

# Senate Bill 1281

## Advancing Equity and Access to the Self Determination Program Act Senator Caroline Menjivar (D – San Fernando Valley)

### SUMMARY

Senate Bill 1281 would establish an administrative process to simplify and streamline the procedures for enrolling participants and assisting them in remaining in the Self Determination Program (SDP). The SDP helps individuals with developmental disabilities by forming a self-customized plan with services and support to reach self-reliance.

### PROBLEM

In 2023, the State Council on Developmental Disabilities submitted a statutorily required report with findings and recommendations to the legislature. The report found that despite participants favoring SDP, there were many administrative burdens and hurdles that came along with the program. Additionally, there were reported concerns about inequities in the program such as racial disparities and disparities in how the SDP is being implemented across regional centers in California.

The SDP is based on five principles of self-determination: freedom, authority, support, responsibility, and confirmation. These tenets help support self-determination and person-centered planning for individuals with developmental disabilities in California. The SDP begins with a person-centered plan and an agreed upon individual budget, which becomes a spending plan to purchase services from direct service providers, thus helping participants achieve their goals. Independent Facilitators (IF) support participants with planning, and Financial Management Services (FMS) pay their providers. Participants are not restricted to providers vendored with regional centers. They can identify individuals and organizations in their communities who understand their needs and culture to help them meet their goals.

The study demonstrated that the current complexity of the SDP systems widely disadvantages people of color, who stand to benefit immensely from the program. The report ultimately highlighted recommendations to improve the SDP Program. Among those recommendations were to improve access to information about the SDP, streamlining the enrollment and

budget process, and to create a more equitable system to mitigate disparities.<sup>1</sup>

### BACKGROUND

In October 2013, California expanded the Self Determination Program with SB 468 (Stats 2013, Ch. 683), after a 20-year successful pilot program. The SDP provides Regional Center clients the ability to control and customize services and supports according to their needs to reach Self Determination. These person-centered plans are integral for participants to achieve greater independence, employment, and improved health outcomes. In 2018, the SDP started with a three-year phase in with a limit of 2,500 participants. However, due to several barriers in place, just over 500 new people enrolled.<sup>2</sup> In June 2021, the SDP became available to all eligible regional center clients, but enrollment has continued to lag. As of September 2023, only 3,365 participants out of over 355,000 consumers had enrolled in the program statewide.

SDP participants have reported positive growth in areas such as self-awareness, responsibility, mental health, community integration, independence, employment, and quality of life.<sup>3</sup> Given the benefits of the SDP program, distinct reforms to streamline the process will allow it to reach the five principles on which it was founded. California should build upon the progress made and ensure that every eligible person can benefit fully, eliminating distinct barriers that persist for the BIPOC community.

### SOLUTION

SB 1281 would improve access and equity to the Self Determination Program.

Specifically, this bill would:

- Require the Department of Developmental Services (DDS) to establish statewide standardized and streamlined processes and procedures, including enrollment, individualized budgets, Financial Management Services, access to self-directed transition services, and a client's spending plan;

<sup>1</sup> [https://scdd.ca.gov/wp-content/uploads/sites/33/2023/08/FINAL\\_SDP.Eval\\_.Full\\_.Report6.30.23Public\\_8-29-23.Accessible.pdf](https://scdd.ca.gov/wp-content/uploads/sites/33/2023/08/FINAL_SDP.Eval_.Full_.Report6.30.23Public_8-29-23.Accessible.pdf)

<sup>2</sup> [https://www.dds.ca.gov/wp-content/uploads/2021/06/SDP\\_SummaryData\\_May2021.pdf](https://www.dds.ca.gov/wp-content/uploads/2021/06/SDP_SummaryData_May2021.pdf)

<sup>3</sup> [https://scdd.ca.gov/wp-content/uploads/sites/33/2023/08/FINAL\\_SDP.Eval\\_.Full\\_.Report6.30.23Public\\_8-29-23.Accessible.pdf](https://scdd.ca.gov/wp-content/uploads/sites/33/2023/08/FINAL_SDP.Eval_.Full_.Report6.30.23Public_8-29-23.Accessible.pdf)

- Provide a more person centered experience through the SDP program by ensuring participants' provider choice is respected;
- Ensure that individuals entering the SDP have access to transition support from trusted partners;
- Reinforce accessibility to Financial Management Services and clarifies employer burden and what costs FMS can pass on to participants. It also requires that the FMS provide timely payments to providers;
- Additionally, require DDS, alongside the report they are required to provide to the legislature, to include the assessment and adequacy of Financial Management Service providers at each Regional Center.

## **STATUS**

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**Introduced-February 15, 2024**

## **SUPPORT**

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Disability Voices United (Co-Sponsor)  
Integrated Community Collaborative (Co-Sponsor)

## **CONTACT**

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Kimberly Fuentes  
Office of Senator Caroline Menjivar  
(916) 651-4020

