



# Self Determination



## Statewide Self Advocacy Network

Adapted from information by Regional Offices 10 & 4.



# What is Self Determination?

Self Determination is believing you can control your own destiny.

Self Determination is a combination of attitudes and abilities that lead people to set goals for themselves, and to take the initiative to reach these goals.

It means making your own choices, learning to effectively solve problems, and taking control and responsibility for one's life.

It is about being in charge, but is not necessarily the same thing as self-sufficiency or independence.

~PACER Center

# Self Determination Program

Self Determination is a creative type of program that is intended to put you in charge of your life and the services you receive.

In October 2013, Senate Bill 468 added the self determination program to the Lanterman Act. Under the Self Determination program, people can get services & supports in a completely new way, giving you more choices and more control.

# Self Determination Program

The law requires that services acquired through Self Determination be supported by federal Medicaid Waiver funds. To access these funds the DePARTMENT of Developmental Services (DDS) had to submit a waiver application by December 31, 2014 to the Center for Medicaid Services (CMS).

**This was done.**

# Self Determination Program



**As of 2/8/16**



CMS reviewed California's application. They have raised issues/questions with California's application and "stopped the review" clock. The clock will be "started" again when the required information has been sent in and approved. This 90 day process may take considerably longer than the 90 days.

# Self Determination Program



Once the waiver has been approved, up to 2500 people can be accepted into Self Determination over the next three years. Three years after that acceptance date, Self Determination will be available to all regional center clients who are eligible for the program.

# The Five Principles of Self Determination

- 1. Freedom**
- 2. Authority**
- 3. Support**
- 4. Responsibility**
- 5. Confirmation**

# The Five Principles of Self Determination



**Freedom** to control your life. You decide where you want to live, whom you want to live with, how you will spend your time, and who will support you.



# The Five Principles of Self Determination

**Authority** to control a budget so you can purchase services and supports that you choose.

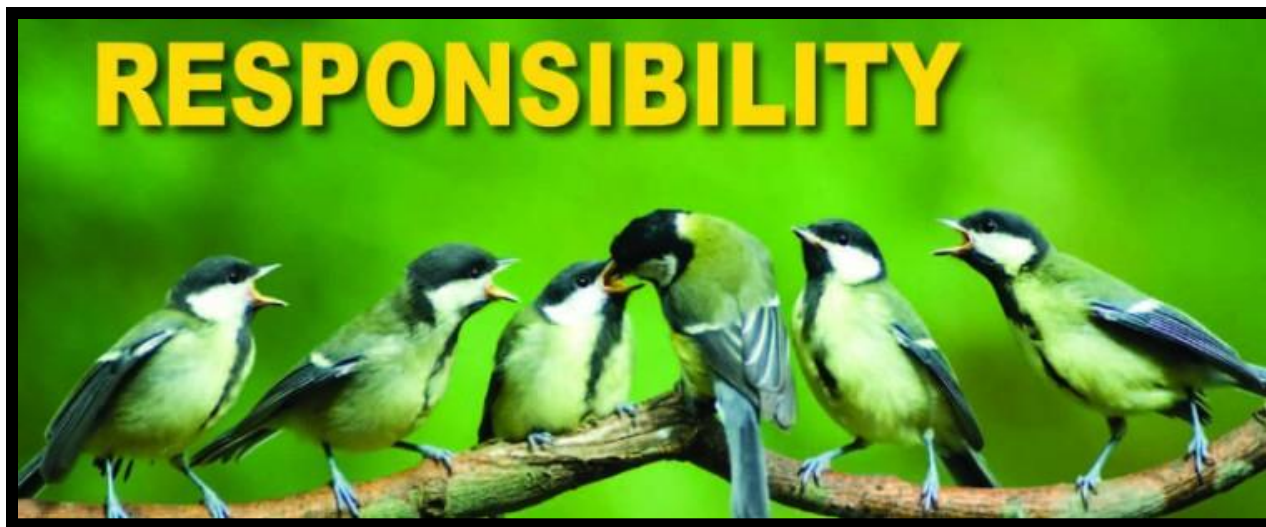


# The Five Principles of Self Determination



**Support**: to organize resources and staff, so you can live the way you want to.

# The Five Principles of Self Determination



**Responsibility**: for the wise use of public money, and recognizing the contributions you can make to your community.

# The Five Principles of Self Determination



**Confirmation**, of the important role that you have to make decisions in your own life by organizing and overseeing the services that you need.

