A Client and Family Guide

SAN DIEGO REGIONAL CENTER

www.sdrc.org

Serving Individuals with Developmental Disabilities in San Diego and Imperial Counties
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Using the Client and Family Guide

This guide has been prepared to help answer questions that clients and families have about San Diego Regional Center and the services it provides.

The guide includes the following:

- Organization of the San Diego Regional Center
- Services provided by the San Diego Regional Center
- Who may receive San Diego Regional Center services
- Who provides these services
- What to do if you are dissatisfied with a decision made by the San Diego Regional Center

Please review this guide carefully and discuss any questions you may have with your San Diego Regional Center service coordinator.
The San Diego Regional Center is one of 21 Regional Centers for persons with developmental disabilities in the State of California. Regional Centers were originally started as pilot projects in San Francisco and Los Angeles to assist persons with intellectual disabilities (mental retardation) and their families in locating and developing services and programs within their communities. These original centers were established in 1965 under legislation sponsored by Assemblyman Frank D. Lanterman and others in answer to the needs of families of persons with intellectual disabilities. In 1969, new legislation (The Lanterman Mental Retardation Act) became effective. This new act established the statewide Regional Center network.

Legislative changes sponsored by Assemblyman Lanterman expanded the population served by Regional Centers to include persons with intellectual disabilities, cerebral palsy, epilepsy, autism, or other disabling conditions similar to an intellectual disability. By 1977, all 21 Regional Centers were in place to serve the population within each of their geographic areas. These geographic areas usually correspond to county boundaries. The San Diego Regional Center was the third Regional Center established in California. It serves people living within the geographic boundaries of San Diego and Imperial counties.
The San Diego Regional Center opened in 1969 and is a service of San Diego-Imperial Counties Developmental Services, Inc. The San Diego Regional Center serves as a focal point within the community through which a person with a developmental disability and his or her family can obtain services and/or be referred to appropriate community resources. It is the philosophy of the San Diego Regional Center that each client shall be provided with opportunities to participate in everyday living experiences that permit development to the highest potential.

**State Contract**

The money used by the San Diego Regional Center to pay for service comes from the State of California’s Department of Developmental Services under contract with San Diego-Imperial Counties Developmental Services, Inc.

**Board of Directors, San Diego-Imperial Counties Developmental Services, Inc.**

The Board of Directors reflects the geographic and ethnic composition of the population of San Diego and Imperial counties. A minimum of 50% of the members of the Board are persons with developmental disabilities or their parents or legal guardians. Other Board members are individuals with a demonstrated interest in, or knowledge of, developmental disabilities.

*San Diego Regional Center Responsibilities*

Services of the San Diego Regional Center may only be provided when authorized or requested by an adult applicant or client; the parents or guardian of a minor applicant or client; the conservator of an adult applicant or client; or by court order. The responsibilities of a Regional Center include, but are not limited to, the following:

- Case finding and intake
- Assessment, evaluation and diagnosis
- Development of an Individual Program Plan (IPP) for each client
- Purchase of services to meet IPP or IFSP (Individualized Family Service Plan) objectives
- Advocacy for the protection of legal, civil and service rights
- Resource development, program evaluation and community education
- Information and referral services
Organization of the San Diego Regional Center

To serve San Diego and Imperial Counties, the San Diego Regional Center is organized as follows:

Application for Services/Intake

The first San Diego Regional Center contact for individuals and their families is with a service coordinator assigned to the Intake unit. This unit has the responsibility of coordinating the intake process, explaining the nature of the San Diego Regional Center and services available, assessing the person’s developmental needs and developing an initial IPP.

Ongoing Services

Once a person is determined eligible for San Diego Regional Center services, that person’s case record is then transferred to a Case Management unit that provides ongoing coordination of services that are needed.

For individuals who reside with their families or in their own homes, services are provided by staff from the office in the client’s geographic area. These Case Management units are located in Central San Diego County, East San Diego County, South San Diego County, North San Diego County and Imperial County.

Services for individuals who are not residing with families are provided through other Case Management units. These units work with individuals living in family care homes, small and large group homes, intermediate care facilities and other types of licensed residential facilities. There are also linkages with the state developmental center system and assistance to clients in either entering or leaving that system.
**Case Management Services**

A service coordinator is assigned to every person who is a client of the San Diego Regional Center. This is the person to contact for any questions or concerns that you may have about needs or services. The services provided by the San Diego Regional Center are individualized and depend upon needs, so feel free to ask your service coordinator for assistance.

**Clinical Services**

In order to assure that clients receive comprehensive services, the San Diego Regional Center employs clinical staff. We use clinicians in the community to meet specific needs as identified.

