

1.2.4(a) PURCHASE OF SERVICE POLICY

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Inland Regional Center will purchase those services and supports that assist individuals with developmental disabilities in achieving the greatest self-sufficiency possible and in exercising personal choices. The regional center shall secure services and supports that meet the needs of the consumer, as determined in the consumer's Individual Program Plan. Within the context of the Individual Program Plan, Inland Regional Center shall give highest preference to those services and supports which would allow minors with developmental disabilities to live with their families, adult persons with developmental disabilities to live as independently as possible in the community, and that allow all consumers to interact with persons without disabilities in positive, meaningful ways.

General Guidelines

Any person believed to have a developmental disability shall be eligible for initial intake and assessment services in the regional centers. Funds expended for the diagnosis and assessment of the developmental disability and may be limited to special diagnostic problems related to diagnosing the developmental disability.

Inland Regional Center shall identify and pursue all possible sources of funding for consumers receiving regional center services. These sources shall include, but not be limited to the following:

- 1) Governmental or other entities or programs required to provide or pay the cost of providing services, such as Medi-Cal, Medicare, the Civilian Health and Medical Program for Uniform Services, public education, and federal supplemental security income (SSI) and the state supplementary program (SSP);
- 2) Private entities, to the maximum extent they are liable for the cost of services, aid, insurance, or medical assistance to the consumer.

Regional Center funds shall not be used to supplant the budget of any agency which has a legal responsibility to serve all members of the general public and is receiving public funds for providing those services. In addition, Inland Regional Center will not purchase any service that would otherwise be available from Medi-Cal, Medicare, the Civilian Health and Medical Program for Uniform Services, In-Home Supportive Services, California Children's Services, private insurance, or a health care service plan when a consumer or a family meets the criteria of this coverage but chooses not to pursue that coverage. ((*WIC* §§ 4648 (a)(8) and 4659 (c).)

Additionally, services purchased by the regional center must be cost-effective and must meet the administrative requirements of the State and Inland Regional Center and must be approved for payment by Inland Regional Center in advance of the service being provided. (*WIC* § 4512 (b).)

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Regional Centers are mandated to utilize the least costly provider who is able to accomplish the consumer's individual program plan, consistent with the particular needs of the consumer and the family. (*WIC* § 4648 (a)(6)(d).)

Families are counted on to carry out the same responsibilities for their family members with disabilities as they do for other family members. When the cost exceeds that of caring for a family member without disabilities, Inland Regional Center may provide funds for services to supplement that which parent/legal guardian/conservator(s) provide. Only when there are special needs related to a developmental disability, can financial assistance be provided by Inland Regional Center. (*WIC* § 4646.4 (a)(4).)

All requests for Purchase of Services will be documented in the consumer's Individual Program Plan/Individualized Family Service Plan and based on the consumer's needs. Purchase of Service will be reauthorized only when there is clear documentation that the consumer is making progress toward objectives that have been made. (*WIC* § 4648 (a)(7).)

Individual circumstances may exist which may require authorization of service purchases which are not consistent with these standards. Specific exceptions to these standards may be granted only on the following basis:

1. The Interdisciplinary Team (ID Team) must identify and document in the consumer's Individual Program Plan (IPP) or Individualized Family Service Plan (IFSP) circumstances warranting an exception to the standards.
2. The Compliance Review Team has determined that the requirements set forth in *WIC* § 4646.4 have been met.

CONSUMER SERVICES

Services for Children Ages 0-36 months

Regional Centers are the state's designee for service provision for children ages 0-36 months in California's Early Start Program for Infant and Toddlers. Regional Centers are required to develop an Individualized Family Service Plan and based upon the child's needs provide services mandated by Part C of the Individuals with Disabilities Education Act. Early intervention services include, but are not limited to:

- Assistive Technology
- Durable Medical Equipment
- Audiology
- For diagnostic or evaluation purposes only: Health Services, Nursing Services and Medical Services

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- Nutrition Services
- Occupational Therapy
- Physical Therapy
- Speech Therapy
- Psychological Services
- Service Coordination
- Family Training, Counseling and Home Visits
- Special Instruction
- Behavior Therapy
- Interpreter/Translator (As Necessary)
- Transportation and related costs
- Vision Services
- Other services may, in special circumstances, be required when those services are necessary to enable the child to receive early intervention services.

Eligible children from 0-36 months are also entitled to the full range of relevant regional center services. Generic resources such as medical insurance must be pursued when available.

