

# SELF-DETERMINATION

MY LIFE, MY WAY



State Council on Developmental Disabilities



MY  
GREAT  
AMBITION  
IS  
TO SECURE  
A  
SPEAKING PART  
IN  
MY OWN LIFE.

*George Bernard Shaw*



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

# WHAT'S THE BIG IDEA?

- Major change to the Lanterman Act
- Creates a new way to access services
- Puts the power into the hands of service recipients
- Limits the power of the service system



# THE FIVE PRINCIPLES



Freedom



Authority



Support



Responsibility



Confirmation



# FREEDOM

- To plan your life and future
- To decide where you want to live, and whom you want to live with
- How you will spend your time
- Who will support you

# AUTHORITY



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- To control a budget
- To purchase services and supports that you choose
- To make decisions

# SUPPORT



- To be successful and productive in the life you choose.
- To be a valued member of your community.
- To make decisions and plan your own life
- To create a network of friends, family, professionals, community members and others that you choose to help you.



# RESPONSIBILITY

- For spending public dollars wisely
- For making decisions and accepting responsibility for them
- For using your talents and skills to be as successful and independent as you can be.
- For setting goals for your life and trying your best to reach them.





# CONFIRMATION

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



# WHO IS ELIGIBLE?



- You must be a regional center client
- You must be over the age of 3
- Live at home or in the community
- Go to required pre-enrollment information session at your regional center
- Agree to work with a Fiscal Management Service

# YOU ARE NOT ELIGIBLE IF.....



- You live in a licensed long-term health facility such as a developmental center or an Intermediate Care Facility\*

\* Unless you are in the process of moving out  
- then you may be eligible

# THE ROLL OUT

- During the first three years there will be 2500 people statewide selected to participate. After the first three years, anyone who chooses self-determination, and meets the eligibility criteria, can participate.
- Self-Determination is **voluntary!**



# THE PLAYERS

- **YOU** – The leader of the band
- **Facilitator** – If you want one
- **Fiscal Manager** – Handles the Money
- Your friends, family, paid supports, etc.



# THE FACILITATOR

- Helps develop Person-Centered Plan
- Helps plan and maintain the budget
- Helps develop a network of support
- Helps find providers, negotiates rates, hours of services, and write contracts



# THE FACILITATOR



- Makes sure providers live up to their agreements
- Helps mediate issues with providers
- Helps the person and supporters to abide by the principles of Self-Determination

**\*You pay for the facilitator out of your budget. You don't have to hire a facilitator – it is up to you!**

# FISCAL MANAGEMENT SERVICE



- Outside entity hired by **you**
- Paid for out of **your** budget
- Manages **your** money
- **Vendored** by Regional Center
- **Required** to be used by all Self-Determination participants
- **DOES NOT MAKE BUDGET DECISIONS**



# FISCAL MANAGEMENT SERVICE (FMS)

- Receives funds allocated and makes payments to service providers
- Maintains financial records, generates reports
- Manages taxes, workers compensation, liability insurance, and ensures all provider legal requirements are met
- Conducts criminal record checks





# HOW IT WORKS: YOUR BUDGET

- The amount of your Individual Budget (IB) is based on how much was spent on your services over the last 12 months.
- Re-determined each year, going up or down depending on changing needs.
- You decide how it is spent; designate “chunks” of money for service categories
- Can move 10% from one category to another
- 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.



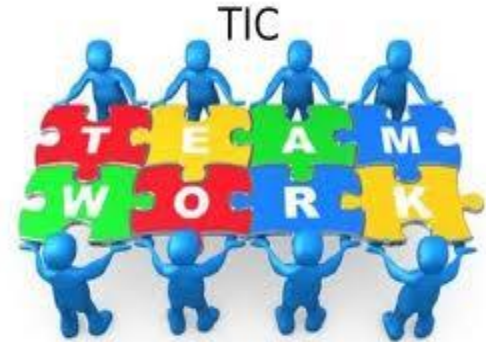
# HOW IT WORKS: THE BASICS

- 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 a financial manager



# MAKE A TEAM

- Decide who you want on your team.
  - Family
  - Friends
  - Neighbors
  - Co-workers
  - Facilitator
  - Service Coordinator/Teacher



# HOW IT WORKS: THE BASICS



- Develop a Person-Centered Plan (PCP) with your team
- Identify wants, future plans, needs, preferences
- Identify what is needed to meet all of the above: goals, services, accommodations, supports, etc.
- Designate chunks of money to service categories
- You can shift up to 10% each year between service categories

# BASICS - CONTINUED



➤ Once you decide on your plan and budget:

- \* Give your plan and budget to your FMS
- \* Interview potential workers
- \* Ask the FMS to conduct criminal record checks on people you select
- \* Hire and have a contract signed
- \* People start working, and your FMS starts paying the people hired

# NEW ROLES AND RESPONSIBILITIES

## SERVICE COORDINATOR

- Has about 100 people to help
- Can't tell you yes or no without asking supervisor first.
- Must make sure services you get cost as little as possible
- Must offer you free or "generic" services first, even if they aren't exactly what you want.
- Must follow all of the above to do their job correctly.

## YOU

- Have one person to help: **YOU**
- Don't have to get permission first.
- Must make sure there is enough money in the budget.
- Don't have to use free of "generic" services if you don't want to.
- You can't lose your job because **YOU ARE IN CHARGE!**

# YOUR BUDGET

## THE REGIONAL CENTER

- ❖ Money comes in one lump sum for the year to be spent on thousands of people in their area.

