



San Diego Regional Center
4355 Ruffin Road, San Diego, CA 92123
858-576-2996 / www.sdrc.org

Serving individuals with developmental disabilities in San Diego and Imperial Counties

October 12, 2023

To: San Diego Regional Center Clients, Families, and Community

In a letter received June 13, 2023, from the Department of Developmental Services (DDS), they have found the San Diego Regional Center (SDRC) out of compliance with the requirements in Section 4640.6 (c) of the Welfare and Institutions (W&I) Code. This section in the law requires that regional centers maintain service coordinator-to-client caseload ratios at or below specified averages. A copy of the letter from the DDS is enclosed for reference.

For clients enrolled on the Home and Community-Based Services Waiver the caseload ratio in the SDRC March 2023 caseload ratio data report was 1:81 (the required caseload ratio is 1:62); for clients who are younger than the age of six years the caseload ratio was 1:63 (the required caseload is 1:40) for clients who are younger than the age of two years the caseload ratio was 1:69 (the required caseload is 1:62); and, for clients who are older than the age of five years and are not on the Home and Community-Based Services Waiver and have not moved from a developmental center the caseload ratio was 1:82 (the required caseload ratio is 1:66).

Section 4640.6 (f) of the W&I Code requires that a plan of correction be developed by a regional center that does not comply with the caseload ratio requirements for two consecutive reporting periods. The final plan will be developed following input from the state council, local organizations representing clients, clients and family members, regional center employees, service providers, and other interested parties.

Please read the attached draft caseload ratio plan of correction that I propose to send to DDS. In accordance with Section 4640.6 (f) of the W&I Code your input is requested. If you would like to provide input, please submit it by e-mail to ratio.input@sdrc.org; by fax to (858) 576-2873; or, through the United States Postal Service, addressed to Mark Klaus, Executive Director, San Diego Regional Center, 4355 Ruffin Road, San Diego, California, 92123. In order to be considered, your input must be received by the SDRC by November 30, 2023. You are also invited to attend a public meeting to discuss the draft caseload ratio plan of correction. The meeting is scheduled for 6:00 p.m. on November 27, 2023, via Zoom. Please visit <https://sdrc.org/news> to register for this meeting.

Sincerely,

Mark Klaus
Executive Director

Enclosures: SDRC Draft Caseload Ratio Plan of Correction
Letter from DDS dated June 13, 2023
Sections 4640.6 (c), (d), (e), and (f) of the W&I Code



NANCY BARGMANN
DIRECTOR

State of California—Health and Human Services Agency
Department of Developmental Services
1215 O Street, Sacramento, CA 95814
www.dds.ca.gov



GAVIN NEWSOM
GOVERNOR

June 13, 2023

Mark Klaus, Executive Director
San Diego Regional Center
4355 Ruffin Road Suite 200
San Diego, CA 92123-1648

Dear Mr. Klaus:

Thank you for completing the service coordinator caseload ratio survey and questionnaire submitted to the Department of Developmental Services (Department) on March 20, 2023. San Diego Regional Center's (SDRC) data from the questionnaire reflects that 66% of the new service coordinator (SC) positions, for which funding was appropriated in the Budget Act of 2022 (AB178), have been filled as of March 1, 2023:

Budget Act of 2022 (AB 178) Funded SC Positions			Total SCs for the RC*
Total SC positions funded	Total SC positions hired	Total SC positions vacant	
119	79	40	540

* Includes SC positions not funded with AB 178 funding.

The February 14, 2023, service coordinator caseload ratio survey guidelines also required SDRC to report on current caseloads as of March 1, 2023. SDRC did not meet all the required ratios mandated by Welfare & Institutions (W&I) Code section 4640.6(c) and Article IX, Section 2 of the Fiscal Year 2022-2023 Regional Center Contract. Specifically, SDRC did not meet the required caseload ratios for the highlighted categories noted in the table below:

Regional Center	On Waiver	Under 6 Years	Movers Over 24 Months	Movers Between 12 and 24 Months	Movers Within Last 12 Months	Over 5 Years, Non-Years, Waiver, Non-Mover	Complex Needs	Low or No POS
W&I Code Required Ratios	1:62	1:40	1:62	1:45	1:45	1:66	1:25	1:40