Inland Regional Center may provide funds for services to supplement those which parent/guardian/conservator(s) are counted on to provide when there are special needs related to the developmental disability for infants and toddlers who meet Early Start eligibility condition criteria and/or have an established risk of being developmentally delayed. Using the above guidelines, services may be purchased for eligible children from 0-36 months based on the needs and preferences of the consumer's family, taking into consideration a range of service options proposed by the Individual Family Service Plan Team, the effectiveness of each option in meeting the Individual Family Service Plan goals, and the cost effectiveness of each option.

Infant Education Programs

Inland Regional Center will utilize the generic services available from the school district for infant programs and will refer parents to those infant education programs offered by the schools. If the infant program provided by the school district does not meet the needs of the individual consumer, the Infant Services Coordinator may support the parents in addressing the issue through the Individual Family Service Plan.

Occupational/Physical Therapy

Occupational therapy may be purchased after the Interdisciplinary Team has developed an Individual Family Service Plan with the participation of regional center staff, and the parent/authorized representative. The efficiency of the program and continual need for the services is evaluated at least every four (4) but not more than six (6) months by the Interdisciplinary Team.

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Speech Therapy

Speech therapy may be purchased after the Interdisciplinary Team has developed Individual Family Service Plan with the participation of regional center staff, and the parent/authorized representative. The efficiency of the program and continual need for the services is evaluated at least every four (4) but not more than six (6) months by the Interdisciplinary Team.

Services Available to All Consumers

The Individual Program Plan team planning and decision process will identify supports and services for each consumer to achieve the greatest self-sufficiency possible based on the needs and preferences of the consumer, the consumer's representative or the consumer's family, taking into consideration a range of service options proposed by the Individual Family Service Plan / Individual Program Plan Team, the effectiveness of each option in meeting the Individual Family Service Plan / Individual Program Plan goals, and the cost effectiveness of each option.

These services may include, but not be limited to:

Behavior Modification Services

Behavior modification services are intended to provide interventions that result in changes that will assist the consumer to adapt or alter the occurrence or performance of his or her behavior.

Behavior modification services may be provided for children and adults on a case by case basis as determined by the Interdisciplinary Team process.

Applied Behavioral Analysis (ABA) services may be authorized for those consumers with intensive behavioral intervention needs, and parent/guardian/conservator(s) are required to participate in the training. Funding of these services by Inland Regional Center will not exceed 40 hours per week across all settings (school and home) and will be re-evaluated every six (6) months.

Insurance Co-Payment Reimbursements

Insurance deductible or co-payment reimbursements are required for services such as Applied Behavioral Analysis, Speech Therapy, Occupational Therapy and Physical Therapy. When a service has a deductible or co-payment, the payment will be reimbursed with the following process:

The vendor will request the deductible or co-payment from the family at the time of service. The family will pay the deductible or co-payment to the vendor. The family will send the Explanation of Benefit (EOB), via an email to the Inland Regional Center Behavior Specialist Technician. In

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the body of the email, they will provide the name and Unique Client Identifier (UCI). IRC will reimburse the vendor once invoiced and according to the patient's responsibility indicated on the EOB. The vendor will then in turn reimburse the family.

Conferences

Within available resources, Inland Regional Center may fund conference registration fees for consumers and/or their parent/guardian/conservator(s) to attend conference(s) related to the consumer's developmental disability(ies) at a maximum of \$600 per family, per fiscal year. All requests must be made and authorized in advance and be supported by an Individual Program Plan objective for conferences.

Day Program for Adults

After graduating or receiving a certificate of completion from public or private education, consumers will be supported in determining the program services of their choice. Preference is given to those program services which constitute the least restrictive option, emphasize community integration and critical skills development, in addition, preference is given to the closest, most appropriate and cost-effective program that meets the consumer's needs. Funding through the Department of Rehabilitation, enrollment in Adult Education and Regional Occupational Programs may be utilized to maximize consumer integration in the community.

Diapers/Incontinence Supplies

Diapers for a consumer who is three years of age or older may be approved when the family can demonstrate financial need and when doing so will enable the child to remain in the family home. The incontinence supplies purchased must be the same type of incontinence supplies available to consumers through Medi-Cal. Private and generic sources first must be exhausted.

Medical and Diagnostic Requests

The regional center may purchase incidental medical or dental services after private and generic sources have been exhausted and will consider using the most cost-effective services first. All requests must be accompanied by a copy of the denial from Medi-Cal or the consumer's health/medical private insurance.

Inland Regional Center is unable to purchase the following medical and diagnostic services:

- 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
- Medical or diagnostic evaluations not related to the developmental disability
- Psychological evaluations that are not used to determine eligibility

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Mobility Training

Mobility training will be purchased only for travel between the adult consumer's home and primary day activity (day program, trade school or work). The Interdisciplinary Team will determine if the consumer's residence and primary day program are within a reasonable walking distance of a bus line.

