

TO PARENTS AND FAMILIES:

Regional Center Services

If you have been told by your regional center service coordinator that your child's services will be cut due to the recent State of California budget changes: Let your PCDA therapist or DI know. We may be able to help. There is a lot of confusion about which services are impacted by the budget cuts and what parents can do.

Step 1: Be sure to ask for a written Notice of Action. Regional centers are required to provide written notice, 30 days in advance, of any termination of service, with information about your right to appeal this decision (Due Process Fair Hearing).

Step 2: Consider your right to appeal the regional center decision. Your child's services will continue while you are in the Fair Hearing. It will not impact other services your child receives. The Fair Hearing process is designed to settle differences between regional center and a family. Services stay in place until an administrative law judge hears your case and rules on it. This is called Aid Paid Pending. **Many resources are available to help you understand the procedures (see list on other side). We can help.**

Information about how to file for an appeal:

- 1. You must complete a Fair Hearing Request form within 10 days to file for an appeal and continue services.** Legally, you must file the form within **ten (10) days of getting the written Notice of Action** to request that the services continue. If you missed this deadline, file anyway and explain the reason, e.g., did not understand your rights, etc.
- 2.** If you are notified by phone, ask for the decision in writing (this is called the Notice of Action). You should also receive information about your rights.
- 3.** If you have not received the information by mail, **don't wait!** Pick up a Fair Hearing Request form from the Regional Center or PCDA office and complete it. Continue to follow-up with the service coordinator to request the written Notice.
- 4.** Fair Hearing Request form: **It is not necessary to provide a detailed explanation at this time.** Keep it simple. Your child is benefiting from the services and you disagree with the decision of the regional center stated in the letter you received (or telephone call). Request that current services remain in place. You will have time to learn more about preparing for the hearing.
- 5.** You may wish to consider the Mediation step before the Due Process Hearing. This is not required.

It is very important to keep a written record of all communication with your service coordinator, with dates of calls and what was discussed (and/or email file).

The Mediation involves an independent, impartial person/mediator with expertise in settling disagreements who meets with the family and the regional center to help work out differences.

The goal is to reach a solution that both parties agree to. If you are not satisfied with the mediation meeting, you may continue to the Due Process Hearing.

The Due Process Hearing is a more formal process designed by the State of California Office of Administrative Hearing and conducted by an impartial expert in the law referred to as an “administrative law judge.” This judge listens to evidence from both parties and make an independent decision about the disagreement. There are resources to help you understand the Regional Center’s fair hearing procedures and preparing for a hearing.

Important Resources/Websites: Ask about Parent Information Meetings

Disabilities Rights California (formerly Protection and Advocacy):

www.pai-ca.org

www.disabilityrightscalifornia.org/pubs/529601.pdf

Publication: Rights under the Lanterman Act (many languages available)

English: <http://pai-ca.org/pubs/506301Index.htm>

Spanish: <http://pai-ca.org/pubs/506301Index.htm#Spanish>

2009 Changes to the Lanterman Act : What they are and how to appeal cuts in services:

<http://www.ihsscoalition.org/documents/2009ChangestotheLantermanActslides.pdf>

Office of Clients’ Rights Advocacy:

<http://www.pai-ca.org/OCRA/index.htm> **Matt Pope (ELARC) 626-576-4437**

Office of Administrative Hearings

www.oah.dgs.ca.gov

Department of Developmental Services

<http://www.dds.ca.gov/Complaints/>

Developmental Disabilities Area Board X

www.areaboard10.org

East Los Angeles Regional Center: <http://www.elarc.org/J/>

§ English information line:	626.299.4830	626.299.4830
§ Spanish information line:	626.299.4831	626.299.4831
§ Chinese information line:	626.299.4832	626.299.4832