**Community Services**

The Community Services staff is responsible for public information, community education, and resource development.
Eligibility Criteria for Persons Age 3 and Older

Any resident of San Diego or Imperial County believed to have a developmental disability may receive intake services through the San Diego Regional Center.

Anyone may direct a person suspected of having a developmental disability to the San Diego Regional Center. Formal application however must be made by an adult applicant, parent, conservator or guardian.

Residents of Imperial County may apply for services at the San Diego Regional Center office in Imperial. Residents of San Diego County apply at the headquarters office of the San Diego Regional Center.

Section 54000. Developmental Disability.
(a) “Developmental Disability” means a disability that is attributable to intellectual disability, cerebral palsy, epilepsy, autism, or disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with intellectual disability.
(b) The Developmental Disability shall:
   (1) Originate before age eighteen;
   (2) Be likely to continue indefinitely;
   (3) Constitute a substantial disability for the individual as defined in the article.
(c) Developmental Disability shall not include handicapping conditions that are:
   (1) Solely psychiatric disorders where there is impaired intellectual or social functioning which originated as a result of the psychiatric disorder or treatment given for such a disorder. Such psychiatric disorders include psycho-social deprivation and/or psychosis, severe neurosis or personality disorders even where social and intellectual functioning have become seriously impaired as an integral manifestation of the disorder.
(2) Solely learning disabilities. A learning disability is a condition which manifests as a significant discrepancy between estimated cognitive potential and actual level of educational performance and which is not a result of generalized intellectual disability, educational or psycho-social deprivation, psychiatric disorder, or sensory loss.

(3) Solely physical in nature. These conditions include congenital anomalies or conditions acquired through disease, accident, or faulty development which are not associated with a neurological impairment that results in a need for treatment similar to that required for intellectual disability.

Section 54001. Substantial Disability.
(a) “Substantial disability” means:
(1) A condition which results in major impairment of cognitive and/or social functioning, representing sufficient impairment to require interdisciplinary planning and coordination of special or generic services to assist the individual in achieving maximum potential; and
(2) The existence of significant functional limitations, as determined by the regional center, in three or more of the following areas of major life activity, as appropriate to the person’s age:
(A) Receptive and expressive language;
(B) Learning;
(C) Self-care;
(D) Mobility;
(E) Self-direction;
(F) Capacity for independent living;
(G) Economic self-sufficiency
(b) The assessment of substantial disability shall be made by a group of Regional Center professionals of differing disciplines and shall include consideration of similar qualification appraisals performed by other interdisciplinary bodies of the Department serving the potential client. The group shall include as a minimum a program coordinator, a physician, and a psychologist.
(c) The Regional Center professional group shall consult the potential client, parents, guardians/conservators, educators, advocates, and other client representatives to the extent that they are willing and available to participate in its deliberations and to the extent that the appropriate consent is obtained.
(d) Any reassessment of substantial disability for purposes of continuing eligibility shall utilize the same criteria under which the individual was originally made eligible.

Section 54002. Cognitive.
“Cognitive” as used in this chapter means the ability of an individual to solve problems with insight, to adapt to new situations, to think abstractly and to profit from experience.

Source: California Code of Regulations, Title 17
Eligibility Criteria for Persons Younger than 3 Years of Age

This Client and Family Guide is for persons older than 3 years of age. Infants and toddlers age 0-3 are served under the California Early Start Program. Listed below is a brief highlight of this program.

California Early Start Program Eligibility:
- Birth to age 3 years
- Residence in San Diego or Imperial County
- No financial qualifications
- Developmental delay: Infants and toddlers with developmental delays are those who are determined to have a significant difference (at least 33%) between the expected level of development for their age and their current level of functioning in the following 5 areas: Cognitive; Physical/Motor; Communication; Social/Emotional, Adaptive Skills
  OR
- Established risk for developmental disability: Conditions known to cause delays in development (e.g. Down syndrome, Prader-Willi, Spina Bifida). Need not be demonstrating delays at time of referral.
  OR
- High risk for developmental disability: Exists when 2 or more factors are present (e.g., premature birth of less than 32 weeks gestation, asphyxia, multiple congenital anomalies). High risk also exists when the parent of an infant or toddler is a person with a developmental disability.

