

AREA BOARD 9 ON DEVELOPMENTAL DISABILITIES



SERVING THE SAN LUIS OBISPO, SANTA BARBARA AND VENTURA COUNTIES

Our Mission

Area Board 9 advocates for the legal, civil and service rights of individuals and their families. We are representative of the community, embracing and promoting the principles and practices of inclusion.

Area Board 9:

Works to ensure the provision of quality services by monitoring agencies and the supports that people receive.

Advocates for, and facilitates systemic change, by building partnerships with organizations that support and share our vision.

Promotes facilitates and supports self advocacy in local communities.

Provides direct advocacy to individuals and families, empowering them through representation and the development of information and training opportunities.

Our Vision

Individuals who receive services and their families will live full inclusive lives by sharing in the richness of opportunity, guided by their hopes and their dreams.

November 3rd 2010

Senate Committee on Human Services and Assembly Committee on Human Services:

Senator Liu, Chair, Senate Human Services Committee
Assembly Member Jim Beall, Chair, Assembly Human Services Committee

Assembly Member Hector De La Torre, Chair, Assembly Accountability and Administrative Review Committee

Re: Oversight of California's Regional Centers

On behalf of Area Board 9, I wanted to share issues of concern that have been raised in our community. These issues reflect findings from the California State Auditor's report. Area Board 9 covers three counties: Ventura, Santa Barbara and San Luis Obispo.

Approximately ten thousand people receive services from Tri-Counties Regional Center. As an Area Board, our charge is to ensure that the legal and civil rights of people with developmental disabilities are upheld. To achieve this, Area Board 9 provides direct advocacy to families, provides assistance to vendors who raise concerns, and collaboration with agencies to address systemic issues.

We want to acknowledge that the task of administering services to approximately 250,000 is a daunting one. Unfortunately, as the system has grown it has transformed into a far more complex corporate entity that has moved away from its original mandate.

The purpose of the Lanterman Act and the intention of all those involved in the service delivery system, is to ensure that services and supports meet the needs and choices of persons with developmental disabilities. Service providers, professionals and case managers in today's service system are hard working, well meaning people who

are struggling to do the best that they can in a system that has layered with rules and regulations that require an immense amount of paperwork. This has effectively removed service system providers from the role that legislature originally intended. As the system has grown, transparency and the need to return to the original intent of the Lanterman – individual choice is essential. The voices of families and individuals-served appeal for more control and self-direction in their lives.

Issues identified in the audit clearly point to the need to return to a service model which is person centered and directed towards the needs of the individual. The Individual Choice Model, proposal by DDS as part of the trailer bill language, never materialized. It is a model that would give more direction and control to families and possibly address some of the concerns raised in the audit and in our community. We have heard repeatedly from families that they want the option to choose the service vendor who they believe will best work with their child. Despite this, families are not offered a list of existing vendors. Neither are they empowered to use the Parent Vendor process to hire a vendor of their choosing. We strongly feel that families should have the right to choose their vendors, not the Regional Center.

It is critical to hear the voice of those who receive services. We therefore recommend that the committee seek out families and individuals who receive services, for their input on the Individual Choice Model proposed in the trailer bill language. This would provide a further opportunity to hear their personal stories and suggestions on how to move in the direction of a system that is more responsive and person-centered.

The California State Audit report identified a number of areas of concern. Tri-Counties Regional Center was selected to participate in the audit. In our role, families and individuals contact us regarding potential rights violations and areas of concerns that, though they may not reach the level of a rights violation, raise questions about the effectiveness of the IPP process.

A specific area of concern is the current regional center practice which limits the ability of stakeholders to find vendors that would best meet the needs of their family member. The concerns are as follows:

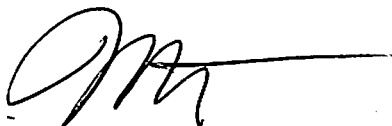
- **Vendor Selection:** As stated above, we have heard from families that they are unable to select the vendor that would best meet the needs of their loved one. Instead, they are provided a single vendor source to use, or go without the service. When things go wrong, and families seek to transfer cases, they struggle with finding another vendor that is better suited. One of the recommendations Area Board 9 has made to the Regional Center has been to **develop and provide a vendor list to families** so that they can make the best selection for their child. Subsequent to the audit, we understood that a vendor list would be provided, but to date, we have not seen it.

Area Board 9

- **Utilizing Vendors from other Regional Centers:** Families have reported their difficulty in being able to access vendors utilized by other, neighboring regional centers. Though a professional might be vendored through a regional center, other than Tri-Counties, the authorization is not automatically transferred so the vendor is required to initiate a new vendoring process for Tri-Counties Regional Center. This delays services. What is more, some vendors find this process too lengthy and they will not proceed with it. This limits choices for families, and requires that services be selected from a small pool (or certain cases, a pool of one) of vendors.
- **Parent Vendor:** To overcome the obstacle of a limited pool of vendors, families have attempted to use the **Parent Vendor process**. This is a process whereby the family becomes the vendor and chooses to work with a qualified agency that may not be a vendor of the regional center. Rates are set, and are not appreciably different from other regional center vendors. This allows for choice and flexibility. Tri Counties Regional Center has been very reluctant to provide this as an option to families and in some cases argued that since there is a vendor available (which might not meet the needs of the family) the family must use them rather than utilize the Parent Vendor process.

We thank the committee for the opportunity to contribute to this process. It is our hope the input from stakeholders and community groups will contribute to the creation of a more transparent, family/person centered process.

Yours sincerely,



Ted Martens
Chair, Area Board 9