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# KERN REGIONAL CENTER

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Supporting Equality, Independence & Opportunity



## PRESENTS

### Understanding Self-Determination

**Bishop** - Wednesday, January 27, 2016 from 5pm to 7pm at Highland Mobile Home Park Adult Recreation Hall, 1440 McGregor Ave. Bishop Ca.

**Tehachapi** - Monday, February 8, 2016 from 5pm to 7pm at Tehachapi Police Department, 220 West C St., Tehachapi, CA.

**Ridgecrest** - Thursday, February 18, 2016 from 5pm to 7pm at Springhill Suites, 113 Sydnor St., Ridgecrest, CA.

**Bakersfield** - Monday, February 22, 2016 from 5pm to 6pm (**English**) at Kern Regional Center, Malibu Conference Room, 3300 No. Sillect Avenue, Bakersfield, CA.

**Bakersfield** - Monday, February 22, 2016 from 6:30pm to 7:30pm (**Spanish**) at Kern Regional Center, Malibu Conference Room, 3300 No. Sillect Avenue, Bakersfield, CA.

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**To RSVP Name, Event date and contact number to:**  
**Jean Morgan at [jmorgan@kernrc.org](mailto:jmorgan@kernrc.org) or at 661-822-1288 ext. 2210.**

Limited seating, RSVP Now for this event.  
**Maximum 35 attendees allowed.**

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The State passed a law allowing for a program called "Self-Determination". It is intended to allow families and adults with developmental disabilities to have more control over the purchase of needed services in the community. If you are served through Kern Regional Center, we invite you to attend this valuable training.

- \* What is Self-Determination?
  - \* Is it Right for Me?
  - \* How Does it Work?
  - \* How is it Different?
  - \* When can People Get Self Determination?
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*Pursuant to Government Code Section 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in the meeting, should contact our office by phone: (661)-822-1288 ext. 2210 or email [jmorgan@kernrc.org](mailto:jmorgan@kernrc.org) at least 5 days prior to the meeting.*

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# SELF-DETERMINATION

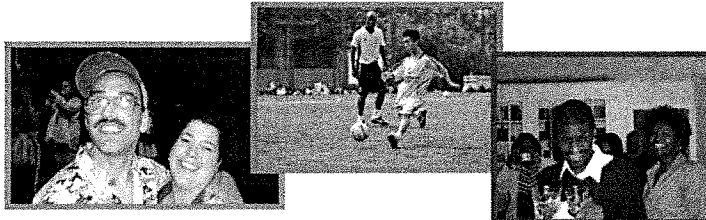
## What Is It, How Does it Work & Is It Right for Me?

Kern Regional Center



## Purpose of Meeting

- Self-Determination
  - What is it?
  - How does it work/How is it different?
  - Is it right for me?
- When can People Get Self-Determination?



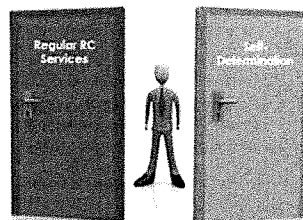
## Some History

- ❖ 1998: Five Self-Directed Services Pilot Projects started. KRC Inyo/Mono was selected with 36 participants.
- ❖ 2001: Pilots report high levels of satisfaction and recommend statewide expansion.
- ❖ 2002: Dot-com bubble bursts creating huge budget deficit. Self-Directed Services is put on hold.
- ❖ 2009: Individual Choice Budget added to W&I code.
- ❖ 2014: Three governors and 13 years later, Senate Bill 468 passes making Self-Determination a reality.
- ❖ 2015: Program **still pending approval** of federal Medicaid funding.

## What Is Self-Determination?

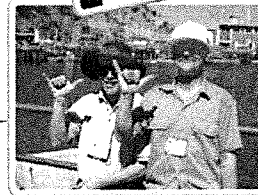
A New Option

- Major change to the Lanterman Act
- Differs from traditional regional center services
- Creates a new way to access services.



## The Five Principles of Self-Determination

**Freedom  
Authority  
Support  
Responsibility  
Confirmation**



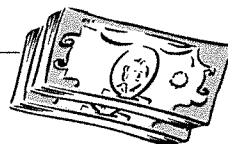
## **Responsibility**



- ❖ It may be your budget, but it is still the taxpayers' money and you have the **RESPONSIBILITY** to spend it wisely.
- ❖ If there's a problem, it's your **RESPONSIBILITY** to handle the problem.
- ❖ You cannot ask the regional center for help because it's your **RESPONSIBILITY**, not theirs.

## How It Works: Your Individual Budget

- Based upon the cost of services used over the previous 12 months;
- Re-determined each year;
- Divided into service categories (10% of budget can be shifted from one category to another);
- Pays for the Financial Management Service (FMS) and Independent Facilitator (optional);
- May be adjusted based on changing circumstances or unaddressed needs.



## What is the roll of an Independent Facilitator\*?

- Assist with the Person-Centered Plan.
- Assist with planning and maintaining of the individualized budget.
- Can assist with developing a network of support.
- Can help find providers, negotiate rates, hours of service, and working agreements, and make sure providers live up to the agreements made.
- Can help mediate issues with providers.

*\*You pay for the facilitator out of your budget. But you don't have to hire a facilitator. It's up to you.*

## Financial Management Service

- Receives funds allocated to the person's budget and makes payments to service providers.
- Keeps track of services provided and maintains financial records.
- Takes care of taxes, workers' compensation, liability insurance, and assists with verifying provider qualifications.
- Provides expenditure reports.



## Traditional Services vs. Self-Determination Requesting a Service

### Traditional

- Person wants a particular therapy.
- Person has tried all programs available via traditional services and none meet needs.
- Need has been established, but the therapy is not available in the area, or, is not vendored.