There must be consensus between the Consumer Services Coordinator, consumer, and parent/guardian/conservator(s) that once mobility training has been successfully completed, the public bus system will be used to access the consumer's primary day activity.

Occupational/Physical Therapy

Occupational/Physical therapy is a program intended to assist consumers who evidence a significant delay in gross and fine motor and self-help skills and who could benefit from the service. Purchase of occupational therapy is offered to consumers who have a demonstrated need, and who do not qualify for such services through generic resources such as Medi-Cal, California Children's Services (CCS), privately funded resources or family health/medical insurance.

Out-of-Home Placement

Inland Regional Center will explore all available resources prior to considering the first time placement of minors. Parental financial support may be required through the Parental Fee Program process.

Adult consumers who desire to move away from the family home will be assisted in selecting the setting that will best match their needs. These may include licensed homes by either the Department of Social Services Community Care or Department of Public Health. Consumers wishing to reside independently in their own home or apartment may benefit from Supported Living Services.

Respite Services

Respite care is defined as temporary and intermittent care provided for short periods of time (1) in the consumer's own home or (2) out-of-home respite may also occur at an approved residential facility or setting to support family members in keeping consumers in the home. It is intended to relieve family members of the demanding responsibility of caring for the consumer by providing care and supervision to ensure consumer's safety in the absence of family members. When the family has authorization for ongoing in-home respite and wants a one-time out-of-home respite authorization, the hours of in-home respite may be modified accordingly.

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Respite services authorized for minor consumers are subject to California's Family Cost Participation Program (FCPP). Families have 30 days from the date they are notified of the cost participation amount to ask for a review of the rate. As allowed by CCR § 56265, the Regional Center's Executive Director or designee may adjust the level of cost participation.

Respite hours may be authorized for an individual with medical care needs pending generic funding e.g., Early Periodic Screening, Diagnosis and Training (EPSDT) or Home and Community-Based Alternative (HCBA) Waiver Program. The regional center will only consider services such as In-Home Supportive Services as a generic resource when the approved services meet the respite need as identified in the consumer's individual program plan or individualized family service plan.

Children between 0-21 years of age may receive EPSDT funding support. Adults ages 21 years plus may receive HCBA Waiver funding support.

A regional center may only purchase respite services when the care and supervision needs of a consumer exceed that of an individual of the same age without developmental disabilities.

Special Equipment: Durable and Non-Durable Miscellaneous Items and Home Modifications

Special equipment may be purchased by Inland Regional Center after the Interdisciplinary Team has identified the need during the Individual Program Plan meeting with the participation of the consumer, parent/guardian/conservator(s), regional center, other program staff and care provider, if appropriate. The equipment purchased must encourage independence, inclusion and empowerment. If the consumer is a child, a referral must be made to CCS for assessment/evaluation of need and potential funding before Inland Regional Center may purchase such equipment. These assessments should include options that are most appropriate to meet the needs of the consumer and family.

Other resources for special equipment may include the Department of Rehabilitation, Medi Cal, private insurance, and other community resources depending on the age of the consumer.

Speech Therapy, Evaluation and Therapy for Assistive Technology Evaluation

Speech therapy is a program intended to assist consumers who evidence a significant delay in receptive/expressive language skills and who could benefit from the service. Purchase of speech therapy is offered to consumers who have a demonstrated need, and who do not qualify for such services through generic resources such as Medi-Cal, privately funded resources or family health/medical insurance.

Speech Evaluation and Therapy for Assistive Technology Evaluation is provided by the respective school districts. Other sources such as the schools, private insurance and other

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generic agencies will be researched. IRC may provide an assistive Technology Evaluation to determine appropriate equipment for in-home use as determined by the Interdisciplinary Team.

Independent Living Services

Independent living skills services provide adult consumers with functional skills training to enable the individual to acquire or maintain skills to live independently in his or her own home, or to achieve greater independence while living in the home of a parent, family member, or other person. Independent living programs focus on functional skills training for adult consumers who generally have acquired basic self-help skills and who, because of their physical disabilities, do not possess basic self-help skills, but who employ and supervise aides to assist them in meeting their personal needs. Independent living skills services may also provide the supports necessary for a consumer to maintain a self-sustaining, independent living situation in the community.

