

## TITLE 17. DEPARTMENT OF DEVELOPMENTAL SERVICES

### DECISION ON PETITION TO AMEND REGULATIONS

The Department of Developmental Services (DDS) submits the following Decision in response to a Petition to Amend Title 17, California Code of Regulations, Division 2, Chapter 3, Subchapter 3, Article 1 by amending Section 54524.

#### **Petitioners:**

Karen Kinnebrew, President  
Harbor Regional Center

#### **Regulations Section Affected:**

Title 17, Section 54524

#### **Authority:**

Authority: Section 11152, Government Code, Sections 4628 and 4627 Welfare and Institutions Code.

#### **Decision:**

DDS disagrees that Title 17 Section 54524 should be amended to give the Director the final authority to determine whether or not a waiver should be granted to a Regional Center Governing Board Member when a conflict exists.

#### **Reasons for Department's Determination:**

Pursuant to 4628 of Welfare and Institutions Code, the Director may grant a waiver for a conflict of interest for a Governing Board Member with the approval of the Local Area Board and with the approval of the State Council on Developmental Disabilities. Therefore, Title 17 section 54524 cannot be amended to allow DDS to make the final determination on whether or not to grant a waiver regardless of what the Local Area Board and the State Council have decided. DDS is bound by 4628 of the Welfare and Institutions Code.

#### **Contact Person:**

Comments and inquiries concerning the Decision may be directed to:

Attention: Cynthia M. Bosco, Staff Counsel  
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If Ms. Bosco is unavailable, comments and inquiries concerning the Decision may be directed to:

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**Availability of Petitions:**

Copies of the Petitions to amend the regulations, along with all other public records, reports, documentation or other material related to the Decision will be contained in the Petition file and will be available for inspection and copying from the contact person at the above address. In addition, the Decision and other materials for this petition may be viewed over the internet at [www.dds.ca.gov](http://www.dds.ca.gov).