### Self-Determination

- Person wants this particular therapy.
- Person makes sure budget category is in their PCP/IPP.
- Person makes sure there's enough money in budget category to pay for this therapy.
- Person talks with the therapist and comes to an agreement about hours & rate.
- Person gives hours & rate info to FMS who makes sure the therapist has required certification and that staff don't have criminal records.
- Person starts receiving therapy.

## Traditional Services vs. Self-Determination Requesting a Service

### Traditional

- Person would like a job in their local community.
- Person lives in a rural community where there is no supported employment or job coaching available.
- Person needs to travel to another community where there is a program, or, attend a program that does not meet his/her needs.

### Self-Determination

- Person makes sure budget category is in their PCP/IPP
- Person looks for job or uses an independent facilitator to help find a job.
- Person finds someone to provide job coaching and they come to an agreement about the rate.
- Information is given to FMS.
- Service begins.

## Roles & Responsibilities: Budget

### Regional Center

- Receives funding from the Department of Developmental Services (DDS).
- Annual purchase of service budget funds services for all clients within 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 receives your budget money from your regional center.
- You get your money 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.

## Roles & Responsibilities: Service Coordination vs. You



### Service Coordinator

- Has a caseload of approximately 66.
- Funding requests are processed through purchase of service review.
- Must follow state purchase of service standards that require consideration of "cost-effectiveness."

### You

- Have a caseload of one.
- Don't have to make requests or get approval.
- Must make sure there's enough money in the budget and budget category.
- Have full responsibility and are answerable only to yourself.

## Roles & Responsibilities: Service Providers

### Traditional

- Providers are vendored and under legal and contractual requirements.
- Must provide services per their program design.
- Rates of payment are set at the time of vendorization.
- Providers are unable to provide services outside the scope of their vendor agreement.

### Self-Determination

- Workers you hire can be vendored or not and are under your legal and contractual authority.
- Workers you hire will provide the type and amount of services you agreed to at the rate of payment you agreed to.
- You have the authority to tailor services and set your own standards.
- Your workers must pass a background check.



## Is Self-Determination Right for Me?

- Ask these questions:

- Do you have a complicated life or complex needs that require creative solutions?
- Do you need or want unique services not typically available through the regional center?
- Do you want to start a business, or seek a job or training that is different than is currently available?
- Do you live in a rural area where there is a lack of services and supports?
- Are you ready to take on the responsibility?



## Initial Implementation

- Soft roll out

- ❖ 2500 participants statewide during the three year phase-in period;
- ❖ At this time, KRC can enroll up to 67 participants during the three year phase-in period. This number is subject to change.
- ❖ Participant selection:
  - Enrollment must reflect disability, ethnic and geographic diversity of the KRC three-county area.
  - Participants will be **randomly selected by DDS** based on above criteria as well as eligibility.

## Who Is Eligible?



You or your family member must:

- ❖ Be eligible for regional center services under the Lanterman Act (age 3 or older)
- ❖ Live at home or in the community.
- ❖ Attend Self-Determination orientation and training, and agree to work with a Financial Management Service.
- ❖ You are NOT eligible if you live in a licensed, long-term health facility such as a developmental center, skilled nursing facility, or an Intermediate Care Facility.

## How It Works: The Basics



- If you are interested in Self-determination, ask to be placed on the interest list.
- Agree to abide by the rules and live within the limits of your Individual Budget.
- Develop a Person-Centered Plan and IPP that reflect your vision in the different areas of your life and set goals.
- Hire an Independent Facilitator, if desired.
- Hire a Financial Management Service (FMS).
- Work with your FMS to hire and pay the people who work for you.

## Local Advisory Committee

“Each regional center shall establish a local volunteer advisory committee to provide oversight of the Self-Determination Program.”



## Local Advisory Committee

- Member are:
  - ❖ Regional Center Clients' Rights Advocate, consumers, family members, and other advocates, and community leaders.
- Appointees were:
  - ❖ The regional center, the Sequoia Regional and San Bernardino Offices, Office of the State Council on Developmental Disabilities (SCDD) and Office of Clients Rights Advocate (OCRA).
- A majority of the committee members are consumers and family members.
- The committee reflects the multicultural diversity and geographic profile of KRC's catchment area.

## Timelines



- Program awaiting approval of federal funding through Medicaid waiver.
- Once the state application is accepted by CMS, CMS must respond within 90 days.
- When approved, implementation of the three-year phase in will begin.

## Resources

- Disability Rights California SD Publication:  
<http://www.disabilityrightscalifornia.org/pubs/F07701.pdf>
- The Center for Self-Determination:  
<http://www.centerforself-determination.com/>
- Senate Bill 468: [http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb\\_0451-0500/sb\\_468\\_bill\\_20131009\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0451-0500/sb_468_bill_20131009_chaptered.pdf)
- Sequoia Regional Office:  
<http://scdd.ca.gov/sequoia.htm>
- Department of Developmental Services  
<http://www.dds.ca.gov/SDP/Index.cfm>

## Frequently Asked Questions

- ***Can I move money around in my budget?***
  - You can transfer up to 10% of your funds from one budget category to another.
- ***What happens if I move to a different regional center?***
  - You can stay in Self-Determination as long as you are still eligible.
- ***What if I want to leave the Self-Determination Program or I become ineligible for some reason?***
  - The regional center will help you transition back to traditional services.

## Frequently Asked Questions

- ***What if I disagree with the regional center about my eligibility or the amount of money in my budget?***
  - You can appeal the same way you would under traditional services.
- ***Am I still required to access generic resources?***
  - Yes. Services and supports through Self-Determination can only be utilized when generic services and supports are not available.
- ***If I leave Self-Determination by choice can I return?***
  - Yes. You can return 12 months later.

# Questions?