Independent living skills functional skills training components may include:

- a. Cooking;
- b. Cleaning;
- c. Shopping in natural environments;
- d. Menu planning;
- e. Meal preparation;
- f. Money management, including check cashing and purchasing activities;
- g. Use of public transportation in natural environments;
- h. Personal health and hygiene;
- i. Self-advocacy training;
- j. Independent recreation and participation in natural environments;
- k. Use of medical and dental services, as well as other community resources;
- l. Community resource awareness such as police, fire, or emergency help; and
- m. Home and community safety.

The regional center may purchase independent living skills training if the following criteria are met:

1. The adult understands the goals and expectations of the service,
2. The adult expresses a willingness to participate, and
3. The IPP team agrees the training will help the individual to meet the goals set forth in the IPP.

Independent living skills services shall specify a course of intervention for skill acquisition. The type of training services and the number of hours per month, is determined by the needs and choices of the individual, based upon existing skills and targeted goals to increase independence. Independent living skills should not be used to replace or supplant any other generic resource

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legally responsible to provide services to the general public. (*WIC* § 4648 (a)(8).) Practical considerations should also be given to the individual's typical routines and day-to-day activities.

Supported Living Services

The intent of supported living services is to provide opportunities for adults with developmental disabilities, regardless of the degree of disability, to live in homes that they own or lease with support available as often and for as long as it is needed, when that is the preferred objective in the individual program plan. The purpose is to assist that individual to exercise choice in his or her life while building critical and durable relationships with other individuals. Adult consumers are supported in typical living arrangements with control over the environment within their own home. The services or supports that a consumer receives shall change as his or her needs change.

Supports and services purchased by the regional center would generally be expected to decrease over time as the individual gains independent living skills and self-reliance, natural supports are developed, and generic resources are accessed, to the fullest extent possible, with the assistance of service providers.

Supported Living Services consist of two components:

- a. Training and Habilitation - Individual Service Plan goals must be tailored to the specific training and habilitation needs and capacities of an individual consumer, and is intended to result in an increased ability on the part of the consumer to establish and maintain relationships, assume and exercise membership in the community, and meet his/her needs without assistance.
- b. Personal Support – Individual Service Plan goals address areas where assistance is needed with common daily living and routine household activities due to the nature or severity of the consumer's physical or developmental challenges. When the consumer is unable to demonstrate reasonable success in their training and habilitation goals and no generic resources are available to meet consumer needs, supports may be addressed in the Individual Service Plan as maintenance goals through Personal Support.

Initial services may be established to assist consumers in securing their own homes and to provide consumers with the supports needed to live in their own homes.

In keeping with the Lanterman Act, the purchase of this service shall be based upon demonstrated progress toward meeting the goals and objectives in the Individual Program Plan and Individual Service Plan.

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Transportation

In considering the purchase of transportation services for consumers, Inland Regional Center will explore all transportation services from the least restrictive to the most restrictive method of transportation.

In addition, Inland Regional Center may purchase transportation services that will facilitate the services identified in the consumer's Individual Program Plan only when generic resources are unable to provide the transportation on a routine basis for the consumer or are not assigned by regulation to other entities (i.e. residential operator's responsibility to transport residents to medical and recreational opportunities).

Inland Regional Center will only fund transportation, when required from the consumer's residence to the lowest-cost vendor that provides the service that meets the consumer's needs. The cost of a vendor shall be determined by combining the vendor's program costs and the costs to transport a consumer from the consumer's residence to the vendor. (*WIC* § 4648.35.)

When a choice is available between public and private transportation service or voucher, public transportation will be purchased as it is more cost effective and allows consumers to interact with the general public.

A regional center may fund transportation services for a minor child living in the family residence to meet needs identified in the Individual Program Plan, only if the family of the child provides sufficient written documentation to the regional center to demonstrate that it is unable to provide transportation for the child. Inland Regional Center will not purchase transportation services to enable school-aged children to receive educational services.

Exceptions

Individual circumstances may exist which may require authorization of service purchases by Inland Regional Center which are not consistent with these standards. Specific exceptions to these standards may be granted:

1. The Interdisciplinary Team identifies and documents in the consumer's Individual Program Plan or Individual Family Service Plan circumstances warranting an exception to the standards.
2. Any applicant for or recipient of services, or authorized representative of the applicant or recipient, who is dissatisfied with any decision or action of the service agency which he or she believes to be illegal, discriminatory, or not in the recipient's or applicant's best interests, shall, upon filing a request within 30 days after notification of the decision or action complained of, be afforded an opportunity for a fair hearing. (*WIC* § 4710.5 (a).)

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3. 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 pursuant to *WIC* § 4731.

Disputes concerning the nature, scope, or amount of services and supports that should be included in an Individual Program Plan should be addressed through the Fair Hearing process as described in item #2 of this section. (*WIC* §§ 4700-4730).

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