

SELF-DETERMINATION PROGRAM BACKGROUND

1. WHAT IS SELF DETERMINATION?

- a. “Self-determination” means a voluntary delivery system consisting of a defined and comprehensive mix of services and supports, selected and directed by a participant through person-centered planning, in order to meet the objectives in his or her Individual Program Plan (IPP). Self-determination services and supports are designed to assist the participant to achieve personally defined outcomes in community settings that promote inclusion.ⁱ
- b. The Self-Determination Program (SDP) only funds services and supports that the federal Centers for Medicare and Medicaid Services determines are eligible for federal financial participation.ⁱⁱ
- c. The SDP is a program where an individual (or his or her parents or legal representative) is given a specific budget from which they can purchase the services and supports that they need to make their person-centered service plan work for them. Individuals will have more flexibility and choice, and greater control over selecting their services and supports, in order to meet their own needs.
- d. Five Principles of SDPⁱⁱⁱ
 - i. **Freedom** – To exercise the same rights as all citizens. Individuals can freely choose where and with whom they live, how they occupy their time, and who supports them.
 - ii. **Authority** – To control their individual budget and purchase services and supports of their choosing.
 - iii. **Support** – To arrange resources and personnel, both formal and informal, that will assist the individual to live a life integrated in his or her community.
 - iv. **Responsibility** – To take responsibility for decisions in their own lives and to be accountable for the use of public dollars and to accept a valued role in their community through, for example, competitive employment, organizational affiliations, spiritual development, and general caring of others in their community.
 - v. **Confirmation** – Of the critical role of participants and their families in making decisions in their own lives and designing and operating the system on which they rely.

2. HISTORY OF SDP

- a. **Lanterman Developmental Disabilities Act^{iv}**
 - i. The California law that gives people with developmental disabilities the right to the services and supports they need to live a more independent and normal life. The Act is part of the California Welfare and Institutions Code (W&I Code Sections 4500 – 4905)
 - ii. The law ensures that each person is entitled to receive the services and supports that meet their needs and choices.
- b. **SDP Pilot project**
 - i. In 1998, the Legislature expanded the Lanterman Developmental Disabilities Services Act to include self-determination pilot projects.

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Currently, there are five regional centers with approximately 100 participants in the pilot.

- ii. Current list of Regional Centers (RCs) in the SDP pilot:
 1. San Diego
 2. Tri-Counties
 3. Eastern LA
 4. Kern
 5. Redwood Coast

c. SDP in the law – Senate Bill No. 468 (SB 468)

- i. SB 468 was signed into law on October 9, 2013. Upon approval of federal funding, SB 468 requires the Department of Developmental Services (DDS) to establish and implement a Statewide SDP that would be available in every regional center catchment area.
- ii. The SDP is a voluntary program and individuals may exit SDP at any time. Regional centers must ensure there is not a gap in services and supports during the transition.
- iii. The law provided that program participants receive an individual budget to be used for the purchase of services and supports necessary to implement their IPP.
- iv. The Statewide program will be phased in over 3 years, serving up to 2,500 regional center consumers during the phase-in period. After the phase-in period, the SDP will be available on a voluntary basis to all eligible regional center consumers except those consumers who reside in licensed long-term health care facilities as defined in Title 17 Section 54302(a)(44). Individuals (or his or her parents or legal representative) who are not eligible to participate in the SDP may request that the regional center provide person-centered service planning in order to make arrangements for transition to the SDP, provided that he or she is reasonably expected to transition to the community within 90 days.
- v. To protect the health and safety of participants in the SDP, the law requires non-vendored providers of services and supports who meet specified criteria to submit to a criminal background check. Fingerprint images and related information will be submitted to the Department of Justice (DOJ) for clearance authorization.
- vi. The law requires each regional center to be responsible for implementing the SDP and to establish a local volunteer advisory committee to provide oversight of the project.

