

CALIFORNIA'S SELF-DETERMINATION PROGRAM

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GOVERNOR BROWN SIGNING SELF-DETERMINATION BILL



SELF-DETERMINATION PROGRAM

- Provides regional center consumers and their families with more control and flexibility over the services and supports they need.
- Voluntary program that provides consumers with an individual budget to purchase the services and supports they need to implement their Individual Program Plan (IPP).
- Based on a 15-year old pilot program in which almost 200 individuals tested self-determination in 5 regional centers.
- Successful pilot program led to this expansion throughout California.
- Traditional regional center services will continue to be provided to consumers who don't participate.

PERSON-CENTERED PLANNING

- Process, directed by individual and/or family, to identify the strengths, capacities, preferences, needs and desired outcomes.
- Individual must be at the center of the plan and its development.
- Planning process will lead to the creation of short- and long-term goals in collaboration with those the individual has identified to support meeting those goals.
- Can be led by an Independent Facilitator. Family and supporters who attend are invited by the individual.
- Mandated by federal government.

SERVICES THROUGH SELF-DETERMINATION

- Wide range, including traditionally funded services and unique supports to fulfill IPP and life goals. Can “think outside the box.”
- Services need not be “vendored,” meaning having a contract with a regional center. Providers can work for and support consumers in areas that they have been unable to under often strict regional center guidelines.
- Can access some services that were previously suspended or limited by the California legislature for budget reasons, such as social and recreation programs, camp, non-medical therapies, and respite.
- Services and supports funded through self determination must qualify for federal matching funds – the choices are more wide ranging than what traditional consumers receive.
- Cannot choose a service that could be paid for by another government agency (a “generic service”).

INDIVIDUAL BUDGET

- The individual budget is the amount of funding available to the participant to purchase the services and supports they need to implement their IPP.
- For current regional center consumers, the budget will equal the total expenditures (not authorized services) made by the regional center on the participant's services during the past 12 months.
- This amount can be changed by the IPP team if there is a change in circumstances or there are prior needs that were unaddressed in the IPP.
- The Individual Budget will not be increased to include additional funds for the Independent Facilitator or Financial Management Services.

THE INDEPENDENT FACILITATOR

- Participants can hire an Independent Facilitator to assist them and their family with the person-centered planning and IPP processes.
- The Independent Facilitator (I.F.) should know about available services and be able to “think outside of the box.”
- The I.F. can advocate and negotiate at IPPs and with service providers.
- The I.F. is paid from the Individual Budget or the I.F. can be their regional center service coordinator or a family member or friend.
- The I.F. cannot provide services to the participant and cannot be employed by an agency providing services.

FINANCIAL MANAGEMENT SERVICE

- Required to manage funds in the individual budget and pay for services and supports.
- Vendored and independent from the regional centers.
- Provide a monthly accounting of spending.
- Advise on the hiring of service and support workers and ensure employment laws are being followed.
- Can be used as employer for individual support staff.

NEW HCBS RULES

- Home and Community Based Services (HCBS) Waiver is the Medicaid funding provided by the federal government to fund individuals with autism and other developmental disabilities to live in the community.
- As of March, 2019, rules are changing to ensure full integration into the community.
- Because the Self-Determination Program is new, it must abide by these new rules immediately.
- Federal government will not pay for services that isolate consumers or don't show respect for their rights.

HCBS SETTINGS

All consumers of regional center services must:

- be in services that support full access to the greater community.
- be selected by the individual from among setting options.
- Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint.
- Optimizes autonomy and independence in making life choices.
- Facilitates choice regarding services and who provides them.

CHANGES DUE TO NEW HCBS RULES

Living Arrangements:

- Must have own lease
- Privacy and lockable doors
- Choice of roommates
- Freedom to decorate
- Control their own schedule
- Access to food and visitors at any time
- Physically accessible

CHANGES DUE TO NEW HCBS RULES

Non-Residential Settings:

- Allows individual to seek employment in competitive integrated settings.
- Meaningful activities in community at the time and place desired by the individual.
- Encourages interaction with people from greater community (aside from paid staff).
- Have access to their bank accounts (should not be signing paychecks over to provider).
- Reflects the individual's preferences.

FINAL THOUGHTS

Self Determination and the Integrated Settings Rule ensure:

- Empowerment
- Choice
- Freedom
- Ability
- Support
- Responsibility