California Early Start Services:
- Evaluation in the five areas of development to determine eligibility.
- Development of an Individualized Family Service Plan (IFSP), including age 3 transition planning.
- Coordination of required Early Intervention services based on the needs of the child. Services may include:
  - Assistive Technology
  - Audiology
  - Occupational Therapy
  - Health Services
  - Service Coordination
  - Psychological Services
  - Nutritional Services
  - Family Training, counseling, home visits
  - Physical Therapy
  - Nursing Services
  - Vision Services
  - Social Work
  - Special Instruction
  - Speech and Language
  - Transportation
  - Medical Services (evaluations for early intervention services)

Source: California Early Start Intervention Services Act, Title 14
Seeking Services

Application for services involves an initial contact with an Intake service coordinator. This contact is often made by telephone. At this time, San Diego Regional Center services are explained and information is obtained regarding the applicant.

If the applicant is eligible for San Diego Regional Center services, a meeting is held to develop an Individual Program Plan. For the provision of ongoing services the case is transferred to the Case Management unit serving the geographic area where the client resides.

If, following assessment, a person is found ineligible for Regional Center services, the Intake service coordinator will refer the person to a more appropriate service and the case will be closed. The person and family are informed of their right to appeal the decision if they disagree.
Services Provided

The San Diego Regional Center provides a variety of services to persons with developmental disabilities, their families, and the community. These services are in addition to those provided within the health, education, and social services systems.

Assessments
Assessments are provided following the initial application for services, during the intake and assessment period. These are done for the purpose of establishing eligibility for San Diego Regional Center services, and also to provide the basis for an initial Individual Program Plan for eligible clients. A basic assessment consists of social, medical, and psychological evaluations, including a review of historical data. When indicated, other types of evaluations are also performed. Persons who are San Diego Regional Center clients may be reevaluated periodically, as their needs change.

Individual Program Plan (IPP)
After an individual is found to be eligible for San Diego Regional Center services and needs are identified, a written plan is developed. This plan is called the Individual Program Plan (IPP). It includes goals and objectives designed to meet client needs. The development of the plan involves the participation of the client, family, San Diego Regional Center staff, and others as appropriate. The IPP is reviewed at least annually and as changes occur requiring modification. When the plan is reviewed, the performance of the service coordinator is also reviewed.

Case Management Services
The primary goal of the San Diego Regional Center is to provide support services that allow the client to live at home whenever possible. To achieve this goal, service coordinators assist the client in securing needed services through referral or purchase, by coordinating service programs, and by advocating for provision of services through other community agencies. Similar services are also provided in those instances in which the client resides in a residential facility or a state development center.

The San Diego Regional Center encourages collaborative working relationships with clients and their families so that needs and problems can be readily communicated and addressed. To facilitate this process, short term counseling services can be provided. These services may include a discussion of the impact of the person’s disability on the family unit, support during crisis and, if needed, assistance with behavior management. These services are available to the individual client and/or family members.
**Purchase of Service**

In securing services and supports, the Planning Team shall first take into consideration natural supports and generic agencies legally responsible to serve all members of the general public and receives public funds for providing these services. The San Diego Regional Center may purchase services that do not supplant the budget of any generic agency:

- Respite
- Licensed residential placement (a fee schedule is used for computing parental reimbursement for placement of minors)
- Independent Living Services
- Supported Living
- Supported Employment
- Adult day training activities
- Transportation to work/day training
- Behavioral services

**Clinical Services**

Because many clients have multiple needs, clinical staff is available to work with Case Management staff on a case-by-case basis. San Diego Regional Center clinicians also work with community agencies and programs to assist in the development and coordination of services for persons who have developmental disabilities.

**Community Services**

Public information, community education, the development of needed resources, and evaluation of community programs are provided by the staff of this department. Included in these services are the publication of a newsletter, maintenance of a film library, and technical assistance with grant proposals. Evaluation activities are coordinated with those agencies having responsibility for licensure and accreditation.
General Information about Regional Center Services

Financial status of the applicant or family has no bearing on San Diego Regional Center eligibility.

No fees are charged directly to the client/family for diagnosis and ongoing case management services. A reimbursement fee based on the cost of raising the child at home is required by the state for out-of-home placement of minors. Families who receive respite or day care may be required to participate in funding the service. Families who meet the criteria for cost participation are as follows:

- the family has a child who is at least 3 years old but younger than 18, is receiving San Diego Regional Center services, and lives in the family home.
- the child does not receive Medi-Cal.
- the family has an income that is at least 400% above the federal poverty level.

An Annual Family Program Fee may be charged to parents of children ages 3-18 for certain services if the family size and income are above designated levels.

Transportation is expected to be provided by the client/family. However, travel arrangements may be made on a very limited basis for clients who have no means of arriving at scheduled diagnostic appointments.

Services are provided regardless of race, color, creed or sex. The San Diego Regional Center has a responsibility to represent the community it serves. San Diego Regional Center staff members are representatives of the community’s ethnic mix.