Mark Klaus, Executive Director
June 13, 2023
Page two

SDRC Number of Individuals Served	10,066	10,274	77	0	0	16,890	121	206
SDRC Ratios	1:81	1:63	1:69	N/A	N/A	1:82	1:21	1:34

This letter is to notify you that, as specified by W&I Code section 4640.6(f), SDRC is required to submit a plan of correction when caseload ratios are not met for two consecutive reporting periods. The plan of correction must be developed with input from the State Council on Developmental Disabilities, local organizations representing the individuals you serve, their family members, regional center employees, including recognized labor organizations, service providers, and other interested parties. Please include in your plan of correction how you incorporated feedback from all required stakeholders.

W&I Code section 4640.6(c)(5) requires an average caseload of 1 to 40 for consumers on the allocated enhanced service coordination positions. SDRC data reflects all Enhanced Service Coordination positions allocated to your RC have been filled.

The Department encourages SDRC to continuously review the process for determining service coordinator caseload assignments to assist in meeting the required caseload ratios and in developing the plan of correction. The Department is available to provide technical assistance with the development of the plan of correction.

Please email your plan of correction within 60 days from the date of this letter to:

OCO@dds.ca.gov

If you have questions regarding this letter, please contact Danielle Hurley, Research Data Specialist, Research, Evaluation, and Audit Branch, at (916) 654-3228, or by email, at danielle.hurley@dds.ca.gov.

Sincerely,



ERNIE CRUZ
Deputy Director
Community Services Division

cc: See next page

Mark Klaus, Executive Director
June 13, 2023
Page three

cc: Norma Ramos, San Diego Regional Center
Amy Westling, Association of Regional Center Agencies
Brian Winfield, Department of Developmental Services
Aaron Christian, Department of Developmental Services
Jacqueline Gaytan, Department of Developmental Services
Ann Nakamura, Department of Developmental Services
Charles Liao, Department of Developmental Services
Danielle Hurley, Department of Developmental Services
Steven Pavlov, Department of Developmental Services
Edwin Pineda, Department of Developmental Services

DRAFT

Ernie Cruz, Deputy Director
Office of Community Services
Department of Developmental Services
1215 O Street, MS 8-20
Sacramento, CA 95814

Dear Mr. Cruz:

This is the plan of correction for the San Diego Regional Center as required in Section 4640.6 (f) of the Welfare & Institutions Code (W&I). In your letter dated June 13, 2023, you informed me that the San Diego Regional Center (SDRC) did not meet the required caseload ratios based on caseload ratio data submitted to the Department of Developmental Services (DDS) on March 20, 2023. Enclosed is a copy of your letter for reference.

For clients enrolled on the Home and Community-Based Services Waiver, the caseload ratio in the SDRC March 2023 caseload ratio data report was 1:81 (the required caseload ratio is 1:62); for clients who are younger than the age of six years the caseload ratio was 1:63 (the required caseload is 1:40) for clients who are younger than the age of two years the caseload ratio was 1:69 (the required caseload is 1:62); and, for clients who are older than the age of five years and are not on the Home and Community-Based Services Waiver and have not moved from a developmental center the caseload ratio was 1:82 (the required caseload ratio is 1:66).

The SDRC continues to experience a tremendous rate of client growth. Last fiscal year, the total SDRC caseload grew by 3,159 clients to a total of 39,830. The rate of growth was 8.6% for the last fiscal year. At the end of August 2023, the total number of clients being served was 40,305.

In spite of efforts that succeeded in hiring 196 new staff over the last fiscal year, we experienced a staff turnover rate of 14.6%. We received the letters of intent for the E-1 contract amendment and the operations allocation for this fiscal year on Monday, October 2, 2023. We anticipate being able to hire an additional 150 service coordinators in fiscal year 2023-2024.

Letters requesting input on this plan were sent to the regional manager of the State Council on Developmental Disabilities San Diego Imperial Regional Office; the chair of People First Imperial Valley; the chair of People First San Diego County; all SDRC employees; members of the San Diego Regional Center Vendor Advisory Committee; and, members of the Developmental Disabilities Provider Network. A notice was also posted on the SDRC website, SDRC Twitter, and SDRC Facebook Page, requesting input from clients, family members, and community members. Copies of your letter and Section 4640.6 (c) of the W&I Code were attached to the letters and notices. Copies of the letters and notices are enclosed.

