



ASSOCIATION OF REGIONAL CENTER AGENCIES

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## **Association of Regional Center Agencies 2007 Legislative Platform and Budget Issues**

### **General Legislative Principles**

The mission of the Association of Regional Center Agencies is to represent the autonomous regional centers in supporting and advancing the intent of the mandate of the Lanterman Developmental Disabilities Services Act. The Association shall function as a leader and advocate in promoting the continuing entitlement to citizens with developmental disabilities to all services that enable full community inclusion. The Association shall operate in the development of public legislative policy and serve as the focal point for communication, education, training and prevention services.

In keeping with this mission, ARCA supports legislation that does the following:

1. Promotes the right to treatment and habilitation services and the continuing entitlement of services to persons with developmental disabilities that enable full community inclusion.
2. Promotes the use of public funds in a responsible and reasonable manner.
3. Promotes the right of persons with developmental disabilities to free and appropriate public education in the least restrictive environment.
4. Promotes access to all community services that are available to the general population, as well as publicly funded services.
5. Encourages development of a broad range of research, services and supports to meet the needs and choices of consumers and their families.
6. Develops strategies and funds research to determine the causes of developmental disabilities and to lessen the impact of such conditions.
7. Promotes merging of funding sources with the goal of ultimately creating a single and seamless delivery system.
8. Promotes service quality, including the provision of adequate resources to regional center quality assurance activities.
9. Promotes expansion of various residential options, which may include "state owned and operated facilities" that promote home-like environments in small settings.
10. Increases access to medical, dental, visual and therapy services, including continuation of DDS Wellness Initiatives and Medi-Cal provider rate increases.
11. Gives regional centers the ability to negotiate rates and performance outcome measures with service providers.
12. Increase the rates for regional center providers, thereby allowing for living wages and benefits for direct care workers, based upon performance outcomes.

13. Provides for the development of secure living options in the community as an alternative to state developmental center placement for those considered “forensic population.”
14. Encourages placement from developmental centers into the community.
15. Provides for uniform developmental center commitment procedures, including annual judicial review to ensure appropriateness of placement.
16. Promotes the concept that dollars from the sale or lease of developmental center property be placed in a developmental disabilities revolving fund, thereby allowing for development of new and innovative programs and affordable housing.
17. Promotes the expansion of affordable housing and home ownership for persons with developmental disabilities in California through a systematic effort.
18. Supports efforts at the federal level to have waivers for federal funds apply to persons residing in institutional settings, as opposed to waivers being required to live in the community.
19. Support efforts that reduce the incidence of abuse perpetrated on persons with developmental disabilities.
20. Requires providers to maintain proper insurance coverage and to list the regional center as additionally insured.

### **ARCA Legislative Initiatives for Two-Year Session Beginning January 1, 2007**

Below is a listing of priority areas in which ARCA expects to sponsor legislation.

#### *Tier One Priorities*

1. Seek legislative authority to extend and expand statewide the Super N residential programs, originally created by AB 359 in 1999.
2. Participate in any or initiate legislation as needed to support the Agnews Developmental Center closure.
3. Introduce a resolution regarding the study of early start transition issues for regional center consumers and clarify the responsibility of generic service agencies to provide support to people with developmental disabilities.
4. Legislation to address the issues of dispute resolution and payer of last resort designation for regional centers.

#### *Tier Two Priorities*

1. Support action to update the DDS autism report with current information.

#### *Additional legislative priorities*

1. Participate in or initiate legislation to resolve adoption assistance program issues.

2. Actively participate in and review activities of the Blue Ribbon Commission on Autism, the DDS Autism Spectrum Disorder Advisory Committee, and the AB 2513 (Pavley) Autism in Public Education Advisory Committee.
3. Monitor disaster preparedness and planning issues and support legislation relating to assisting persons with developmental disabilities.
4. Support efforts to subsidize rent for people living independently.

### **ARCA Budget Issues (2006-07 2007-08 Fiscal Year) <sup>1</sup>**

Below is a listing of California State Budget issues/items reported by ARCA for the 2006-07 2007-08 fiscal year budget.

1. Eliminate prohibition on the use of Purchase of Service funds for start up of new programs.
2. Eliminate service provider rate freeze and support outcome-based\_rate increase for regional center providers.
3. Promote initiatives that provide a “market wage” to regional center service provider direct care staff.
4. Allow regional centers to use purchase of Service funds to enable non-profit entities to purchase housing for persons with developmental disabilities.
5. Reestablish the practice of providing incentive funds for those regional centers that meet the performance contract objectives.
6. Seek the authority and funding for a study to assess adequate staffing and compensation needs of regional centers.
7. Fully fund regional center Operations budgets to support legal and contractual requirements of regional centers within the market costs for labor, space and best practices.
8. Advocate for Cost of Living Adjustment (COLA) for regional center staff.
9. Provide MediCal rate increases for physicians, nurses, dentists and specialized services so that providers are reimbursed for additional expertise and time required to serve persons with developmental disabilities.
10. Support the development of community-based alternatives, which might include state owned and/or operated facilities to serve people currently living in institutions or in the community as alternatives to major capital expenditures at state developmental centers.
11. Oppose a separate system for serving persons currently residing in the state developmental centers.
12. Fund a rate system that promotes group homes of four persons or less with individual bedrooms.
13. Promote development of community-based supports to serve consumers with behavioral challenges.
14. Ensure adequate funding for research into the causes and incidence of autism and other developmental disabilities.

15. Monitor the compliance of Department of Health Services implementation of AB 359 (pilot project to allow for continuous nursing care in ICF/DD-CN facilities and advocate for expansion).
16. Support initiatives which will provide sufficient funds for regional centers to obtain caseload averages of 45:1 for Early Start infants and toddlers.
17. Endorse a rate system for service providers that recognizes geographic differentials.
18. Support proposals that promote appropriate services to persons with developmental disabilities identified as forensic clients, including adequate funding to implement the conditions of the Clark Class Action Lawsuit.
19. Provide adequate funds to ensure services to infants and toddlers are provided in natural environments.
20. Support budget strategies, short and long term, that recognize the dynamic and growing nature of demands for regional center Purchase of Service funds. Engage in policy discussions regarding those services with high cost implications and methods to ensure proper funding and continuation of the entitlement feature.
21. Provide budget enhancements to those regional centers in high cost areas, high growth areas, and rural areas with extensive program development needs.
22. Provide clear definition regarding the maximum costs for persons residing in supported living. It is recommended that the maximum cost for an individual placement shall not exceed the average cost of persons residing in developmental centers.
23. Support the implementation of self-directed services contingent upon collaboration, full funding, and safe guards to all consumers and regional centers.
24. Ensure that any new software architecture can support the business practices of regional centers.

<sup>1</sup> Note: These budget issues assume the state has sufficient revenues to meet its mandates.