

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 20, 2010
POSITION: Oppose
SPONSOR: The ARC of California

BILL NUMBER: AB 2702
AUTHOR: W. Chesbro

BILL SUMMARY: Developmental Services: Planning Teams

This bill would require regional centers to ensure all decisions made in the development, scheduled review, or modification of a consumer’s Individualized Family Service Plan (IFSP) or Individual Program Plan (IPP) are in accordance with procedures as established in the California Early Intervention Services Act (CEISA) or the Lanterman Developmental Disabilities Services Act (Lanterman Act), respectively.

FISCAL SUMMARY

This bill appears to have no fiscal impact; however, implementation of the statutory changes may result in unknown costs due to ambiguity of the proposed language, “notwithstanding any other provision of law.”

COMMENTS

The Department of Finance is opposed to this bill. This bill is unnecessary as existing statute already mandates the regional centers adhere to procedures established in the Lanterman Act and the CEISA.

Under existing law, development and monitoring of IFSPs or IPPs is done by a planning team with specified participants, and requires the final decision to be made pursuant to the relevant statute. This bill also would require a regional center to ensure at the time of development, scheduled review, or modification that the plan is made pursuant to relevant statute.

According to the author’s office, the need for the bill relates to recent actions taken with respect to a trailer bill (Chapter 9, Statutes of 2009) passed as part of the 2009-10 Budget Act. The author contends that ambiguity created by the trailer bill resulted in some regional center staff unilaterally making changes to IPPs or IFSPs without going through the planning team process. This bill does not appear to correct any deficiency but rather attempts to clarify existing law.

We note the Department of Developmental Services has concerns that the proposed language “notwithstanding any other provision of law,” would create ambiguity that could potentially nullify existing authority granted to regional centers and shift that authority to the planning team.

The author’s office has indicated that additional amendments to address these concerns are planned but have not been drafted.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)								Fund Code
	SO	(Dollars in Thousands)							
	LA	CO	PROP	FC	2010-2011	FC	2011-2012	FC	
4300/Develop Svcs	SO	No	-----	No/Minor	Fiscal Impact	-----			0001

Analyst/Principal (0521) C. Castaneda	Date	Program Budget Manager Lisa Ann L. Mangat	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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