

May 4, 2023

Department of Developmental Services  
P. O. Box 944202  
Sacramento, California 94244-2020  
Nancy Bargmann, Director

Ms. Bargmann,

This letter is being written on behalf of the Eastern Los Angeles Regional Center (ELARC) Self-Determination Program (SDP) Local Volunteer Advisory Committee (LVAC.) As you know, LVACs are responsible for providing oversight to the implementation of the SDP at their Regional Centers. In our work over the years serving the ELARC community, one issue has continuously been an area of concern brought to our attention by individuals served, their families, service providers (both SDP and traditional vendors,) Independent Facilitators, Financial Management Services providers, and ELARC staff. That issue is the current state of FMS resources.

There is a FMS crisis in our community and we know extends statewide. There is a lack of FMS providers. There are waiting lists for FMS providers to the point where individuals are unable to start in SDP for months. There are inconsistent practices and quality of services amongst current FMS providers. In our community, we have families who have staff who are not being paid at the rate in their spending plans because the FMS refuses to abide by the spending plan. We have families on hold for hours to speak with FMS on basic issues. We have FMS who do not reply to participants inquiries or provide updated reports. Additionally, some FMS set a limit on the size of the budget they will take (e.g. under \$30,000). Some have told participants that they don't take families with too many service providers or cases that are too complicated. Our LVAC is concerned that these practices are discriminatory to families with high needs.

At the local level, ELARC addresses these concerns as quality assurance matters however the problems persist and in fact seem to be growing. We see this as a problem requiring a state level intervention. We acknowledge the recent revision to FMS rates per the April 26, 2023 DDS directive. We also understand there is a state level FMS workgroup which is working towards streamlining FMS efficiency with a budget category change. However these actions do not fully address or seem to be paced at the level to rectify this immediate crisis.

The individuals served, the Regional Centers, and the state risk facing serious issues up to and including potential for labor law violations, breach of contracts, and lawsuits if this FMS crisis persists. The SDP itself faces collapse without a stable, reliable, quality system of FMS resource delivery.

We suggest the Department of Developmental Services create a temporary FMS Crisis Team staffed by DDS to immediately work to resolve this issue. If emergency regulations need to be

developed that outline clear FMS responsibilities and quality standards beyond those in statute and the approved waiver, this must be done at the state level. We suggest DDS also develop emergency regulations that allow regional centers to fund a participant's SDP services through the traditional system temporarily until that individual's FMS issue is resolved to avoid interrupting services. These actions must be done quicker than the current pace of actions being taken to address this matter.

Thank you,



Cathay Liu  
ELARC SDP LVAC Chair

cc: Gloria Wong, ELARC Executive Director  
Aaron Carruthers, State Council on Developmental Disabilities Executive Director  
Vivianna Barnwell, Co-Chairperson Statewide Self Determination Advisory Committee  
Rick Wood, Co-Chairperson Statewide Self Determination Advisory Committee