



NOTICE OF PUBLIC HEARING

Increase of Financial Management Services reimbursement rates for Participant-Directed Services

DATE: May 18, 2023

TIME: 6:00 – 7:30 pm

Registration Link: <https://www.eventbrite.com/e/621950279027>

I. BACKGROUND AND SUMMARY OF PROPOSAL

Traditionally, San Diego Regional Center (SDRC) individuals have been able to access services through providers who are vendored through SDRC. With Participant-Directed Services (PDS), individuals have more flexibility and control over how, when, and by whom some services are provided to them. Services that are included within PDS are: respite, day care, non-medical transportation, nursing, community-based training services, personal assistance, independent living skills, and supported employment services. In order for individuals to access PDS, they must work with a Financial Management Services (FMS) agency that assists with the management and funding of these services. In order for regional center individuals to participate in PDS, SDRC must have FMS agencies who are willing to be vendorized to provide them. Currently vendored FMS agencies have indicated that the Department of Developmental Services (DDS)-set rates for FMS PDS are insufficient for them to take on this additional responsibility. Because PDS is a needed and desired service-delivery model, SDRC is seeking increased FMS/PDS rates in order to expand the capacity of FMS agencies and service providers to support and offer PDS.

II. STATUTE

Statute in Title 17 California Code of Regulation (CCR), Subchapter 22, Article 3, Section 58888 outlines Participant-Directed Services Rate-Setting Provisions. Updated DDS-set PDS rates were provided to SDRC effective January 1, 2023. WIC 4690 and Lanterman Act 4519.8(1) and 4519.10(8) define responsibilities of DDS to set rates to assure that regional centers are able to secure high-quality vendored services and allow a person-centered approach and choice of providers for the individuals we serve.

III. ANALYSIS OF THE EFFECT OF THE PROPOSAL ON THE REGIONAL CENTER BUDGET AND THE STATE BUDGET

The impact on the budget is limited to the cost of the FMS monthly fee, Fiscal Agent, service code 490, Co-Employer, service code 491 per consumer.

IV. THE IMPACT OF REGIONAL CENTER SYSTEM

SDRC individuals and families have expressed the need and desire to obtain PDS, due to various reasons including the limitation of vendored service providers and unavailability of specific services in certain regions of the SDRC catchment area. The proposed increase of FMS PDS rates would seek to increase FMS capacity and willingness to participate in and offer PDS which would expand the options available for individuals to receive those specific services. With more FMS agencies who are willing and able to provide PDS, SDRC would be able to better serve the individuals we support. Being able to execute the PDS model would allow for greater access, consumer choice, and flexibility for SDRC individuals. Payment for the services would be dependent upon availability of State funding, pursuant to CCR, Title 17, Section 50609(c). Further, FMS services, service codes 490 & 491, are billable under the Home and Community Based Services (“HCBS”) Waiver.

V. THE IMPACT ON CONSUMERS SERVED UNDER THE PROPOSAL

SDRC individuals would continue to receive services through a process of individualized needs and determination through the person-centered Individualized Program Plan (IPP) process, pursuant to Welfare and Institutions Code (WIC) Section 4646 and 4646.5. The approval of the proposed increase of FMS PDS rates would seek to expand the capacity and participation of FMS within the PDS model. With more FMS agencies being willing and able to provide PDS, SDRC individuals requiring more individualized services or services that are currently not available or are in limited capacity through vendored providers, would be able to receive the support and enrichment that they are entitled to by virtue of Lanterman Act 4511.5(a)(2). The availability of PDS would increase access to services by increasing resources without creating financial burden to individuals and families.

VI. LIST OF STATUTES AND REGULATIONS THAT WILL BE WAIVED UNDER THE PROPOSAL

Title 17 California Code of Regulation (CCR), Subchapter 22, Article 3, Section 58888 which outlines the DDS-set rates for FMS/PDS. WIC, 4648(a)(3) and WIC, 4648(4), 56029(s), 50608(d), 50612(a)(b)(1)a-c, and CCR Title 17, Section 54326(a)(10) require vendorization, purchase of service authorization, and for services to be provided prior to payment. DDS Directive dated March 30, 2020 reiterates the need for PDS to be obtained and managed through an FMS and notes the DDS-set FMS PDS rate.

VII. PUBLICATION AND WRITTEN COMMENT

The Notice of Public Hearing will be available on SDRC's website at www.sdrc.org ten (10) days from this Notice. Written comments regarding the proposed development may be submitted to SDRC at the following address or email:

Community Services Department
San Diego Regional Center
4355 Ruffin Rd.,
San Diego, CA 92123
ATTN: Miguel Larios, Director of Community Services
communityservices@sdrc.org

The deadline for all written comments is Tuesday, May 30, 2023. Should you have any further questions about this information, please contact SDRC's Community Services Department at either communityservices@sdrc.org or 858-576-2827.