

## CDCAN: STATE SENATE HUMAN SERVICES COMMITTEE SET TO HOLD INFORMATIONAL HEARING IN LOS ANGELES

Posted by [laaac](#) on October 10, 2014 · [Leave a Comment](#)

### STATE SENATE HUMAN SERVICES COMMITTEE SET TO HOLD INFORMATIONAL HEARING IN LOS ANGELES ON “PROMISE OF LANTERMAN ACT” AT LA CITY HALL; SPECIAL LIVE STREAM VIDEO LINK AVAILABLE ON COMMITTEE’S WEBPAGE; AGENDA AND BACKGROUND DOCUMENTS RELEASED

SACRAMENTO, CA [CDCAN LAST UPDATED 10/09/2014 – 07:55 AM] – The issues surrounding the rights, supports and services for children and adults with developmental disabilities that also impact their families, workers and community-based organizations and agencies across the State is the focus of an informational hearing by the State Senate Human Services Committee, chaired by Senator Jim Beall (Democrat – San Jose), scheduled this afternoon, Thursday (October 9<sup>th</sup>) from 1:30 PM to 3:30 PM in Los Angeles. No call in line is available and however arrangements by the committee yesterday were made to have the hearing video streamed live from the committee’s webpage at: <http://shum.senate.ca.gov/hearings>

Just prior to 1:30 PM this afternoon (the starting time of the hearing), a link will appear on the webpage to access the live video stream of the hearing. Click on that. Persons having any difficulties with this link should contact Senator Beall’s State Capitol office at (916) 651-4015.

The hearing however will not be televised or streamed live on CalChannel (informational hearings held outside the State Capitol are almost never televised). An agenda and background documents for the informational hearing was released (see below).

No decisions or votes will be made at this informational hearing but could generate some attention on issues, including restorations or increases in funding for community-based services for people with developmental and other disabilities that advocates say need to happen after a decade of on-going budget reductions. Brief public comment is scheduled at the end of the agenda.

### SENATE HUMAN SERVICES INFORMATIONAL HEARING ON LANTERMAN ACT HEARING INFORMATION

The State Senate Human Services Committee’s public informational hearing is titled “The Lanterman Act: Promises and Challenges”. An agenda and background documents were released (see below).

The “Lanterman Developmental Disabilities Services Act” is a landmark California state law – the only such law in the nation – that recognizes and provides protections for the rights of children and adults with developmental disabilities. It also includes provisions dealing with eligibility for services and delivery of those services. The first early version of the law was passed by the Legislature – then controlled by Republicans – in 1969 and signed into law by then Governor Ronald Reagan. Other laws – 10/11/14 1:13 AM

recognition and protections of the rights of people with developmental disabilities – and people also with other disabilities, mental health needs and seniors including the California Unruh Civil Rights Act, the federal Rehabilitation Act, the federal Americans with Disabilities Act, the federal Individuals with Disabilities in Education Act (IDEA), the federal Workforce Innovation and Opportunity Act, the 1999 US Supreme Court “Olmstead Decision”, the California Mental Health Services Act, the federal Older Americans Act, and more. In addition, people with developmental disabilities have rights as anyone else under the State and US Constitutions, including rights to vote, rights to representation in government, and more.

WHAT: Senate Health and Human Services Committee Informational Hearing

WHEN: October 9, 2014 – Thursday afternoon **\*\*\*TODAY\*\*\***

TIME: 1:30 PM to 3:30 PM

WHERE: Los Angeles City Hall, Board of Public Works Session Room 350, 200 N. Spring Street, Los Angeles

AGENDA: Not released yet, but title of the informational hearing is “The Lanterman Act: Promises and Challenges”

PHONE LINK-UP: None for this hearing

LIVE VIDEO STREAM: <http://shum.senate.ca.gov/hearings>

NOTE: This is NOT CalChannel. This is special video linkup by the Senate Human Services Committee. Just prior to 1:30 PM this afternoon (the starting time of the hearing), a link will appear on the committee’s hearing webpage to access the live video stream of the hearing. Click on that. If persons encounter problems with the committee’s video stream contact Senator Beall’s State Capitol office at (916) 651-4015

## **AGENDA FOR OCTOBER 9<sup>TH</sup> INFORMATIONAL HEARING BY THE STATE SENATE HUMAN SERVICES COMMITTEE**

A PDF image copy (2 pages) of the October 9<sup>th</sup> informational hearing agenda can be viewed or downloaded from the State Senate Human Services Committee webpage at: <http://shum.senate.ca.gov/sites/shum.senate.ca.gov/files/10-09-14Agenda%20on%20letterhead.pdf>

CDCAN Note; PDF image documents are essentially photos of the original document and are not accessible and cannot be viewed by persons who are blind or have sight impairments using a screen reading device. CDCAN urges state agencies and legislative committees and offices to use word documents or pdf documents to make those documents accessible.