When a person, or his/her parent, guardian or conservator, no longer needs or wants San Diego Regional Center services, they are discontinued. In these situations, the case record is placed in the San Diego Regional Center inactive files. However, the client remains registered with the San Diego Regional Center in the event of further service needs. When a need arises for services in the future, the client, a family member, conservator or guardian may call the Intake office to discuss service needs and request that the case be reactivated. If a client moves out of the San Diego Regional Center service area to another part of California, the case record will be transferred, upon authorized request, to the Regional Center serving that area. If the client moves out of California, the case record is closed.

Conservatorship and guardianship information can be obtained by contacting the service coordinator.

Case records are confidential and information will only be released with the signed authorization of the client (if he/she is 18 years of age or older), or the parent, conservator, or guardian.

Review of the client’s San Diego Regional Center case record is the right of the adult client, the parent or guardian of a minor child, or the conservator of an adult. Such a request is made by writing to the Executive Director of the San Diego Regional Center who will designate a staff member to assist the individual in reviewing the record. If copies are desired, a fee may be charged for copying.

Laws affecting the Regional Center can be viewed on the California State Department of Developmental Services website at www.dds.ca.gov.
Your Right to a Fair Hearing

There may be occasions when an applicant for, or a recipient of, services from the San Diego Regional Center becomes dissatisfied with a decision of the San Diego Regional Center. On these occasions, the applicant, recipient or his/her authorized representative shall be afforded an opportunity for a fair hearing on the issue.

The California Welfare and Institutions Code Section 4700 mandates that Regional Centers shall have a fair hearing procedure for resolving conflicts between the Regional Center and applicants for, or recipients of, service. This procedure may be used to appeal any action of the Regional Center which is believed to be illegal, discriminatory or not in the best interest of the applicant or recipient.

Every person applying for or receiving agency services must be informed verbally and in writing about this hearing procedure. Moreover, when a dispute arises, the person is reminded of the availability of the fair hearing process, and he/she may be assisted in filling out the requisite form.

Upon requesting a fair hearing, the claimant has the right to request a voluntary informal meeting and/or voluntary mediation. The purpose of these meetings is an attempt to resolve the issue or issues informally prior to the scheduled fair hearing. If a request is made for an informal meeting, the Regional Center Director or his designee shall offer a meeting within 10 days of receipt of the fair hearing request. If a mediation is requested, the Regional Center has the option of accepting or denying this request. If accepted, a mediation is provided by the OAH within 30 days of request for a fair hearing. If the issues are not resolved by either of these voluntary options, the claimant can proceed to Fair Hearing. You are entitled to a copy of the San Diego Regional Center fair hearing procedure. You may obtain one by calling any of the offices of the San Diego Regional Center.
Rights of Persons with Developmental Disabilities

Each person with a developmental disability is entitled to the same rights, protections, and responsibilities as all other persons under the laws and Constitution of the State of California, and under the laws and the Constitution of the United States. Unless otherwise restricted by law, these rights may be exercised at will by any person with a developmental disability. These rights include, but are not limited to, the following:

Section 4502. Access Rights.
(a) A right to treatment and habilitation services and supports in the least restrictive environment. Treatment and habilitation services and supports should foster the developmental potential of the person and be directed toward the achievement of the most independent, productive, and normal lives possible. Such services shall protect the personal liberty of the individual and shall be provided with the least restrictive conditions necessary to achieve the purpose of the treatment, services, or supports.
(b) A right to dignity, privacy, and humane care. To the maximum extent possible, treatment, services, and supports shall be provided in natural community settings.
(c) A right to participate in an appropriate program of publicly supported education, regardless of degree of disability.
(d) A right to prompt medical care and treatment.
(e) A right to religious freedom and practice.
(f) A right to social interaction and participation in community activities.
(g) A right to physical exercise and recreational opportunities.
(h) A right to be free from harm, including unnecessary physical restraint, or isolation, excessive medication, abuse, or neglect.
(i) A right to be free from hazardous procedures.
(j) A right to make choices in their own lives, including, but not limited to, where and with whom they live, their relationships with people in their community, the way they spend their time, including education, employment, and leisure, the pursuit of their personal future, and program planning and implementation.
Section 4503. Personal Rights.

Each person with a developmental disability who has been admitted or committed to a state hospital, community care facility, or health facility shall have rights which include, but are not limited to, the following:

(a) To wear his or her own clothes, to keep and use his or her own personal possessions including his or her toilet articles, and to keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases.

(b) To have access to individual storage space for his or her private use.

(c) To see visitors each day.

(d) To have reasonable access to telephones, both to make and receive confidential calls.

