

An act to amend Section 4681.5 of the Welfare and Institutions Code,  
relating to developmental services.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4681.5 of the Welfare and Institutions Code is amended to read:

4681.5. (a) Notwithstanding any other provision of law or regulation, no a regional center may shall not approve any a service level for a residential service provider, as defined in Section 56005 56002 of Title 17 of the California Code of Regulations, if the approval would result in an increase in state costs or the rate to be paid to the provider that is greater than the rate that is in effect on June 30, 2008, or, for residential service providers subject to subdivision (b), unless the regional center demonstrates to the department that the approval is necessary to protect the consumer's health or safety and the department has granted prior written authorization.

(b) Notwithstanding subdivision (a) or any other law or regulation, the department shall, effective July 1, 2016, establish a rate schedule for residential community care facilities vendored to provide services to a maximum of four persons with developmental disabilities.

(c) Community care facilities with rates established pursuant to subdivision (b) are subject to the regulatory requirements contained in Subchapter 4 (commencing with Section 56001) of Chapter 3 of Division 2 of Title 17 of the California Code of Regulations.

(d) Rate changes made as a result of implementing the rate schedule established pursuant to subdivision (b) for community care facilities vendored to provide services to a maximum of four persons with developmental disabilities are not subject to the

restrictions of subdivision (a) if the approved service level is not higher than the service level in effect at the time of the change.

(e) No later than February 1, 2017, regional centers shall report to the department on the number of residential community care facilities with rates established pursuant to subdivision (b). The report shall include, but not be limited to, both of the following:

(1) The number of facilities vendored since July 1, 2016, by service level and vendored capacity.

(2) The number of facilities vendored prior to July 1, 2016, that have subsequently been approved for a new rate, by service level, vendored capacity, and prior vendored capacity, if applicable.

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, \_\_\_\_\_.

General Subject: Developmental services: residential services: rates.

Existing law prohibits a regional center from approving a service level for a residential service provider if the approval would result in an increase in the rate to be paid to the provider that is greater than the rate that is in effect on June 30, 2008, unless the regional center demonstrates to the State Department of Developmental Services that the approval is necessary to protect the consumer's health or safety and the department has granted prior written authorization.

This bill would additionally prohibit that approval if it would result in an increase in state costs. The bill would require the department to, effective July 1, 2016, establish a rate schedule for residential community care facilities vendored to provide services to a maximum of four persons with developmental disabilities. The bill would exempt from the prohibition described above only residential community care facilities vendored to provide services to a maximum of four persons with developmental disabilities if either the regional center demonstrates to the department that the approval is necessary to protect the consumer's health or safety and the department has granted prior written authorization or if the approved service level is not higher than the service level in effect at the time of implementation of the new rate schedule. The bill would require

regional centers to submit a specified report to the department by February 1, 2017, regarding the number residential community care facilities with those rates.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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