

REPORT FROM DEPUTY DIRECTOR, POLICY AND PUBLIC AFFAIRS

2021 THERE SHOULD BE A LAW CONTEST

Announcing the winners!

- ✓ The bill ideas were all submitted to SCDD by October 15, 2021
- ✓ Their bills were chosen to be an SCDD sponsored priority
- ✓ A Senator and Assemblymembers agreed to champion the bills
 1. SB 1092 (Hurtado) Fair Hearings
Mary Peitso, family advocate and RAC member
 2. AB 1663 (Maienschein) Conservatorships
Erica Jewell, professional
 3. AB 2547 (Nazarian) Housing Stabilization
Lisa Cooley, self advocate, SSAN member

2022 BILL PACKAGE IS ONE OF “ACCESS AND INCLUSION”

SB 1092 (Hurtado) Relating to the Regional Center fair hearing process

- Assure the Person Served has a Voice in the Process. The bill requires that all decisions about services be made in meetings that include the person served and a regional center decision-maker and establishes a fair hearing advisory committee that allows people served by regional centers and their families to have input into the hearing process.
- Make Disputes Easier to Resolve. The bill would require regional centers to participate in mediation.
- Ensure the Hearing Process Is Accessible and Fair. The bill proposes several procedural changes that increases a family’s ability to access the tools intended to make the hearing process “fair.” The bill also moves hearings from the Office of Administrative Hearings to the Department of Social Services, where hearings are conducted in a more informal and accessible manner. The bill requires DDS to

review and approve hearing decisions before they become final. SB 1092 also limits regional centers' ability to hire an attorney to represent them at a fair hearing only if the individual served is also represented by an attorney. The bill also allows people who win their fair hearing to recover compensatory services or retroactive reimbursement as a remedy for past violations by the regional center. If consumers lose at fair hearing but appeal to superior court and win, the bill allows them to recover attorneys' fees. |

- **Addresses Racial and Ethnic Disparities.** To address equity, to build trust with communities of color, and reduce barriers to justice, the bill requires Administrative Law Judge to be trained on racial and ethnic disparities in regional center expenditures, including presentations from people with I/DD and their family members. The proposal also requires DDS to provide public access to an indexed, searchable fair hearings database, which includes information such as outcome, reasons for withdrawal, and race/ethnicity. Finally, the bill clarifies that people served by regional centers can pursue civil rights or personal injury actions in state or federal court, without having to first go through the fair hearing process.

AB 2547 (Nazarian) Relating to housing vouchers/subsidies

- AB 2547 (Nazarian) will create a targeted housing stabilization program to prevent and solve homelessness for tens of thousands of older adults and people living with disabilities through the following unique approach:
- will fund housing vouchers that meet the specific needs of eligible households, some of whom need only a small subsidy to remain housed or exit homelessness. Studies show housing subsidies are highly effective in preventing and ending homelessness.
- targets prevention resources to those most at risk of homelessness by using California Policy Lab research identifying predictive indicators.
- ensures people receiving subsidies through this program will eventually transition to longer-term federally-funded subsidies through preferences in federal turn-over vouchers.

- will fund strategies that have worked locally, such as partnering with landlords and local aging and disability providers, to ensure people remain stably housed.
- As administered through the Department of Aging, the Department responsible for effectuating the Master Plan for Aging, AB 2547 will ensure participants are able to avoid or exit homelessness for good.

AB 1663 (Maienschein) Relating to Conservatorships

- **DEFLECT** – Limit probate conservatorships by recognizing alternatives. Establish SDM as a less-restrictive option for people with disabilities and older adults. Create an SDM technical assistance program to provide grants, training, and technical assistance that promote and strengthen the use of SDM and other supports
- **DIVERT** – Make probate conservatorships a last resort. Require alternatives be considered by courts before establishing a conservatorship and assess a person’s abilities and capacity with supports, not in isolation. Create a conservatorship alternatives program in all courts to identify conservatorship petitions where less-restrictive options may be appropriate and to discuss and educate parties on these alternatives
- **DISSOLVE** – Make probate conservatorships easier to end. Provide conservatees with understandable information that describes their rights and who to contact if they wish to change or end the conservatorship. Require courts to appoint counsel and set a termination hearing if a conservatee wishes to terminate their conservatorship. Allow courts to terminate a conservatorship without a hearing if both the conservator and conservatee agree to the termination
- **DECIDE** – Ensure conservatees choice in their lives. Require conservators to consult with and make decisions aligned with the conservatee’s communicated wishes, including the use of alternative communication methods or previously expressed preferences. Apply the “order of preference” to all conservators, including for regional centers, to ensure the court first consider family members or other trusted individuals before appointing unrelated parties. Require conservators to support the capacity and abilities of conservatees

and to encourage and facilitate the use of SDM within conservatorships to the greatest extent possible

- Congress established the State Councils in every state

AB 2920 (Arambula) relating to four year university education

- The goal is to increase living wages & employment for people with intellectual and developmental disabilities.
- The bill will allocate \$8 million to establish and/or maintain 8 inclusive college programs for students with intellectual & developmental disabilities at 8 public 4-year universities (1 million per campus).
- The inclusive programs will:
 1. Serve students with intellectual and developmental disabilities (as defined by WIC sec. 4512); participants typically do not take courses for credit & are not seeking a traditional degree.
 2. Provide students with a person-centered planning process & the opportunity to pursue an educational credential in alignment with Think College Model Standards.
 3. Provide inclusive academic enrichment, socialization, independent living skills, & integrated work experiences that develop career skills leading to gainful employment.
 4. Provide individual supports and services for academic & social inclusion in academic courses, extracurricular activities, housing and other aspects of campus life.
 5. Establish strategies to recruit & support students from historically underserved communities. These funds will allow participating programs to accept cohorts of 12 new students/year. Assuming 48 students/yr for 4-year programs at 8 universities, these funds would serve a total of 384 students/year.

The coordinating center will:

1. Foster the growth of high-quality inclusive PSEs across California.
2. Develop roadmaps to employment & provide employment support.
3. Share best practices in curriculum design & inclusive education.
4. Help programs develop sustainability
5. Serve as a liaison between adult transition services, 2-year, & 4-year inclusive PSE opportunities.

6. Develop a universal, affordable path to admissions and completion. The funds will provide for an Executive Director; Employment, Education & Outreach Teams; & other operational costs.