3. KEY PLAYERS/COMPONENTS OF SDP

- a. **Participant** – An individual (or his or her parents or legal representative) who has been deemed eligible for, and has voluntarily agreed to participate in, the Self-Determination Program.
- b. **Person-Centered Planning (PCP)** – An approach to determining, planning for and working toward the preferred future of a person with developmental disabilities and his or her family. The preferred future is what the person and family want to do in the future based on their strengths, capabilities, preferences, lifestyle and cultural background. PCP is a framework for planning and making

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decisions. It is based on an awareness of, and sensitivity to, the lifestyle and cultural background of the consumer and family.

- c. **Individual Program Plan (IPP)** – A plan and provision of services and supports by the regional center system centered on the individual and the family of the individual with developmental disabilities and takes into account the needs and preferences of the individual and the family, where appropriate, as well as promoting community integration, independent, productive, and normal lives, and stable and healthy environments.
- d. **The IPP team** – A team of people chosen by the participant including, but not limited to FMS, IF, regional center service coordinator, family, etc., shall utilize the person-centered planning process to develop the IPP for a participant. The IPP shall detail the goals and objectives of the participant that are to be met through the purchase of participant-selected services and supports.
- e. **Independent Facilitator** – Chosen and directed by the participant, the independent facilitator helps with locating, accessing, and coordinating services and supports consistent with the participant's IPP. The cost of an independent facilitator is paid out of the participant's individual budget. . (*Participants who do not wish to work with an Independent Facilitator may have their regional center service coordinators fulfill the role*).
- f. **Financial Management Services Provider** – Chosen by the participant and vendored by a regional center, assists the participant in managing and distributing funds contained in his or her individual budget and ensures that financial resources are available to implement his or her IPP throughout the year.
- g. **Individual Budget** – The amount of regional center purchase of service (POS) funding available to the participant for the POS and supports necessary to implement the IPP. The individual budget is determined by using a fair, equitable, and transparent methodology. The participant manages the Self-Determination Program services and supports within his or her individual budget.
- h. **Regional Center (RC)s** – Private, non-profit agencies under contract with DDS that provide individuals with access to an array of services and supports best suited to meet their needs and choices throughout their lifetime.
- i. **Local Volunteer Advisory Committee (LVAC)** – Established by each regional center to provide oversight of SDP. The committee consists of the regional center clients' rights advocate, consumers, family members, and other advocates, and community leaders. Consumers and their family members should make up a majority of the committee. The committee should reflect the multicultural diversity and geographic profile of the catchment area. The committee reviews the development and ongoing progress of the SDP, including whether the program advances the principles of self-determination and is operating consistent with the requirements, and may make ongoing recommendations for improvement to the RC and the department.
- j. **Statewide Self-Determination Advisory Committee (SSDAC)** – The State Council on Developmental Disabilities formed the SSDAC, comprised of the chairs of the 21 local advisory committees or their designees. The SSDAC convenes twice annually, or more frequently in the sole discretion of the council, to identify self-determination best practices, effective consumer and family training materials, implementation concerns, systemic issues, ways to enhance

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the program, and recommendations regarding the effective method for participants to learn of individuals who are available to provide services and supports. The council synthesizes information received from the SSDAC, LVAC, and other sources, then shares the information with consumers, families, regional centers, and the department, and make recommendation to increase the program's effectiveness in furthering the principles of self-determination.

- k. **Self-Determination Program (SDP) Advisory Group** – The advisory group was formed to assist DDS in shaping the framework of the SDP based on the law that authorizes the program. The advisory group consists of a broad array of stakeholders including consumers, family members, service providers, regional centers, advocacy groups and the State Council on Developmental Disabilities.
- l. **Department of Developmental Services (DDS)** – To ensure that the program is available to all consumers regardless of geographic location, economic or educational background, or ethnicity, and provide oversight and monitoring of funds used for the SDP and to ensure that these outcomes are achieved.

ⁱ For complete language, please reference [WIC 4685.8\(c\)\(6\)](#).

ⁱⁱ For complete language, please reference [WIC 4685.8\(c\)\(6\)](#).

ⁱⁱⁱ For complete language, please reference [WIC 4685.8\(z\)\(2\)\(A – E\)](#).

^{iv} Disability Rights California, [Rights Under the Lanterman Act, Chapter 1](#)