

Alta California Regional Center Intends to Unilaterally Eliminate An Entire Category of Service Through Invalid Application of the Law

It has come to our attention that Alta California Regional Center will be contacting parents to ask them to voluntarily discontinue social skills training/socialization programs vendored under code "028". Not all vendors' programs have been affected; some of them will be recoded as a behavior program. The reasoning will be that the trailer bill language enacted in August of 2009 prohibits the purchase of those services that are considered not to have "been clinically determined or scientifically proven to be effective".

Parents may be told that they will be able to purchase social skills training/socialization services when the Individual Choice Budget Model is implemented. The Individual Choice Budget Model does not have a date for implementation and will be implemented long after individuals' services have been eliminated.

The autism and advocacy communities assert that this interpretation and application of the new law is erroneous both in intent and in the plain reading of the language.

Adhering to good advocacy principles, parents should not agree to changes to their child's services if they do not support the changes. If the parent is in disagreement with a proposed change in service at any time, ask for an NOA, notice of action. When received, the document must be read carefully. The notice to appeal must be returned within ten days and the parent must write on the document that the services will not be discontinued or changed while the issue is being decided.

If the parent returns the Notice of Action within the timeframe allowed, the service should continue uninterrupted unless the parent agrees to the changes, or the administrative law judge orders a change after a due process hearing. Informal hearing and mediation can be chosen and should be considered prior to a Fair Hearing before a judge.

Parents who receive a Notice of Action should send a letter stating their disagreement to the Alta Board of Directors and contact the Alta board of directors' voicemail using the complaint hotline at 916-978-6638, send a copy to Disability Rights California, (formerly PAI) and send a copy to the Developmental Disabilities Area Board III. The California Department of Developmental Services should also be notified along with the parent's local state representatives in the state assembly and senate. Be sure to also send a copy to Senator Darrell Steinberg, Chair of the Senate Select Committee on Autism.

Board of Directors, Alta California Regional Center, 2135 Butano Drive, Sacramento, CA 95825.

Disability Rights California, Sacramento Regional Office, 100 Howe Ave, Suite 235-N, Sacramento, CA 95825.

Michael Rosenberg, Executive Director, Developmental Disabilities Area Board III, 1507 - 21st Street, Suite 220, Sacramento, CA 95814.

Terry Delgadillo, Director, Department of Developmental Services, PO Box 944202, Sacramento, CA 94244-2020.

Senate President Pro-Tem Darrell Steinberg, State Capitol Room 205, Sacramento, CA 95814.

FEAT Parent Mentors can be contacted for additional support.

Over the next months, the FEAT volunteers will be gathering community input about the devastating impact of these actions. If there are parents who would like to help the FEAT volunteers to help families to keep vital services, please contact us at AskFeat@Feat.org.

(15) Notwithstanding any other provision of law or regulation to the contrary, effective July 1, 2009,

regional centers shall not purchase experimental treatments, therapeutic services, or devices that have not been clinically determined or scientifically proven to be effective or safe or for which risks and complications are unknown. Experimental treatments or therapeutic services include experimental medical or nutritional therapy when the use of the product for that purpose is not general physician practice. For regional center consumers receiving such services as part of their IPP or IFSP on July 1, 2009, this prohibition shall take effect on August 1, 2009.