## YOU AND YOUR FMS

- ❖ You get your money in one lump sum for the year to spend on one person: YOU.





# SERVICE PROVIDERS

## NOW

- ✓ Have to be “vendored” and do what the regional center tells them.
- ✓ The regional center decides how much they get paid.

## SELF- DETERMINATION

- ✓ Your workers can be anyone you choose and they do what you need them to do.
- ✓ You decide how much they get paid.

# REQUESTING A SERVICE

## TRADITIONAL

- Jan asks for ABA for 16 year old son
- RC says POS policies stop ABA at 12 years old
- Jan goes to fair hearing
- One year after request, Jan wins hearing.
- ABA started
- RC tries every year to stop funding ABA.

## SELF-DETERMINATION

- Jan puts ABA therapy into her son's Person-Centered Plan.
- Jan contracts with preferred provider.
- ABA therapy started within a few days.
- Jan decides when to start fading ABA therapy; keeps for as long as son needs it.

# IS SELF-DETERMINATION RIGHT FOR YOU?

Ask yourself the next 5 questions

# QUESTION #1

## DO YOU HAVE A COMPLICATED LIFE?

- Do you get lots of services from various sources?
- Do you need your services to be flexible for your changing needs?

*Because of the boundaries placed on regional centers, they have a harder time responding quickly to changing needs.*

If you have a complicated life that requires “out of the box” solutions and quick responses to challenges, then [Self-Determination could be right for you.](#)

## QUESTION #2

Have you had a lot of denials, conflicts with RC or fair hearings?

- RC's can and do say "NO"
- You have the right to appeal

Under SD the details are worked out during the person-centered planning process.

Reduces risk of conflict and disagreement.

If the answer to this is YES, [SD may be right for you.](#)

## QUESTION #3

Have you lost services due to budget cuts and changes to the Lanterman Act?

Many services were lost in 2009 such as camping, non-medical therapies, gym memberships, recreation, etc.

If you or your child want or need these services, [SD may be right for you!](#) With SD you can buy things like a membership to a fitness club, or swimming classes, or horseback riding if you still need them, and you have enough money in your budget.

## QUESTION #4

### Do you need unique services not typically offered by Regional Centers?

- RC does not have to pay for a service even if you think it's the best for you.
- RC can offer a lower cost service if it is “comparable”.

Under SD you can purchase any service you want if you can pay for it out of your budget.

If you want a specific and/or unique service the RC won't pay for, [SD may be right for you!](#)

## QUESTION #5

Do you want to start a business, get good work training or get a good paying job?

- If you want employment, RC will refer you to Dept. of Rehabilitation
- Dept. of Rehabilitation does not have to accept you for services.

Under SD you can pay for employment services out of your budget. You will also have flexibility in choosing your work outcomes. You can also use your money to go to college, or take a vocational class, or buy the things you will need to start a small business.

If you want to choose your own employment options, [SD may be a good choice for you.](#)



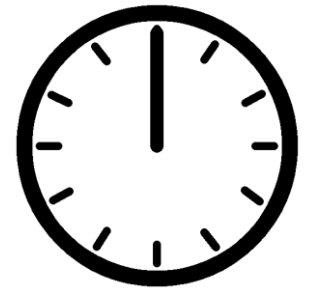
AND FINALLY.....

ARE YOU READY TO TAKE ON THE  
RESPONSIBILITY??



# TIMELINE

- ❖ Now – Advisory Committees for each regional center are meeting
- ❖ Federal government Center for Medicaid and Medicare Services has to approve Self-Determination before it can start
- ❖ Anticipated start in 2017 (???)
- ❖ Three year roll-out for first 2500 people
- ❖ Following three year roll-out, any eligible person can join



# WHAT TO DO NOW

- ❖ Think strategically
- ❖ Ask for and use all of the services you need now
- ❖ Go to fair hearing when denied requested services
- ❖ Go to your regional center's self-determination advisory committee meetings to learn more

NEXT

NEXT

NEXT

# COMMON QUESTIONS



## Can I move money around in my budget?

You can transfer up to 10% of your funds from one service category to another. If you have to move more, you need approval from the PCP team or RC.

## What happens if I move to a different regional center?

You can stay in SD and keep your budget if you move as long as you are still meet the criteria.

# COMMON QUESTIONS, CONTINUED

- ❑ What if I want to leave the Self-Determination Program or I become ineligible for some reason?



Participation is voluntary.

The regional center must help you transition back to traditional services.

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

If you leave by choice you have to wait 12 months to return. After the waiting period, you can rejoin if there is a slot open (during the initial three years).

# COMMON QUESTIONS, CONTINUED

- ❑ What if I disagree with regional center about my eligibility or the amount of money in my budget?

You can appeal a regional center decision about your eligibility or your budget the same way you would under traditional services.

# ANY MORE QUESTIONS?

- ❖ Contact your local office of the State Council on Developmental Disabilities
- ❖ Contact your regional center
- ❖ Sign up for updates on the DDS website ([www.dds.ca.gov/SDP/Index.cfm](http://www.dds.ca.gov/SDP/Index.cfm))
- ❖ Go to Advisory Committee meetings
- ❖ Learn all you can!



# RESOURCES

- State Council on Developmental Disabilities

[www.scdd.ca.gov](http://www.scdd.ca.gov)

- Disability Rights California

[www.disabilityrightsca.org](http://www.disabilityrightsca.org) – Publication #F07701

- The Center for Self-Determination

[www.centerforself-determination.com](http://www.centerforself-determination.com)