

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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December 9, 2022

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: SHARED VENDORS AND CASE MANAGEMENT RESPONSIBILITY

This purpose of this correspondence is to remind regional centers about the requirements of Article VII, Section 7 of the Department of Developmental Services' contracts with regional centers. This section outlines the responsibilities of each regional center in instances where a consumer resides with a community living vendor or long-term health care facility and the vendoring regional center and the regional center with case management responsibility are not the same. Additionally, this section specifies, for all other vendor types, actions a regional center must take when it becomes aware of an unusual type or frequency of special incidents or issues that may impact the health and safety of consumers receiving services from its vendor.

Article VII, Section 7 states:

***"7. Shared Vendors and Case Management Responsibility***

- a. *For the purposes of this section, "community living vendor" includes community care facilities, supported living services, independent living services, Family Home Agency and Foster Family Agency.*
- b. *When Contractor is not the vendoring regional center but is the regional center with case management responsibility and chooses to place a consumer with another regional center's community living vendor or long-term health care facility, Contractor shall:*
  - 1) *Prior to the provision of services, notify the vendoring regional center of services to be provided to Contractor's consumer by the vendor or long-term health care facility.*
  - 2) *When a special incident occurs, ensure the vendor or long-term health care facility submits a special incident report to both Contractor and the vendoring regional center. [Cal. Code Regs, Title 17, Section 54327(d)]*
  - 3) *Upon becoming aware of a special incident, notify the vendoring regional center.*

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- 4) *Work collaboratively with the vendoring regional center to follow up and investigate special incidents, as needed.*
  - 5) *Work collaboratively with the vendoring regional center to enforce a Zero Tolerance Policy regarding abuse or neglect of consumers.*
- c. *When Contractor is the vendoring regional center but is not the regional center with case management responsibility, Contractor shall notify the regional center utilizing Contractor's community living vendor or long-term health care facility upon becoming aware of the following:*
- 1) *Unusual type or frequency of special incidents that would impact the health and safety of consumers while receiving services from Contractor's community living vendor or long-term health care facility.*
  - 2) *Issues that may affect the ability of Contractor's community living vendor or long-term health care facility to provide services, or to provide services in an environment that ensures the health and safety of consumers during the provision of services.*
  - 3) *If a situation specified in subparagraphs (1) or (2) of this paragraph places a consumer(s) in immediate risk or danger, Contractor shall notify the regional center(s) immediately, and not later than 24 hours.*
- d. *For all vendor types other than community living vendors and long-term health care facilities, upon becoming aware of a situation specified in subparagraphs (1) or (2) of paragraph (c) of this section, Contractor shall notify all regional centers of the following:*
- 1) *Vendor name and number(s).*
  - 2) *Request to contact Contractor if a regional center is currently utilizing the vendor in question.*
  - 3) *The name(s) and telephone number(s) of the individual(s) to contact for relevant information.*

- e. *For the purposes of paragraph (d) of this section, Contractor shall notify the regional center(s) as soon as possible, but not later than two working days. If the situation places a consumer(s) in immediate risk or danger, Contractor shall notify the regional center(s) immediately, and not later than 24 hours.*
  
- f. *By December 15, 2013, and ongoing as warranted by personnel changes, Contractor shall maintain and provide to the other regional centers, a primary contact person and a backup contact person and their contact information for purposes of making and receiving the notifications specified in paragraph (d) of this section.”*

Regional centers should train staff and update procedures, as needed, to ensure compliance with this section.

If you have questions regarding this correspondence, please contact your Primary Regional Center Liaison.

Sincerely,

*Original Signed by:*

BRIAN WINFIELD  
Chief Deputy Director

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies  
Ernie Cruz, Department of Developmental Services  
Pete Cervinka, Department of Developmental Services  
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