when appropriate, the individual’s parent, legal guardian or conservator, or authorized representative.

(4) This section does not compel an individual, their parent, their legal guardian or conservator, or their authorized representative to provide requested information regarding the race, ethnicity, or preferred language of any of those persons.



(5) The data requirements described in this subdivision shall be integrated with the Life Outcomes Improvement System (LOIS), as established pursuant to Section 4519.1.

(c) (1) No later than June 30, 2025, the department shall establish standardized processes, including standardized templates, for assessing a consumer's need for respite services. Regional centers shall implement these standardized processes no later than January 1, 2026.

(2) The processes shall include a requirement that the regional center obtain information about respite needs from family members and, when appropriate, from other caregivers. The information obtained from these standardized processes shall be considered by the individual's individual program planning team.

(3) Regional centers shall make any modifications to their purchase-of-service policies as necessary for implementation of this subdivision.

(d) No later than June 30, 2024, the department shall establish a standardized individual program plan template and standardized procedures, including frequency of meetings, that are consistent with person-centered services planning requirements. The template shall be integrated with LOIS. Regional centers shall implement the standardized individual program plan template and procedures no later than January 1, 2025.

(e) (1) No later than June 30, 2025, the department shall establish standardized vendorization procedures. These procedures may include, but are not limited to, standardized vendorization forms and requirements to streamline vendorization elements, including when services are provided through more than one regional center. Regional centers shall implement these standardized vendorization procedures and provide updated vendor lists to the department on a quarterly basis no later than January 1, 2026.

(2) No later than March 1, 2028, in consultation with stakeholders, the department shall issue guidance to regional centers on maintaining necessary quality assurance oversight of service providers, special incident reporting, provider directory structure, and rate controls while removing barriers to statewide accessibility of services, including ending the practice and process currently known as courtesy vendorization. Service providers shall give preference to providing services to individuals served by the service provider's initially vendorizing regional center. This section does not require a regional center to refer individuals to any specific service provider

(f) (1) No later than January 1, 2025, the department shall establish a standardized intake process consistent with the requirements and timelines specified in Section 4642.

(2) No later than June 30, 2025, and to the extent allowed by current data systems, regional centers shall report to the department, quarterly as described in paragraph (4), the number of assessments and the length of time that it took to determine eligibility.

(3) The department shall include all of the following information in LOIS:

(A) The number of individuals for whom intake was requested.

(B) The outcome of that intake, including whether an assessment was determined to be necessary.

(C) The length of time that it took to complete the assessment.

(D) The number of notices of action sent pursuant to paragraph (3) of subdivision (a) of Section 4642.



(4) Regional centers shall report the data described in this subdivision to the department on a quarterly basis, based on the criteria specified in paragraphs (1) to (5), inclusive, of subdivision (a) of Section 4519.5.

(g) On or after July 1, 2026, in order to enhance the standardized intake process described in subdivision (f), the department shall develop a standardized intake eligibility assessment process to determine if an individual meets the definition of “developmental disability” and “substantial disability,” as those terms are defined in Section 4512, that is consistent with the requirements and timelines specified in Sections 4642 and 4643. The standardized intake eligibility assessment process developed pursuant to this subdivision shall not be implemented without prior legislative approval.

(h) The department shall develop the standardized processes specified in this section with input from stakeholders, including consumers and families, individuals and their families, who reflect the demographic diversity of California, to the extent practicable. In developing the standardized processes specified in this section, the department shall address barriers that may impact access to services.

(i) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific this section through written directives until regulations are effective.

(j) As part of its quarterly updates to the Legislature pursuant to Section 4474.17, the department shall provide information on the status of implementation of this section.

SEC. 3. Section 4752 of the Welfare and Institutions Code is repealed.

~~4752. The department shall prepare by July 1, 1978, a plan for using the method to obtain and report statewide information on program effectiveness.~~

~~The plan shall include:~~

~~(a) A description of any sampling procedures to be used.~~

~~(b) Methods for obtaining and analyzing information about the type and amount of service provided to obtain program results.~~

~~(c) Methods for determining the state expenditures associated with varying levels of measured program effectiveness.~~

~~(d) Specification of procedures and format for future reports to the Legislature on program costs and effectiveness.~~

~~(e) The projected costs of implementation.~~

SEC. 4. Section 4752 is added to the Welfare and Institutions Code, to read:

4752. (a) On or after July 1, 2026, the department shall conduct a transparent and public process to select, adapt, or develop a statewide strengths and needs evaluation that consistently reflects the functional, clinical, developmental, behavioral, medical, and social support needs and strengths of individuals who receive services under this division and provides equitable access to services across all regions of the state.

(b) The process to select, adapt, or develop a statewide strengths and needs evaluation shall accomplish both of the following:

(1) Analyze and consider valid, reliable, evidence-based, age-appropriate, and person-centered strengths and needs evaluation options that are capable of assessing the functional, clinical, developmental, behavioral, medical, and social support needs and strengths of individuals to determine an individual's support needs.



(2) Engage and consult with individuals with intellectual and developmental disabilities and their families, regional centers, clinicians, service providers, subject matter experts, and other members of the community so that the statewide strengths and needs evaluation is equitable, effective, and grounded in the diverse realities of Californians served through the developmental services system.

(c) (1) The department shall provide updates on the process at its quarterly briefings for legislative staff pursuant to Section 4474.14.