# History

- 1998: 5 Self Determination (SD) Pilot Projects established in California.
- 2001: Pilots report high levels of satisfaction and recommend statewide expansion.
- Three governors and 13 years later Senate Bill 468 passes making SD a reality.

# Who Can Get Self Determination?

Anyone who receives services from a regional center is eligible for Self Determination services, except for people who live in a licensed, long-term health facility such as a developmental center or an Intermediate Care Facility. If you are in the process of moving into the community, then you ARE eligible for self determination services.

To receive Self Determination, you must attend a required Self Determination orientation, receive training on how Self Determination works, and agree to work with a Fiscal Management Service.

# Who is Involved?

- You – the leader
- Facilitator – if you want one
- Fiscal Manager – handles the money
- Your friends, family, paid supports, etc.

# The Facilitator

- Helps the person with their Person-Centered Plan.
- Helps plan and maintain the individualized budget.
- Helps the person develop a network of support and be part of their community.
- Helps find providers, negotiates rates, hours of service, and working agreements, and makes sure providers live up to the agreements made.
- Helps work out issues with providers.
- Helps the person and those around him or her to honor and live by the principles of Self-Determination.

You pay for the facilitator out of your budget. But you don't have to hire a facilitator. It's up to you.



# Financial Management Service (FMS)

## **You must use a FMS to be in Self Determination.**

- Receives funds allocated in the person's budget and makes payments to service providers.
- Keeps track of services provided and back up documentation.
- Maintains financial records.
- Takes care of taxes, workers' compensation, liability insurance, and makes sure all provider legal requirements are met (i.e. licenses and certification).
- Reports on expenditures.

***The FMS does NOT make decisions about how your money is spent.***

# How It Works

- The amount of your Individual Budget (IB) is based on how much regional center spent on your services over the last 12 months.
- Your budget pays for FMS and Facilitator
- With the help of people you trust, you develop a Person-Centered Plan (PCP) that reflects your vision in the different areas of your life and set goals.

# How It Works

- Ask for Self-Determination\*\*\*
- Agree to follow the rules and live within your individualized budget (IB).
- Hire a facilitator if you want.
- Hire a financial manager.
- With the help of people you trust, develop a Person-Centered Plan (PCP) that reflects your vision in the different areas of your life and set goals.
- Give your PCP and IB to your FMS.
- After background checks are completed, your FMS starts paying the people you hired.

**\*\*\*The law allows each regional center to develop its own process for signing people up.**



## Traditional Services vs. Self Determination

- Person wants Awesome Therapy (AT).
  - Person has tried all programs offered and none meet needs. Person has letters from doctors to back up request for AT.
  - Service coordinator says AT isn't "vendored" and takes request to "committee." 3 weeks later person gets a denial letter saying AT isn't vendored, is too expensive, and person doesn't need AT anyway.
  - Person appeals denial and could wait up to 50 days for a decision - and might lose.
- Person wants AT.
  - Person makes sure there's enough money in budget to pay for AT.
  - Person talks with AT and comes to an agreement about hours & rate.
  - Person gives hours & rate info to FMS who makes sure AT has required certification and that staff don't have criminal records.
  - Person starts receiving AT.
  - Whole process takes a few days.

# If you want Self Determination...

- Have Self Determination included in your IPP. Having Self Determination in your IPP won't guarantee that you will get it as soon as it's available. But it could improve your chances.
- Learn as much as you can about Self Determination. Attend trainings. Read about Self Determination.
- Share what you learn about Self Determination with others who might be interested.

# For More Information...

- Department of Developmental Services:  
<http://www.dds.ca.gov/SDP/index.cfm>

You can sign up for email updates about self determination. If you want to be notified when updates are made, please email [sdp@dds.ca.gov](mailto:sdp@dds.ca.gov) and ask to be included on the notification list.

- Disability Rights California SD Publication:  
<http://www.disabilityrightsca.org/pubs/F07701.pdf>
- The Center for Self-Determination: <http://www.centerforself-determination.com/>
- Senate Bill 468: [http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb\\_0451-0500/sb\\_468\\_bill\\_20131009\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0451-0500/sb_468_bill_20131009_chaptered.pdf)