

# **SUBCOMMITTEE NO. 3**

# **Agenda**

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**Senator Richard Pan, M.D., Chair**  
**Senator Steven M. Glazer**  
**Senator Scott Wilk**



**Thursday, May 17, 2018**  
**9:30 a.m. or upon adjournment of session**  
**State Capitol - Room 4203**

## **Part A**

Consultant: Renita Polk

### **PROPOSED FOR VOTE-ONLY**

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**4300 DEPARTMENT OF DEVELOPMENTAL SERVICES****Issue 1: May Revision Adjustments**

The subcommittee heard the following issues during its May 16, 2018 hearing.

**Proposal.** The May Revision includes \$7.3 billion total funds (\$4.4 billion General Fund) for the Department in 2018-19; a net increase of \$427.4 million (\$305.9 million General Fund) over the updated 2017-18 budget.

More specifically, the proposal includes:

- **Developmental Centers Adjustments** - The May Revision proposes a decrease of \$11.4 million (\$8.5 million General Fund) for current year support. For the budget year, the May Revision proposes an increase of \$8.9 million (\$7.2 million General Fund) over the January budget.
- **Community Services Program Adjustments** - The May Revision proposes a net decrease of \$16.7 million (\$44 million General Fund decrease) from the Governor's January budget. For the budget year, the May Revision proposes a net increase of \$21.6 million (\$2.6 million GF decrease) over the Governor's Budget.
- **Headquarters Adjustments** – The May Revision proposes no changes to the current year Headquarters budget. The May Revision proposes \$68.3 million (\$40.1 million General Fund) for Headquarters in 2018-19, which is a \$0.7 million increase (\$0.5 million General Fund increase) compared to the Governor's Budget.

**Staff Comments and Recommendation.** Approve May Revision, as adjusted by other subcommittee actions.

**Issue 2: Acute Crisis Services TBL**

The subcommittee heard the following issue during its March 15, 2018, hearing.

**Proposal.** The budget provides TBL to make a technical adjustment to comply with Assembly Bill (AB) 107, Chapter 18, Statutes of 2017, which was the 2017 Developmental Services omnibus trailer bill.

**Staff Comment and Recommendation.** After the March 15, 2018 an incorrect reference to an acute crisis home was inadvertently left in the language. This should have been changed to refer to a developmental center. Staff recommends approval of placeholder language that would incorporate this technical correction, along with the administration's proposed TBL.

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**Issue 3: Safety Net Facilities and Acute Crisis Services Related Proposals**

The subcommittee heard the following issues during its March 15, 2018, hearing.

**Proposal.** During the previous hearing the subcommittee heard the following issues:

- Disability Rights California proposed to strengthen protections for individuals placed in IMDs, such as aligning admission and transition with developmental center acute crisis standards. Longstanding concern about the number of individuals who remain in IMDs for many years and the inadequacy of transition planning upon admission were raised during the hearing.
- Disability Rights California proposed to grant clients' rights advocates statutory rights to access records for individuals in facilities for which client rights advocates receive statutory notice upon admission. Current law authorizes regional center clients' rights advocates to receive notification when individuals are placed in certain restrictive settings, and to participate in planning for individuals in those settings unless the individual objects on his or her own behalf. Current law also authorizes clients' rights advocates to access the confidential information of consumers who reside in some, but not all, of these settings. It was proposed to amend statute to allow clients' rights advocates to access confidential records and information for individuals who are placed in settings for which there are also statutory provisions requiring notification of admission to the clients' rights advocate and ability of the clients' rights advocates to meaningfully participate in post-admission planning meetings.
- Disability Rights California proposed additional safety net funding, in the amount of \$5.6 million. Concerns about community capacity and adequacy of services, particularly crisis services, as well as concerns with the delay in implementing the services outlined in the plan were presented.

**Staff Comment and Recommendation.** Staff recommends adopting placeholder language to do the following:

- Require regional centers to prepare reports on why community based services could not meet a consumer's needs within three days of their placement in an IMD, require the director of the department to review and consult with regional center on the report, require regional centers to include a transition plan in the assessment required within 30 days of admission to an IMD, and require the director of the department to review and consult on the transition plan.
- Grant client rights advocates statutory rights to access records for individuals in facilities for which client rights advocates receive statutory notice upon admission.

In addition, staff recommends providing the department with an additional \$5.6 million General Fund to develop additional safety net services and the adoption of placeholder language to direct how those funds will be spent.

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**Issue 4: Uniform Holiday Schedule**

The subcommittee heard the following issue during its March 15, 2018, hearing.

**Proposal.** The January budget included a \$5.6 million reduction (\$2.9 million General Fund) to re-implement the 14-day uniform holiday schedule. The May Revision included an additional \$4.6 million decrease (\$0.2 million General Fund) to correct an error in the original January budget.

**Staff Recommendation.** Reject the Governor's proposal. Adopt placeholder trailer bill language to put this change into statute.

**Issue 5: Restoration of Social Recreation and Camp Services**

The subcommittee heard the following issue during its May 10, 2018, hearing.

**Proposal.** The Association of Regional Center Agencies, Disability Rights California, Disability Voices United, the ARC/United Cerebral Palsy California Collaboration, and many other stakeholders have requested that social recreation and camp services be restored.

DDS estimates the cost to restore social recreation and camping services for 2018-19, effective July 1, 2018, to be \$22.3 million (\$14 million General Fund) in 2018-19. This is based on the estimated full-year impact of \$39.4 million, adjusted for ramp up of services. Ramp up will occur as regional centers review and update Individual Program Plans (IPPs) to identify the need for and authorize social recreation services, and to identify and develop providers to offer these services. The 2019-20 estimated costs are \$35.4 million (\$22.3 million General Fund). This amount is also based on the estimated full-year impact of \$39.4 million, adjusted for continuing ramp up.

**Staff Comment and Recommendation.** Provide \$14 million General Fund in 2018-19, \$22.3 million General Fund in 2019-20, and \$25.2 million General Fund ongoing to restore social recreation and camp services. Adopt placeholder trailer bill language to put this change into statute.