



February 27, 2009
Director Terri Delgadillo
Department of Developmental Services
1600 9th Street
Sacramento, CA 95814

Dear Terri Delgadillo:

The Arc of California, the largest and oldest association representing families and people with intellectual and developmental disabilities in California is extremely concerned with the state of the developmental services system of today. As you conduct your stakeholder meetings throughout our community we ask you to set these discussions on firm ground by adopting the System Reform Values and Principles established in the late 1990s. These values and principles have been agreed to by the community as a whole under the guidance of the Department.

Choice

According to the system reform principle of Choice the Lanterman Act intends that all “people with developmental disabilities make choices in matters which affect their quality of life and have understandable information available to assist them in making these choices. Consumers’ rights to make choices include where and with whom to live, favorite people with whom to socialize, and meaningful daily activities including paid work. An Individual Program Plan/Individual Family Service Plan (IPP/IFSP) is developed, based on the person’s choices, strengths, capabilities, lifestyle and cultural background, that identifies the individually tailored services and supports which will be provided. W&I Code §§ 4500.5(c), 4501, 4502(j), 4502.1, 4503(i), 4512(b) 4590, 4620, 4646, 4646.5, 4648(a)(1)(2)(5)(6E), 4685.5, 4750, GC §§ 95020.”

Community Inclusion

The system reform agreements included the core value supporting community inclusion. The system reform document stated that, “people with developmental disabilities are fully included into the mainstream life of their natural communities and have expanding opportunities for full and equal participation in paid work, spiritual, recreational and leisure activities with persons with and without disabilities, and homes in regular neighborhoods. W&I Code §§ 4500.5, 4501, 4502(a)(b)(e), 4640.7(a), 4646, 4646.5(a)(2), 4648(a)(1)(2)(5)(13), 4680, 4688, 4689, 4750, GC §§ 95001, 95020. Revised: April 27, 1999

Family Units

The system reform work highlighted the need for strong family units in all communities in California. The group agreed that “children receive services and supports that are valued by their families and enrich their quality of life. Services for children are family-focused and designed to fully develop a child’s growth and address the special concerns of their families. The families of adults with developmental disabilities make significant contributions to the support and well-being of their relatives, which should be recognized and supported. W&I Code §§ 4501, 4512(h), 4620.1, 4646, 4646.5(a)(6), 4685, 4648(a)(1), 4690.2, GC §§ 95001, 95016, 95020. The group also agreed to the Lanterman Act

principles that “people with developmental disabilities are treated with dignity and respect and supported in making and keeping friendships, close relationships and circles of support. Their cultural

backgrounds are respected. The health, safety and well being of all people served is through easy access to medical, dental and mental health services. W&I Code §§ 4501, 4502(b)(d)(f)(h)(j), 4512(f), 4646, 4646.5(a)(1)(5), 4648(a)(1), 4648(c), 4687, 4689, 4691, 4774, GC §§ 95001, 95020.”

Self-Directed System

According to the system reform documents “people with developmental disabilities pursue futures of their own design, supported by flexible, creative, individually tailored services and supports in a coordinated, statewide system. Services and supports result in consumers increasing their levels of independence, productivity, self-determination and inclusion into their communities. Consumers keep or change supports based on their satisfaction. All services and supports are of high quality. System evaluation is outcome-based, focusing on improving the quality and effectiveness of services and supports and the level of consumer satisfaction. W&I Code §§ 4501, 4512(b), 4596.5, 4620, 4646, 4646.5, 4648(a)(2)(5)(7), 4648(d), 4648.1, 4651, 4680, 4688, 4690, 4691, 4750, GC §§ 95001, 95007(h), 95016, 95018, 95020, 95022.

We recognize your task to cut the supports and services by an additional \$100 million, maintain the integrity of the Lanterman Act, and fully comply with these principles and values is a seemingly impossible task. However we feel that you can get closer to meeting your goals and stay within the principles outlined above if you consider the following points in your decisions:

1. Any cuts at this point, including the mid-year 3% cut to regional center operation and purchase of services budgets, will be harmful to thousands of people with disabilities.
2. Any cut must be implemented throughout the developmental services system and the least should be taken from consumers directly.
3. We understand that the Developmental Services Waiver allows for significantly more people to be added to it which could save the state considerable funds. We suggest using the provider community to help increase the identification of eligible consumers for deeming.
4. Streamline Regional center regulations and place moratorium on fiscal, Quality Assurance, and staffing ratio audits unless a finding of impairment to health and safety can be shown. Also, to address the 3% reduction in the current year and budget year the department should require regional centers to implement a process locally to agree to cost offsets for providers (regulatory, etc) similar to those given to regional centers for their 3% reduction in operations.
5. We believe there is a way to change the way Developmental Centers operate that would help accomplish the intent of Olmstead and result in significant savings to the State. We recommend that strong consideration be given to privatizing some or all of the operations of one or more Developmental Centers at this time. Services provided by the Developmental Centers could be transitioned to experienced and qualified local service providers who have expertise with similar populations. This approach has already been utilized successfully in our own system. Local government entities in California who have been Regional Center vendors have realized significant savings, without negatively impacting consumers and families, by transferring operation of their services to qualified local non-profit providers. Many counties are currently utilizing this approach to address their own budget issues in the areas of health and human services. We believe this suggestion is an example of the kind of fundamental structural change California needs to survive its current financial downturn without sacrificing critically needed public services.

Thank you for your continued leadership.

Sincerely,

Tony Anderson
Executive Director
The Arc of California