(e) To have ready access to letter writing materials, including stamps, and to mail and receive unopened correspondence.

(f) To refuse electroconvulsive therapy.

(g) To refuse behavior modification techniques which cause pain or trauma.

(h) To refuse psychosurgery notwithstanding the provisions of Sections 5325, 5326, and 5326.3. Psychosurgery means those operations currently referred to as lobotomy, psychiatric surgery, and behavioral surgery and all other forms of brain surgery if the surgery is performed for any of the following purposes:

(i) Modification or control of thoughts, feelings, actions, or behavior rather than the treatment of a known and diagnosed physical disease of the brain.

(ii) Modification of normal brain function or normal brain tissue in order to control thoughts, feelings, action, or behavior.

(iii) Treatment of abnormal brain function or abnormal brain tissue in order to modify thoughts, feelings, actions, or behavior when the abnormality is not an established cause for those thoughts, feelings, actions, or behavior.

(j) To make choices in areas including, but not limited to, his or her daily living routines, choice of companions, leisure and social activities, and program planning and implementation.

(j) Other rights, as specified by regulation.
Section 4504. Denial of Rights for “Good Cause” by a Licensed Residential Facility.

Residents of facilities, licensed by the State of California to serve persons with developmental disabilities, may have specific rights denied them by the licensee. These specific rights may be denied only under the following conditions:

The professional person in charge of the facility or his designee may, for good cause, deny a person any of the rights specified under subdivisions (a), (b), (c), (d), and (e) of Section 4503. To ensure that these rights are denied only for good cause, the Director of Developmental Services shall adopt regulations specifying the conditions under which they may be denied. Denial of a person's rights shall in all cases be entered into the person's treatment record and shall be reported to the Director of Developmental Services on a quarterly basis. The content of these records shall enable the Director of Developmental Services to identify individual treatment records, if necessary, for future analysis and investigation. These reports shall be available, upon request, to Members of the Legislature. Information pertaining to denial of rights contained in the person's treatment record shall be made available, on request, to the person, his attorney, his parents, his conservator or guardian, the State Department of Developmental Services, and Members of the Legislature.
Section 4731. Complaint Procedure.
(a) Each consumer or any representative acting on behalf of any consumer or consumers, who believes that any right to which a consumer is entitled has been abused, punitively withheld, or improperly or unreasonably denied by a regional center, developmental center, or service provider, may pursue a complaint as provided in this section.
(b) Initial referral of any complaint taken pursuant to this section shall be to the director of the regional center from which the consumer receives case management services. If the consumer resides in a state developmental center, the complaint shall be made to the director of that state developmental center. The director shall, within 20 working days of receiving a complaint, investigate the complaint and send a written proposed resolution to the complainant and, if applicable, to the service provider. The written proposed resolution shall include a telephone number and mailing address for referring the proposed resolution in accordance with subdivision (c).
(c) If the complainant is not satisfied with the proposed resolution, the complainant may refer the complaint, in writing, to the Director of Developmental Services within 15 working days of receipt of the proposed resolution. The director shall, within 45 days of receiving a complaint, issue a written administrative decision and send a copy of the decision to the complainant, the director of the regional center or state developmental center, and the service provider, if applicable. If there is no referral to the department, the proposed resolution shall become effective on the 20th working day following receipt by the complainant.
(d) The department shall annually compile the number of complaints filed, by each regional center and state developmental center catchment area, the subject matter of each complaint, and a summary of each decision. Copies shall be made available to any person upon request.
(e) This section shall not be used to resolve disputes concerning the nature, scope, or amount of services and supports that should be included in an individual program plan, for which there is an appeal procedure established in this division, or disputes regarding rates or audit appeals for which there is an appeal procedure established in regulations. Those disputes shall be resolved through the appeals procedure established by this division or in regulations.
(f) All consumers or, where appropriate, their parents, legal guardian, conservator, or authorized representative, shall be notified in writing in a language which they comprehend, of the right to file a complaint pursuant to this section when they apply for services from a regional center or are admitted to a developmental center, and at each regularly scheduled planning meeting.

Source: California Welfare and Institutions Code
Headquarters
4355 Ruffin Road
San Diego CA 92123
858-576-2996
Intake Unit: 858-576-2938
Early Start Unit: 858-496-4318

Imperial County
512 W. Aten Road
Imperial CA 92251
760-355-8383

South San Diego County
2727 Hoover Avenue, Suite 100
National City CA 91950
619-336-6600

East San Diego County
8760 Cuyamaca Street, Suite 100
Santee CA 92071
619-596-1000

North San Diego County
5931 Priestly Drive, Suite 100
Carlsbad CA 92008
760-736-1200