SDRC Caseload Ratio Plan of Correction

Page 2 of 2

Notice for a public meeting to obtain input on this plan was posted on the SDRC website, SDRC Twitter, and SDRC Facebook Page 30 days in advance of the scheduled meeting date of November 27, 2023.

If you have questions, please call me at (858) 576-2933.

Sincerely,

Mark Klaus
Executive Director

ENCLOSURES

c: Board of Directors, San Diego-Imperial Counties Developmental Services, Inc.
Amy Westling, Association of Regional Center Agencies

consider the views of regional center contracting agencies, the state council, and persons with a demonstrated and direct interest in developmental disabilities.

(Amended by Stats. 1998, Ch. 1043, Sec. 4. Effective January 1, 1999.)

4640.6. (a) In approving regional center contracts, the department shall ensure that regional center staffing patterns demonstrate that direct service coordination are the highest priority.

(b) Contracts between the department and regional centers shall require that regional centers implement an emergency response system that ensures that a regional center staff person will respond to a consumer, or individual acting on behalf of a consumer, within two hours of the time an emergency call is placed. This emergency response system shall be operational 24 hours per day, 365 days per year.

(c) Contracts between the department and regional centers shall require regional centers to have service coordinator-to-consumer ratios, as follows:

(1) An average service coordinator-to-consumer ratio of 1 to 62 for all consumers who have not moved from the developmental centers to the community since April 14, 1993. In no case shall a service coordinator for these consumers have an assigned caseload in excess of 79 consumers for more than 60 days.

(2) An average service coordinator-to-consumer ratio of 1 to 45 for all consumers who have moved from a developmental center to the community since April 14, 1993. In no case shall a service coordinator for these consumers have an assigned caseload in excess of 59 consumers for more than 60 days.

(3) The following coordinator-to-consumer ratios shall apply:

(A) All consumers enrolled in the Home and Community-based Services Waiver program for persons with developmental disabilities, an average service coordinator-to-consumer ratio of 1 to 62.

(B) All consumers who have moved from a developmental center to the community since April 14, 1993, and have lived continuously in the community for at least 12 months, an average service coordinator-to-consumer ratio of 1 to 62.

(C) All consumers who have not moved from the developmental centers to the community since April 14, 1993, and who are not described in subparagraph (A), an average service coordinator-to-consumer ratio of 1 to 66.

(4) Notwithstanding paragraphs (1) to (3), inclusive, an average service coordinator-to-consumer ratio of 1 to 40 for all consumers five years of age and younger.

(5) (A) Notwithstanding paragraphs (1) to (3), inclusive, enhanced service coordination, including a service coordinator-to-consumer ratio of 1 to 40, shall be available to consumers identified as having low or no purchase-of-service expenditures, as identified in the annual Budget Act.

(B) Enhanced service coordination, including the coordinator-to-consumer ratio specified in this paragraph shall be available to specified consumers until one of the following criteria are met:

(i) The family or consumer is no longer interested in receiving enhanced service coordination.

(ii) All of the consumer's identified service needs have been thoroughly explored and offered.

(iii) All information and training were provided to the family and consumer and the consumer's focused support goals were completed.

(iv) The family or consumer feels confident that they can continue to receive the assistance they need to be successful without receiving enhanced service coordination.

(C) For the purposes of this paragraph, “enhanced service coordination” may include, but is not limited to, all of the following:

- (i) Regular contact, via telephone or video, with consumers or their families.
- (ii) Maintaining no less than quarterly contact with consumers or their families.
- (iii) Having annual individual program plan or individual family service plan meetings.

(6) (A) Notwithstanding paragraphs (1) to (3), inclusive, an average service coordinator-to-consumer ratio of 1 to 25 for all consumers with complex needs.

(B) The coordinator-to-consumer ratio specified in this paragraph shall not be authorized for a consumer for more than 12 months after the consumer is no longer receiving the services described in clause (i) or (ii) of subparagraph (C), after the consumer is no longer placed in a facility described in clause (iii), (iv), (v), (vi), (vii), or (viii) of subparagraph (C), or after the department has made the determination described in clause (ix) of subparagraph (C), unless an extension is granted. An extension shall be based on a new and complete comprehensive assessment of the consumer’s needs. An extension may be granted one time, and shall not exceed six months.

