



CA's Self-Determination Program

What Is It, How Does It Differ from Traditional Services, & Is It Right for Me?



Welfare & Institutions Code 4685.8

“The Self-Determination Program shall be available in every regional center catchment area to provide participants and their families, with an individual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their IPP.”

A decorative graphic on the left side of the slide. It features a vertical stack of four interlocking gears. The top gear is orange and contains a white silhouette of a woman's head and shoulders. The second gear from the top is blue and contains a white silhouette of a man's head and shoulders. The third gear is grey and contains a white silhouette of a woman's head and shoulders. The bottom gear is orange and contains a white silhouette of a man's head and shoulders. The gears are set against a light beige background.

Guided by that idea that...

People with disabilities should have the ultimate authority to decide how money designated to support them should be spent



A Little History

In 1998, there were five “Pilot Projects” to test how well Self-Determination works in CA. After three years, reports showed:

- People-served were happy and satisfied
- People only bought things they needed and didn’t waste money
- No one had serious problems or had to go to a Fair Hearing
 - Self-Determination is a valuable program in a diverse state such as CA



With Self-Determination...

- You get a personal ***Budget*** to spend on the things you need for a year
 - You make a plan and decide how to spend your money
 - You hire the workers that will help you
- A ***Financial Management Service*** keeps your money safe and pays your workers
- You can choose to get help from a ***Facilitator*** to help make your plan and stay within your budget



The Five Principles of Self-Determination

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



Freedom

- To plan your own life and future
 - To choose who helps you
 - To control the services you use
- To hire your own workers and change when needed



Authority

- To control how you spend the money allocated to you
 - To be the employer
- To set your own standards for services
 - To make your own decisions



Support

- To be successful in the life you choose
 - To be a member of your community
- To make decisions and plan your own life
- To find people you know and trust who will help you



Responsibility

- For making decisions and choices in your life and accepting responsibility for those choices and decisions
- For using your talents and skills to be as successful and independent as you can be
- For giving back to others and to your community.
 - For being smart with your money



Confirmation

- To be a leader
- To let others know how Self-Determination can work better for people in the future



More on Responsibility...

- It may be your budget, but it's still taxpayers' money and you have the ***RESPONSIBILITY*** to spend it wisely
- If there's a problem, it's your ***RESPONSIBILITY*** to handle it
 - You wanted the ***RESPONSIBILITY***, right?
 - The buck stops with you because you have the...



WHO IS ELIGIBLE? HOW DOES IT WORK?

Who is Eligible?

You must:

- Have a developmental disability and get services from a regional center in CA
- Live at home or in the community
 - Consumers residing in a licensed long-term health care facility (Skilled Nursing Facility or Intermediate Care Facility) are not eligible to participate
- Agree to go to a class on how Self-Determination works
- Agree to live within a set budget for a year
- Agree to work with a “Financial Management Service”



Phase-In Period

- The program will start once it is approved for federal funding (estimated within a year)
- Then,
 - The statewide Self-Determination Program shall be phased in over three years, and during this phase-in period, shall serve up to 2,500 regional center consumers, inclusive of the remaining participants in the self-determination pilot projects.



Regional Center	Active Consumers (Status 2) As of August 31, 2014	Percent of State Total	Remaining Pilot Program Consumers by RC	Proposed Number of Participants Per RC	Total (Remaining + Proposed)
Alta California	17,595	7.3%		175	175
Central Valley	14,129	5.9%		141	141
East Bay	15,603	6.5%		155	155
Eastern LA	8,860	3.7%	26	88	114
Far Northern	6,269	2.6%		62	62
Golden Gate	7,322	3.1%		74	74
Harbor	9,826	4.1%		98	98
Inland	24,670	10.2%		244	244
Kern	6,729	2.8%	36	67	103
Lanterman	7,536	3.1%		74	74
North Bay	7,009	3.0%		71	71
North LA	17,514	7.3%		174	174
Orange County	15,616	6.5%		155	155
Redwood Coast	2,936	1.2%	27	28	55
San Andreas	12,748	5.3%		126	126
San Diego	19,403	8.0%	3	191	194
San Gab Pomona	10,422	4.3%		102	102
South Central	10,919	4.5%		107	107
Tri-Counties	9,902	4.1%	16	98	114
Valley Mountain	9,715	4.0%		95	95
Westside	6,792	2.8%		67	67
TOTALS	241,515	100%	108	2392	2500

Full Roll-Out

- Once the phase-in period is complete, self-determination will be available to everyone statewide with no limit on the number of participants
 - Anticipated sometime in 2020 or so