The complete agenda is reproduced (I retyped it) below for those who cannot view or download the document:

*SENATE*

*CALIFORNIA LEGISLATURE*

*State Capitol*

*Sacramento, California*

*95814*

*Senate Human Services Committee*

*Senator Jim Beall, Chair*

*Edward R. Roybal, Board of Public Works, Session Room 350*

*City Hall, 200 North Spring Street, Los Angeles, CA 90012*

*October 9, 2014, 1:30 to 3:30 p.m.*

*The Lanterman Act: Promises and Challenges**Agenda**Opening Remarks*

– Senator Jim Beall, Chair of the Senate Human Services Committee

*Where Are We Now?*

– Santi Rogers, Director, Department of Developmental Services

– Rashi Kesarwani, Senior Fiscal and Policy Analyst, Legislative Analyst's Office

– Nancy Bargmann, Deputy Director, Community Services Division, Department of Developmental Services

– Catherine Blakemore, Executive Director, Disability Rights California

*Challenges and Roadblocks to Providing Community Services*

– Eileen Richey, Director, Association of Regional Center Agencies

– Carol J. Bluiett, Case Manager, North Los Angeles Regional Center

– Steve Miller, Chief Executive Officer Emeritus, Tierra del Sol Foundation

– Talleen Zohrabian, client of North Los Angeles Regional Center

– Armineh Zohrabian, parent of Tallen Zohrabian'

*Emerging Trends*

– Sue North, Director, Government Affairs, California Disability Services Association

– Olivia Raynor, Director, the Tarjan Center at UCLA

– Larry Landauer, Executive Director, Regional Center of Orange County

*Public Comment*

Background Paper by the Senate Human Services Committee – PDF document copy (7 pages):

<http://shum.senate.ca.gov/sites/shum.senate.ca.gov/files>

[/10-09-14Background%20paper%20Lanterman%20Act%20hearing.pdf](http://shum.senate.ca.gov/sites/shum.senate.ca.gov/files/10-09-14Background%20paper%20Lanterman%20Act%20hearing.pdf)

Note: this document is accessible

Legislative Analyst Office (LAO) Overview of Major Department of Developmental Services Budget Solutions Affecting the Community Caseload—2003-2004 to 2014-2015 (for October 9, 2014 informational hearing) – PDF document copy (16 pages): <http://shum.senate.ca.gov/sites/shum.senate.ca.gov/files>

[/10-09-14%20LAO%20Final-Overview%20of%20Major%20DDS%20Budget%20Solutions.pdf](http://shum.senate.ca.gov/sites/shum.senate.ca.gov/files/10-09-14%20LAO%20Final-Overview%20of%20Major%20DDS%20Budget%20Solutions.pdf)

Note: this document is accessible

## **MAJOR CHANGE OCCURRING AND COMING IMPACTING PEOPLE WITH DEVELOPMENTAL DISABILITIES**

The Brown Administration Developmental Services task force – and Senate Human Services informational hearing, is convening during a year with wide spread massive changes occurring to health and human services, including health care and long term services and supports for children and adults with developmental and other disabilities, the blind, mental health needs, seniors and low income workers and families.

The changes include:

\* Federal Regulations on Home Care Overtime: Impact of federal regulations requiring in January 2015 the payment of overtime to various home care workers, including those funded through the 21 non-profit regional centers;

\* Minimum Wage Increases At State and Local Levels: impact of major increases in the State minimum wage and potential increases in various counties;

\* Medi-Cal Managed Care Including IHSS As A Medi-Cal Benefit in 8 Counties: a major shift by the federal government and State toward Medi-Cal managed care health plans to receive not only health

benefits – but also, beginning in 8 counties under the “Coordinated Care Initiative”, certain long term

services and supports including In-Home Supportive Services (IHSS), Community-Based Adult Services (CBAS) and Multipurpose Senior Services Program (MSSP) – which will all become in those counties Medi-Cal managed care benefits; implementation of a new Statewide IHSS Public Authority in those 8 counties;

\* Behavioral Health Treatment Medi-Cal Benefit – implementation of a new Medi-Cal behavioral health treatment benefit (effective September 15, 2014 – though those currently who are Medi-Cal eligible receiving regional center services will have a 12 month transition to the Medi-Cal benefit);

\* Workforce Innovation and Opportunity Act: implementation (beginning in July 2015) of the new provisions of the federal Workforce Innovation and Opportunity Act that could have major impact on students and adults with disabilities;

\* Self Determination: implementation of the new self determination program with a proposal to the federal government for matching funds expected by the end of October;

\* Developmental Center: enforcement action by the Department of Public Health against the Intermediate Care Facility services at the Sonoma Developmental Center in Eldridge, California.

\* Medicaid Home and Community-Based Services New Regulations: Overshadowing even all those major changes and issues is the widespread impact of final regulations by the Centers on Medicare and Medicaid Services (CMS) issued last January that call for sweeping new mandatory requirements for the qualities of home and community-based settings under Medicaid home and community-based services waivers, Community First Choice Option, and home and community-based services under a state's Medicaid plan. Those regulations include outlining what existing community-based settings that are not home and community-based (and not eligible for funding), those settings presumed not to be home and community-based, and setting forth compliance and transition requirements for the states. Those new requirements could mean dramatic changes to a wide range of existing community-based services and programs including regional center funded residential services, site based programs, especially sheltered workshops, work activity programs, day programs – and also similar programs funded and operated in other systems receiving Medicaid funded home and community-based services.

\* Other Pressures and Issues: other competing issues for public policy attention and funding include impact of the worst drought in California history; further demands for funding to cope with shift of State services to counties; push for restoration of other reductions in other areas of health and human services including Medi-Cal, SSI/SSP, child care, mental health, community-based adult services, and many other aging services; expansion of Medi-Cal and potential increases in costs related to the Affordable Care Act.

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