

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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June 5, 2015

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: SELF-DETERMINATION PROGRAM IMPLEMENTATION UPDATE

The purpose of this memo is to provide an update on activities and information related to implementation of the Self-Determination Program (SDP); specifically, the status of the SDP Home and Community-Based Services (HCBS) Waiver application to the Centers for Medicare and Medicaid Services (CMS); the establishment of the SDP Local Volunteer Advisory Committees; and, the SDP enrollment process. For additional information about SDP, visit the Department of Developmental Services' (Department) SDP website at [www.dds.ca.gov/sdp](http://www.dds.ca.gov/sdp).

**SDP Waiver Application Status**

As required by law, securing federal funding is necessary to implement the SDP. To that end, an HCBS Waiver application was submitted to CMS on December 31, 2014. Subsequently, CMS asked follow-up questions related to recently enacted federal regulations and policies regarding 1) public input for Waiver applications; and, 2) federal requirements for HCBS settings. The Department, in conjunction with the Department of Health Care Services, has had a number of discussions with CMS and provided follow-up information CMS requested. CMS is currently reviewing the final draft of the plan to address the public input and settings requirements. During a conference call on May 1, 2015, CMS stated their conceptual agreement with the plan. As such, it is anticipated CMS will soon provide direction to move forward with the Wavier application. At that time, the revised Waiver application will be posted on the Department's website for 30 days prior to being formally resubmitted to CMS. Once resubmitted, CMS will have 90 days to take one of three actions on the Waiver application: approve; deny; or, request additional information. In the event CMS requests additional information to clarify other portions of the Waiver application, it is feasible that there may be an extended review period beyond the 90 days.

**"Building Partnerships, Supporting Choices"**

### **Additional SDP Implementation Activities and Updates**

Federal approval of the Waiver application is just one of the many steps that must be taken prior to implementation of the SDP. Following are key updates:

- **Local Volunteer Advisory Committees** – As required by law, each regional center must establish a Local Volunteer Advisory Committee to ensure effective implementation of the SDP and facilitate the sharing of best practices and training materials. Members of these committees are appointed by the regional center and the Regional Office of the State Council on Developmental Disabilities (SCDD). The committee members must include consumers, family members, the regional center clients' rights advocate, other advocates and community leaders, and must reflect the multicultural diversity and geographic profile of the catchment area. Based on an agreement between SCDD, the Association of Regional Center Agencies, Disability Rights California and the Department, each Local Volunteer Advisory Committee will establish their local advisory committee and hold their first meeting no later than July 1, 2015.
- **SDP Enrollment Process** – During the first three years of the SDP, enrollment is limited to 2,500 consumers. To guide the selection of these 2,500 consumers, the SDP stakeholder advisory group identified the following steps as necessary for a fair and equitable process.
  - **Outreach** – Consumers and families must be aware of self-determination as an option. To assist with the provision of widespread outreach and awareness of the SDP, the Department is developing an informational video that features consumers and families currently in the self-determination pilot project as well as those who are interested in the SDP. The informational video, which will be available in multiple languages, will be completed in the summer of 2015.
  - **Information** – Once aware of SDP, consumers and families must be informed about this new option, including the new opportunities and increased responsibilities. Therefore, interested consumers and families will be required to participate in an informational/pre-enrollment meeting covering topics identified by the Department, including, information regarding the principles of self-determination, the role of the financial management services provider and the development of an individual budget. It is important people have this detailed information prior to being considered for enrollment in the SDP.

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- Selection – Regional centers will forward to the Department the names of those who have participated in an informational/pre-enrollment meeting and are interested in participating in the SDP. To ensure the SDP is available on an equitable basis, the number of participants in each regional center will be based on the relative percentage of total consumers served by all regional centers, minus the remaining self-determination pilot project participants. The Department will then randomly select the participants based on the following demographic factors within each regional center: age, gender, ethnicity and disability diagnosis. Consumers not initially selected will remain on the interest list for potential future openings. A more detailed description of the enrollment process can be found on the Department's SDP website, located at [www.dds.ca.gov/SDP/SDPUpdates.cfm](http://www.dds.ca.gov/SDP/SDPUpdates.cfm).

The Department will continue to work in conjunction with the SDP stakeholder advisory group as we progress toward implementation of the SDP and will continue to provide periodic updates on the SDP website. For questions regarding this correspondence, please contact Jim Knight, Assistant Deputy Director, Office of Federal Programs and Fiscal Support, at [jim.knight@dds.ca.gov](mailto:jim.knight@dds.ca.gov) or (916) 654-2759.

Sincerely,

*Original signed by*

NANCY BARGMANN  
Deputy Director  
Community Services Division

cc: Regional Center Chief Administrators  
Regional Center Chief Counselors  
Association of Regional Center Agencies  
State Council on Developmental Disabilities  
Disability Rights California  
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