



EASTERN LOS ANGELES REGIONAL CENTER

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DATE: August 24, 2009

TO: Service Providers of Experimental Treatments, Therapeutic Services, Devices

FROM: Frances Jacobs, Manager of Community Services Department

RE: Legislative Changes Impacting Services/Supports –
Experimental Treatments, Therapeutic Services, Devices

Vendors providing the above-referenced services will likely be affected by Trailer Bill Language (TBL) ABX4 9, Chapter 9, Statutes of 2009, that was enacted July 28, 2009 and effective immediately.

Please refer to TBL Section 10, Welfare and Institutions Code Section 4648 (a) (15) which was amended to prohibit regional centers from purchasing “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.”

Eastern Los Angeles Regional Center (ELARC) has reviewed this trailer bill language and believes that in relation to the above noted categories vendors assigned the following service codes by ELARC may be impacted by this change: Individual or Family Training (102); and, Specialized Recreational Therapy (106). This information is not provided to vendors as the sole criteria that will determine whether regional center will terminate funding. Should there be any service providers providing the above mentioned services utilizing the following service codes, ELARC expects the provider to discontinue the delivery of the services: Behavior Analyst (612); Behavior Management Assistant (615); Behavior Management Consultant (620); Client/Parent Support/Behavior Intervention (048); and, Associate Behavior Analyst (613).

The regional center will be reviewing cases to ascertain whether consumers are receiving services deemed to be experimental as described above. Consumers identified as a result will be issued NPAs (Notice of Proposed Actions) which they may appeal. As a service Provider, you will need to communicate directly with the service coordinator assigned to the consumer cases you are authorized to deliver services to for an update on the status of authorizations. On a case by case basis the IPP will be reviewed based on the intent of the related change in legislation to determine a course of action.

Each decision to terminate or to continue funding service will be made on an individual case basis. Though service codes were created to categorize the types of services that a regional center may purchase as precisely as possible, the precise nature of the service and how it is used varies from vendor to vendor and regional center to regional center. Consequently, determination of how a particular service is authorized is made on a case-by-case basis to determine whether it meets the criteria of TBL. Though the regional center will make the

determination, we encourage all vendors to become familiar with the trailer bill language by logging on to the DDS website at www.dds.ca.gov for a summary of the budget reductions. Additionally, we urge you to log on to www.leginfo.ca.gov for a complete review of the trailer bill language. Only by thoroughly understanding the changes in the law can you decide on a course of action to take.

The regional center appreciates the services that you provide and the work that you do, and we hope that we will be able to continue to be partners in supporting people with developmental disabilities.

Finally, the regional center requests to be able to have a dialogue with you before you take any action to terminate services or to notify consumers that you intend to terminate services. Please contact Frances Jacobs, Manager of Community Services Department at (626) 299-4730 regarding this or if you have any questions or would like additional information.

cc: Gloria Wong, Executive Director
Felipe Hernandez, Chief of Consumer Services
Patricia Alvarez, Chief of Administrative Services
Elin Nozaki, Manager of Assessment and Special Services
Martin Cogan, Supervisor of Community Services Unit
Tammy Bachrach, Chair of Vendor Advisory Committee
vendor file