How It Works – Your Individual Budget

- With the help of people you trust, you use Person-Centered Planning (PCP) and develop an Individual Program Plan (IPP) that reflects your vision in the different areas of your life and set goals
- The amount of your Individual Budget is based on how much was spent on you over the last 12 months.
- The amount can be adjusted, up or down, if your IPP team determines that the needs, circumstances, or resources have changed. The IPP team may adjust the budget to support any prior needs or resources that were not addressed in the IPP
- You decide how it's spent; designate “chunks” of money for service categories
 - Budget pays for FMS (mandatory) and Facilitator if used (optional)



How It Works – Financial Management Service

- The Financial Management Service (FMS) is the “bank”
- Your individual budget pays for the FMS. You must use a FMS to be in Self-Determination.
- They keep your money safe and take care of tax withholdings, insurance, and compliance with relevant state and federal employment laws
- They make sure your workers know what they’re doing (verify provider qualifications) and don’t have criminal records
 - They send the paychecks to your workers
- Every month they will tell you and the regional center how much you spent and how much you have left.

****They DON’T tell you how to spend your money!****



How It Works – Independent Facilitator

- Person, selected and directed by the participant, who is not otherwise providing services to the participant pursuant to his or her IPP
 - Helps you with your Person-Centered Plan and your budget
 - Helps you find and hire the people you want to work for you
 - Helps you decide how much to pay your workers
 - Makes sure your workers do their jobs
 - Helps mediate issues with providers
 - Helps you find people in your community that are willing to help you for free

** You don't have to use a facilitator. If you do, you may pay him/her with your budget money.**



How It Works – The Basics

- Ask for Self-Determination
- Agree to abide by the rules and live within the limits of your individualized budget (IB)
 - Hire a facilitator if you want
 - Hire Financial Management Services (mandatory)
- With the help of people you trust, use Person-Centered Planning to develop an Individual Program Plan (IPP) that reflects your vision in the different areas of your life and set goals
 - Give your IPP and IB to your FMS
- After background checks are completed, your FMS starts paying the people you hired



How It Works - Services

Q11. Are there restrictions on what the individual budget can be used for?

Yes, a participant can only purchase services and supports as described in the SDP Waiver and in the IPP. Services funded through other sources (e.g., Medi-Cal, schools) cannot be purchased with SDP funds.

www.dds.ca.gov – SDP FAQ’s

- Communication Support
- Advocacy Services
- Behavioral Intervention Services
- Home Health Aide
- Family Assistance and Supports
- Financial Management Service
- Dental Services
- Environmental Accessibility Adaptations
- Community Living Supports
- Crisis Intervention Supports
- Community Integration & Employment Services
- Optometric/Optician Services
- Nutritional Consultation
- Live-In Caregiver
- Lenses and Frames
- Integrative Therapies
- Individual Training and Education
- Housing Access Supports
- Independent Facilitator
- Speech, Hearing, & Language Services
- Homemaker
- Specialized Therapeutic Services
- Specialized Medical Equipment & Supplies
- Skilled Nursing
- Respite Services
- Psychology Services
- Personal Emergency Response (PERS)
- Participant-Directed Goods & Services
- Training and Counseling Services for Unpaid Caregivers
- Technology
- Transportation
- Transition/Set-Up Expenses
- Vehicle Modifications & Adaptations

Appendix E: Participant Direction of Services



EXAMPLE



Traditional Services vs. Self-Determination Example Requesting a Service

Traditional

- Person wants Awesome Therapy (AT).
- Person has tried all vendored 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."
- Person gets a denial letter saying AT isn't vendored, is too expensive, and person doesn't need AT.
- Person appeals denial and could wait for weeks for decision and may lose at hearing.

Self-Determination

- 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 may take as little as a few days.



ROLES & RESPONSIBILITIES



New Roles & Responsibilities: Your Service Coordinator vs. You

Service Coordinator

- Has about 80-100+ cases to manage and coordinate services for.
- May not be able to tell you “yes” or “no” without asking supervisor first.
- Must follow purchase of service guidelines that emphasize “cost-effectiveness.”
- Must pursue “generic services” first.

You

- Have one person to help: YOU
- Don’t have to get permission first.
- Must make sure there’s enough money in your individual budget.
- Can purchase generic or non-generic services.
- **YOU ARE IN CHARGE!**



New Roles & Responsibilities: Your Budget

Regional Center

- Gets money from the Department of Developmental Services (DDS).
- Money comes in one lump sum for the year and must be divvied out to thousands of people in their catchment area.
- Must spend taxpayer money wisely and cost-effectively based on needs.
- Must keep records of expenditures for reporting purposes.