(C) For the purposes of this paragraph, a “consumer with complex needs” means a consumer who is any of the following:

- (i) Receiving regional center-funded mobile crisis services by a department-approved vendor, or has received those services within the past six months.
- (ii) Receiving state-operated crisis assessment stabilization team services, or has received those services within the past six months.

(iii) Placed in a community crisis home, as defined in Section 4698.

(iv) Placed in an acute crisis home operated by the department, pursuant to Section 4418.7.

(v) Placed in a locked psychiatric setting or has been placed in a locked psychiatric setting in the past six months.

(vi) Placed in an institution for mental disease, as described in Part 5 (commencing with Section 5900) of Division 5.

(vii) Placed out of state as a result of appropriate services being unavailable within the state, pursuant to Section 4519.

(viii) Placed in a county jail and eligible for diversion pursuant to Chapter 2.8 (commencing with Section 1001.20) of Title 6 of Part 2 of the Penal Code or found incompetent to stand trial as described in Section 1370.1 of the Penal Code.

(ix) A person the department has determined cannot be safely served in a developmental center, as described in Section 6510.5.

(7) For purposes of paragraph (3), service coordinators may have a mixed caseload of consumers three years of age and younger, consumers enrolled in the Home and Community-based Services Waiver program for persons with developmental disabilities, and other consumers if the overall average caseload is weighted proportionately to ensure that overall regional center average service coordinator-to-consumer ratios as specified in paragraph (3) are met. For purposes of paragraph (3), in no case shall a service coordinator have an assigned caseload in excess of 84 for more than 60 days.

(d) For purposes of this section, “service coordinator” means a regional center employee whose primary responsibility includes preparing, implementing, and monitoring consumers’ individual program plans, securing and coordinating consumer services and supports, and providing placement and monitoring activities.

(e) In order to ensure that caseload ratios are maintained pursuant to this section, each regional center shall provide service coordinator caseload data to the department, annually for each fiscal year. The data shall be submitted in the format, including the content, prescribed by the department. Within 30 days of receipt of data submitted pursuant to this subdivision, the department shall make a summary of the data available to the public upon request. The department shall verify the accuracy of the data when conducting regional center fiscal audits. Data submitted by regional centers pursuant to this subdivision shall:

(1) Only include data on service coordinator positions as defined in subdivision (d). Regional centers shall identify the number of positions that perform service coordinator duties on less than a full-time basis. Staffing ratios reported pursuant to this subdivision shall reflect the appropriate proportionality of these staff to consumers served.

(2) Be reported separately for service coordinators whose caseload includes any of the following:

(A) Consumers who are three years of age and older and who have not moved from the developmental center to the community since April 14, 1993.

(B) Consumers who have moved from a developmental center to the community since April 14, 1993.

(C) Consumers who are younger than three years of age.

(D) Consumers enrolled in the Home and Community-based Services Waiver program.

(3) Not include positions that are vacant for more than 60 days or new positions established within 60 days of the reporting month that are still vacant.

(4) For purposes of calculating caseload ratios for consumers enrolled in the Home and Community-based Services Waiver program, vacancies shall not be included in the calculations.

(f) The department shall provide technical assistance and require a plan of correction for any regional center that, for two consecutive reporting periods, fails to maintain service coordinator caseload ratios required by this section or otherwise demonstrates an inability to maintain appropriate staffing patterns pursuant to this section. Plans of correction shall be developed following input from the state council, local organizations representing consumers, family members, regional center employees, including recognized labor organizations, and service providers, and other interested parties.

(g) Each time that new funds are appropriated in the annual Budget Act to the department for allocation to regional centers with the stated purpose of reducing caseload ratios, both of the following shall occur:

(1) Each regional center shall hold at least one public meeting during that year to receive stakeholder input to help inform the way the regional center allocates new positions funded through the allocation to that regional center. Stakeholders may include the state council, local organizations representing consumers, family members, community-based organizations that represent the ethnic and language diversity of the regional center catchment area, regional center employees, including