



The Story of the California Self-Determination Law

In 2012, six ordinary people met and did an extraordinary thing. While at a restaurant in the Marriott Hotel across from the Burbank Airport they took a napkin and wrote a plan to initiate a law for self-determination. "How to ensure freedom, authority and choice to individuals with developmental disabilities." The six people included Judy Mark, parent and Government Relations Co-chair of the Autism Society of Los Angeles; Catherine Blakemore, Executive Director of Disability Rights California; Michal Clark, parent; Marnie Clark, self advocate; Harvey Lapin, parent and retired dentist; and Connie Lapin, parent and Government Relations Co-chair, Autism Society of Los Angeles.

The six agreed the developmental services system was broken and change was needed. They were aware that the federal government, through its funding of community Medicaid services, was moving the states towards service models that allowed consumers more choice. Although California had a successful self-determination pilot program that began in 1998, attempts to pass legislation to expand this program had not been achieved.

It was apparent that to succeed in establishing a new law, a bipartisan effort was needed. In December 2012, Harvey Lapin called Senator Bill Emerson (Republican representing Redlands), a colleague in the dental profession, and asked him to have a conversation about self-determination theory. Harvey and Connie met the Senator in his local district office, where he readily agreed the plan was a significant bipartisan issue. He also happily agreed to author legislation. Assembly Member Bob Blumenfield (Democrat representing part of the San Fernando Valley) agreed to co-sponsor the bill. Many wonderful legislators enthusiastically united over the effort, including Assembly member Wesley Chesbro who was very committed to seeing California implement a self-determination program for many years.

The initial six formed "The Dream Team", which included regional center consumers, families, and members of advocacy groups. The team mobilized and went to work. Joining the effort was Allen Erenbaum, parent and Attorney, April Lopez, parent and member of the State Council on Developmental Disabilities, and Mark Polit, parent. The rules of engagement were that the existing Individual Program Plan and due process protections (in the Lanterman Act) would not be changed; the program would be voluntary, statewide and include diverse, underserved communities, and be open to all individuals with developmental disabilities.

The California Legislature unanimously approved Senate Bill 468 (Chapter 683, statutes of 2013) establishing Welfare and Institution Code section 4685.8 in the Lanterman Act.

It was reported that the Governor's Office received more calls to sign Senate Bill 468 than any other health care-related bill. Governor Jerry Brown signed this groundbreaking legislation into law October 13, 2013