You & Your FMS

- Your FMS gets your budget money from your regional center.
- You get your money in one lump sum for the year to spend on services for one person.
- Must spend taxpayer money wisely and cost-effectively based on needs.
- Your FMS must keep records of expenditures for reporting purposes.



New Roles & Responsibilities: Service Providers

Now

- Providers are vended and under the legal and contractual authority of the regional center.
- Must provide services according to regional center policies.
- Rates of payment and hours of service are set by the regional center.
- Providers are forbidden to do things outside the scope of their vendor agreement.

Self-Determination

- Workers you hire can be vended, or not, and are under your legal and contractual authority.
- Workers you hire must provide the agreed-upon type and amount of services.
- You decide how much they get paid.
- You have the authority to tailor services and set your own standards.



**IS SELF-DETERMINATION RIGHT
FOR YOU?**



Have you lost needed/valued services because of budget cuts?

Many consumers and families had important services taken away in 2009 as a result of the budget crisis. The law was changed giving the regional centers the authority to suspend or limit social and recreational programs, camp, non-medical therapies, and respite.

With Self-Determination these cuts don't apply. You are free to buy things like fitness club memberships, adaptive swimming classes, equestrian therapy, etc. if the service is in your plan and within your budget.

If you lost your child's summer camp, or the respite you and your family depended on, then Self-Determination could be right for you.



Do you get a lot of services?

People with complicated lives who receive services and supports from many different providers face unique challenges, especially during emergencies. Even something as simple as a change of service coordinators can cause a family's house of cards to come crashing down, and the regional center can be slow to respond.

If you have a complicated life that requires creative solutions and quick responses to unexpected challenges, then Self-Determination could be right for you.



Have you had a lot of fair hearings?

The regional center has the legal right to say “no” to any request you make. If a service is denied by the RC the family member or consumer has the right to appeal – a process that can take months to complete.

With Self-Determination the details are worked out early on during comprehensive person-centered planning sessions, so there is a much better chance that disagreements and conflicts you experienced in the past can be avoided. If you have been forced to appeal regional decisions, then Self-Determination could right for you.



Do you have unique needs that require services your regional center doesn't offer?

The regional center doesn't have to pay for a service you ask for just because you think it will best meet your needs. If they feel the service is too expensive and/or another comparable service is available, they can offer you that.

With Self-Determination you have greater flexibility to buy services, vendorized or not, regardless of cost ,as long as it's in your plan and you have the money to pay for it.

If you've tried many programs and none of them have worked out, or if you have a program in mind that could be a perfect fit but the regional center won't pay for it, then Self-Determination might be right for you.



Do you want a good-paying job or want to start a small business?

If you ask the regional center to help you get a good job or start a business they may refer you to the Department of Rehabilitation (DOR). It may take DOR months before progress can be made, if they approve your employment goals for your plan. You may be denied. After all that, you can go back to the regional center and start from scratch.

With Self-Determination you have more options. You don't have to go to DOR first or settle for a day program. You can enroll in college, or take a vocational course, or use your money to buy the equipment and supplies you need to start a small business. If you've experienced any of the above, then Self-Determination might be right for you.



WHAT TO DO NOW?



- Think strategically
 - Ask for and USE all of the services you need now
 - Attend local Self-Determination Advisory Committee meetings
 - Sign-up for DDS updates (email sdp@dds.ca.gov)
 - Let your service coordinator and support team know you're interested in Self-Determination.
 - Learn as much as you can about Self-Determination.



Local Advisory Committee

- Each regional center will establish a Local Advisory Committee (LAC).
- The law says that the LAC “shall consist of the regional center Clients’ Rights Advocate, consumers, family members, and other advocates, and community leaders.”
- The regional center appoints one half of the members and the local SCDD office appoints the other half.
 - A majority must be consumers and family members.
- The LAC must “reflect the multicultural diversity and geographic profile” of the people served by the regional center.
- **The LAC monitors the progress of the SD Program and makes recommendations for improvement to the regional center and DDS.**



COMMON QUESTIONS



- ***What happens if I move to a different regional center?***

You can stay in SD and keep your budget if you move.

- ***What if I want to leave the Self-Determination Program?***

Self-Determination is voluntary. If you choose to leave the regional center must make sure you get the services you had before.

- ***If I leave Self-Determination by choice can I return?***

If you leave by choice you have to wait 12 months to return.



- ***Do I have the same rights under Self-Determination?***

Yes. You have same rights under Self-Determination that you have now.

- ***What if the regional center says my budget is too big and wants to give me less?***

You have the right to appeal if you don't think there's enough money in your budget and you are not able to reach a solution in an IPP Meeting.



THANK YOU!

CA State Council on Developmental Disabilities, Bay Area Regional Office

bayarea@scdd.ca.gov

510.286.0439