

Far Northern Regional Center Purchase of Service Funding Policy

In 1969, the legislature passed The Lanterman Developmental Disabilities Services Act. The Lanterman Act consists of two main parts. The first part of the law acknowledges the State of California's responsibility towards persons with developmental disabilities - a responsibility to ensure they have access to services and supports that best meet their needs throughout their lifetime. The second part of the Lanterman Act created the regional center system to implement these goals. Regional centers were designed to be fixed points of contact in the community for clients and their families to receive information, advocacy, referral, and case management services. The regional center mandate places a strong emphasis on service coordination activities and includes:

1. Securing needed services and supports.
2. Advocacy for and protection of civil, legal, and service rights.
3. Identifying and building circles of supports within the community
4. Monitoring to assure optimum service quality.
5. Expanding the availability of needed services and supports.
6. Utilizing public and private community agencies and service providers to obtain needed services and supports for clients.
7. Providing direct treatment and therapeutic services only in emergencies.

Regional centers may also purchase services and supports for clients, which enable them to integrate into the mainstream of their community. Such purchase must be within the level of funding available in the annual California State Budget Act. Far Northern Regional Center (FNRC) developed this policy and the attendant purchase of service guidelines to reflect our responsibilities for purchasing services and supports in accordance with the Lanterman Act.

MISSION STATEMENT

Far Northern Regional Center will provide services and supports that allow persons with developmental disabilities to live productive and valued lives as welcomed members of their community.

FAR NORTHERN REGIONAL CENTER VISION STATEMENT

In order to achieve our mission, Far Northern Regional Center will take guidance from the following concepts:

- People with developmental disabilities participate in valued ways with their families, friends, neighbors and co-workers in all areas of community life.
- Families are supported in their role as the primary decision-makers on behalf of their minor children. Minor children live and grow within a natural or surrogate family, attend inclusive neighborhood schools, and play with non-disabled children of their own age.

Professionals join in partnership with families and support their cultural preferences, values and lifestyles.

- Adults with developmental disabilities choose their own homes, are involved in meaningful activities in integrated settings, and participate in their communities.
- The community receives education, training, and consultation to increase its understanding of persons with developmental disabilities and to facilitate equal community partnerships. Professionals build relationships within the community to assure knowledge of, respect, and dignity for persons with developmental disabilities.
- Staff is knowledgeable, available to persons with developmental disabilities and their families, and engaged in a continuous effort to assure high quality relationships.
- Persons with developmental disabilities and their families receive the services and supports necessary to make their own meaningful, educated choices.
- The community receives services that minimize the risk of developmental disabilities and lessen developmental delays of infants and young children.
- Services maximize the quality of life for people with developmental disabilities and their families while acknowledging and reinforcing their dignity.

INDIVIDUAL PROGRAM PLANS & INDIVIDUALIZED FAMILY SERVICE PLANS

All clients over the age of 36 months will participate in the development of an Individual Program Plan (IPP) in accordance with section 4646 of the California Welfare and Institutions Code. Families of clients from 0-36 months will participate in the development of an Individual Family Service Plan (IFSP) in accordance with section 95020 of the California Government Code. IPPs and IFSPs will be based on assessments performed in the client's natural environment whenever possible and will reflect awareness and sensitivity to the client's and family's lifestyle and cultural background. Each IPP/IFSP will be personalized to the individual's needs and will contain goals and objectives or outcome statements that allow measurement of progress and monitoring of service delivery.

All IPPs and IFSPs will contain a schedule of the type and amount of services and supports to be purchased by Far Northern Regional Center or obtained from generic agencies or other resources. Service providers identified in the IPP/IFSP may include, but are not limited to, vendors, contracted providers, generic service agencies, and natural supports.

CRITERIA FOR PURCHASE OF SERVICE

FNRC may purchase services and supports for clients and their families only under the following conditions:

1. The service or support is intended to address ~~special~~ needs directly related to the person's developmental disability or associated with the risk of developmental disability.
 - a. All services funded by FNRC must address a need related to the client's developmental disability, Early Intervention eligibility criteria, or in provisional eligibility, the substantially handicapping condition(s).

- i. Section 4688.22 of the Welfare and Institutions Code provides an exception. FNRC cannot require the need request for camping services, social recreation activities, and non-medical therapies including, but not limited to specialized recreation, art, dance, and music be related to the qualifying developmental disability.
2. FNRC will not purchase experimental treatments, therapeutic services, or devices that have not been clinically determined or scientifically proven effective, safe, or for which risks and complications are unknown. Experimental treatments or therapeutic services include experimental medical or nutritional therapy when the use of the product for that purpose is not a general physician practice. (California Welfare and Institutions Code 4648(a)(17)).
3. The Interdisciplinary (ID) Team has determined that the service and supports will accomplish all or part of the person's IPP or IFSP.
 - a. All services and supports provided to a client must be included in the IPP or IFSP.
4. All possible sources of funding have been pursued.
 - a. FNRC is bound by Section 4659(a) of the Welfare and Institutions Code to access funding from governmental and private entities, including Medi-Cal, Medicare, Civilian Health and Medical Program for Uniform Services (CHAMPUS), school districts, Supplemental Security Income (SSI), Social Security, private insurance, and any other potential funding resource.
 - b. In addition, Section 4659(c) states that regional centers shall not purchase any service that would otherwise be available from Medi-Cal, Medicare, the Civilian Health and Medical Program for Uniform Services, In-Home Support Services, California Children's Services, private insurance, or a health care service plan when a client or a family meets the criteria of this coverage but chooses not to pursue that coverage.
 - i. Section 4688.22 of the Welfare and Institutions Code provides an exception. FNRC can not require a client or family member to exhaust services under the In Home Supportive Services (IHSS) program, exchange respite hours or any other service or support authorized by the regional center or pay a copayment or similar shared pay arrangements offset at arranging costs in order to fund camping services, social recreational activities, and non-medical therapies including, but not limited to specialized recreation, art, dance, and music.
 - c. Funds available to clients through legal settlements have been pursued and utilized.
 - i. Regional Center funds may not be used for services that the legal settlement was intended to cover.
5. FNRC may fund copayments, coinsurance, or deductibles for medical and dental services under the following conditions:

- a. The client is covered by an insurance plan such as Medi-Cal, Medicare or private insurance.
 - b. The family or client has an annual gross income that does not exceed 400% of the federal poverty level.
 - i. FNRC may fund copayments, coinsurance, or deductibles for dental services if the family income exceeds 400% of poverty if the following situations apply:
 1. If the dental services are necessary to successfully maintain the child at home or the adult in the least restrictive setting.
 2. If there is an extraordinary event that affects the ability of the parent, guardian, care provider or adult consumer to pay the copayment, coinsurance, or deductible.
 3. If there is a catastrophic loss that affects the ability of the parent, guardian, care provider or adult consumer to pay the copayment, coinsurance, or deductible. Catastrophic losses include (but are not limited to) natural disasters, accidents involving major injuries to a family member).
 4. Significant unreimbursed costs associated with the care of the client or another child who is also a regional center client.
 - c. There is no other third party having liability for the cost of medical and dental services.
 - d. If the client is served under an Individualized Family Service Plan (IFSP) pursuant to the California Early Intervention Services Act (Title 14, commencing with Section 95000 of the Government Code), FNRC may fund deductibles and copayments if the following conditions are met:
 - i. The client is covered either, whole or in part by the health care service plan or health insurance policy of the parent, guardian, or caregiver.
 - ii. There is no other third party having liability for the cost of the service or support as described in California Welfare and Institutions Code Section 4659(a) and Article 2.6, starting with section 4659.10.
6. Unpaid services and supports in natural community, home, work, and recreational settings have been considered (Welfare and Institutions Code Section 4688 (b)(5)).
 7. The Interdisciplinary (ID) Team has determined that the selected service provider will best accomplish all or any part of the client's IPP.

8. Services purchased by FNRC will be cost effective.
 - a. Pursuant to Sections 4646, 4651, and 4685, of the Welfare and Institutions Code, services purchased by FNRC should produce positive results for the amount of money spent, be efficient, and be economical. Services should be provided as close to the client's home as possible to reduce transportation costs and hardships. When more than one provider is available offering similar services of similar quality, preference should be given to the one with the most economical rate.
 - b. In determining cost-effectiveness, the total cost of the program or service including ancillary costs such as transportation (among others) must be considered.
 - c. Decisions regarding cost effectiveness will be made on an individual basis, taking into account the needs of the client.
9. FNRC funds will not be used to supplant the budget of any agency which has a legal responsibility to serve members of the general public and is receiving public funds for providing such services (Welfare and Institutions Code Section 4648 (a)(8)).
10. The family's responsibility for providing similar services to the child without disabilities has been evaluated.
 - a. FNRC is subject to 4646.4(a)(4) and Section 54326 of Title 17, California Code of Regulations which state that regional centers must take into consideration the family's responsibility for providing similar services and supports for a minor child without disabilities in identifying the client's service and support needs as provided in the least restrictive and most appropriate setting. In this determination, regional centers shall take into account the client's need for extraordinary care, services, supports and supervision, and the need for timely access to this care.
 - b. Determinations of family responsibility will be made on an individual basis and will be reflected in the IPP.
11. All services purchased by FNRC require prior authorization. Retroactive authorizations may be granted only in cases where the service was called for by an emergency, FNRC staff were not available, and FNRC was notified as soon as possible after the service was provided (Title 17 California Code of Regulations 54326 (a)(10)).
12. FNRC will not continue to fund a service unless the ID team agrees that reasonable progress toward Individual Service Plan (ISP) objectives has been made (Welfare and Institutions Code Section 4648 (a)(7)); Title 17 California Code of Regulations Section 56716 (c)(2)).
13. FNRC will only purchase goods and services from vendored or contracted providers (Welfare and Institutions Code Sections 4648(a)(3)(A)).

14. FNRC will purchase services within the nine county region when appropriate and economically feasible.
15. Services purchased for children will assist families that care for them at home when that is the preferred objective in the child's IPP.
16. The Interdisciplinary (ID) Team has determined that the service and supports will accomplish all or part of the person's IPP or IFSP.
 - a. All services and supports provided to a client must be included in the IPP or IFSP.

PURCHASE OF SERVICE GUIDELINES

FNRC developed the attached Purchase of Service Guidelines to reflect the circumstances under which public funds may be utilized by the regional center to purchase services and/or supports. The guidelines address the most typical categories under which funds are expended, and they are not necessarily all-inclusive. Each category contains a definition, guidelines, amount purchased, and approval authority. The guidelines apply to all clients, regardless of status 1, 2, or U.

EXCEPTIONS

The Executive Director has full discretion to authorize purchases that are not consistent with the Funding Policy or POS guidelines when there are compelling individual circumstances.

CANCELLATION OF OUTSTANDING AUTHORIZATIONS

When a client relocates out of the FNRC catchment area, all authorizations are to be cancelled and payments are to be made only on new authorizations created in light of the move.

REVIEW OF PURCHASE OF SERVICE FUNDING POLICY AND GUIDELINES

Management staff will be responsible for periodically reviewing the Purchase of Service Funding Policy and Guidelines to determine if additions and/or revisions are needed to comply with current service needs or regulatory changes issued by the Department of Developmental Services. If revisions are indicated, the Executive Director will present the recommended changes to the Board of Directors for approval.