(2) When the process arrives at a recommendation for a statewide strengths and needs evaluation, the department shall prepare a written report on the recommendation that includes all of the following:

(A) A description of the information that was considered in selecting, adapting, or developing the recommended statewide strengths and needs evaluation.

(B) The proposed and prohibited uses of the recommended strengths and needs evaluation.

(C) An evaluation of the validity and reliability of the recommended strengths and needs evaluation.

(D) A description of how the strengths and needs evaluation will function in relation to an individual program plan.

(E) A description of how the recommended strengths and needs evaluation will be used in conjunction with more qualitative methods as a means to achieve person-centered planning.

(F) A summary of feedback received from stakeholders during the development of the recommended strengths and needs evaluation.

(G) An analysis of potential due process concerns, data transparency issues, and fiscal implications.

(H) Any proposed statutory or regulatory changes needed or suggested for future implementation of the recommended strengths and needs evaluation.

(I) A proposed plan for statewide implementation.

(3) The department shall post a draft of the written report described in paragraph (2) on the department's internet website and solicit public input for 60 days. The department shall submit the final written report to the Legislature, in compliance with Section 9795 of the Government Code, to convey the recommendation for a statewide strengths and needs evaluation and post the final report on the department's internet website.

(d) A statewide strengths and needs evaluation developed pursuant to this section shall not be implemented without prior legislative approval.

(e) Upon legislative approval as required by subdivision (d), the department shall do all of the following:

(1) Develop and implement comprehensive training for the entity or entities responsible for administering the statewide strengths and needs evaluation adopted pursuant to this section. The training shall include, but not be limited to, standardized instruction on administering the statewide strengths and needs evaluation, documentation requirements, cultural and linguistic competence, and person-centered practices.

(2) Establish minimum training, competency, and fidelity standards, including initial and periodic recertification requirements, for all individuals administering the statewide strengths and needs evaluation. Completion of department-approved training



and certification shall be required for each person administering the statewide strengths and needs evaluation.

(3) Implement and oversee the provision of services consistent with the needs and strengths identified through the statewide strengths and needs evaluation.

(4) Regularly collaborate with individuals with intellectual and developmental disabilities, their family members and other legal or authorized representatives, advocacy organizations, regional centers, and service providers so that implementation of this subdivision is equitable and consistent statewide.

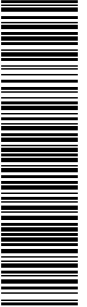
(f) The department shall adopt regulations to implement this section by no later than three years after the Legislature provides approval of the statewide strengths and needs evaluation pursuant to subdivision (d). Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of written directives or similar instructions, after consultation with individuals, families, caregivers, service providers, regional centers, and advocates, until regulations are adopted.

SEC. 5. Section 4753 of the Welfare and Institutions Code is repealed.

~~4753. By January 1, 1979, the department shall implement the evaluation system for all programs under its jurisdiction.~~

SEC. 6. Section 4754 of the Welfare and Institutions Code is amended to read:

4754. Nothing in this chapter and Section 4646 shall be construed to prohibit any agency providing services to persons with developmental disabilities from utilizing additional evaluation mechanisms for the agency's own program purposes.



LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____.
General Subject: Developmental services: statewide strengths and needs evaluation.

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities and their families. Existing law expresses the intent of the Legislature to provide more statewide uniformity and consistency and to promote equity in the administrative practices and services of regional centers consistent with the act. In relation to that intent, existing law requires the department to establish standardized processes, including standardized templates, for various purposes, including, among others, assessing a consumer's need for respite care, individual program plans, vendorization, and intake processes.

This bill would, on or after July 1, 2026, also require the department to develop a standardized intake eligibility assessment process to determine if an individual meets the definition of "developmental disability" and "substantial disability," as defined. The bill would prohibit the implementation of the standardized intake process without prior legislative approval.

This bill would, on or after July 1, 2026, also require the department to conduct a transparent and public process to select, adapt, or develop a statewide strengths and needs evaluation that consistently reflects the functional, clinical, developmental, behavioral, medical, and social support needs and strengths of individuals who receive services under the act and provides equitable access to services across all regions of the state. The bill would require the department to provide quarterly updates on the process to legislative staff, as specified. When the process arrives at a recommendation, the bill would require the department to prepare a written report on the recommended statewide strengths and needs evaluation that includes, among other things, a proposed plan for statewide implementation and a description of how the statewide strengths and needs evaluation will function in relation to an individual program plan. The bill would require the department to post a draft of the written report on the department's internet website and solicit public input for 60 days. The bill would require the department to submit the final report to the Legislature and to post the final report on the department's internet website. The bill would prohibit implementation of the statewide strengths and needs evaluation without prior legislative approval. Upon receipt of that approval, the bill would impose specified requirements on the department related to the statewide strengths and needs evaluation, including, among others, developing and implementing comprehensive training on the statewide strengths and needs evaluation. The bill would require completion of department-approved training and certification for each person administering the statewide strengths and needs evaluation. The bill would require the department to adopt regulations to implement these provisions by no later than 3 years after the Legislature provides approval of the statewide strengths and needs evaluation. The bill would authorize the department to



implement, interpret, or make specific these provisions by means of written directives or similar instructions, after consultation with individuals, families, caregivers, service providers, regional centers, and advocates, until regulations are adopted.

This bill would make certain findings and declarations relating to the need for a statewide strengths and needs evaluation. The bill would delete obsolete provisions and make clarifying changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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