

PROPOSED LANGUAGE CHANGE
California Code of Regulations
Title 17, Division 2
Chapter 3: Community Services

Subchapter 1: General

Article 1: Definitions

Section 54001 - Substantial ~~Handicap~~ Disability

(a) "Substantial ~~handicap~~ disability" means:

(1) a A condition which results in major impairment of cognitive and/or social functioning, ~~Moreover, a substantial handicap represents a condition of~~ representing sufficient impairment to require interdisciplinary planning and coordination of special or generic services to assist the individual in achieving maximum potential; and

(2) The existence of significant functional limitations, as determined by the regional center, in three or more of the following areas of major life activity, as appropriate to the person's age:

(A) Communication skills;

(B) Learning;

(C) Self-care;

(D) Mobility;

(E) Self-direction;

(F) Capacity for independent living;

(G) Economic self-sufficiency.

~~(b) Since an individual's cognitive and/or social functioning are many faceted, the existence of a major impairment shall be determined through an assessment which shall address aspects of functioning including, but not limited to:~~

~~(1) Communication skills;~~

~~(2) Learning;~~

- (3) — Self care;
- (4) — Mobility;
- (5) — Self direction;
- (6) — Capacity for independent living;
- (7) — Economic self-sufficiency.

(e-b) The assessment of substantial disability shall be made by a group of Regional Center professionals of differing disciplines and shall include consideration of similar qualification appraisals performed by other interdisciplinary bodies of the Department serving the potential client. The group shall include as a minimum a program coordinator, a physician, and a psychologist.

(e-c) The Regional Center professional group shall consult the potential client, parents, guardians/conservators, educators, advocates, and other client representatives to the extent that they are willing and available to participate in its deliberations and to the extent that the appropriate consent is obtained.

(d) Any reassessment of substantial disability for purposes of continuing eligibility shall utilize the same criteria under which the individual was originally made eligible.

Authority: Section 4512, Welfare and Institutions Code.

Reference: Sections ~~4500 et seq.~~ 4512, Welfare and Institutions Code.

SubChapter 1: General

Article 2: Eligibility

Section 54010 - Eligibility for Regional Center Services

(a) Any resident of the State of California believed to have a developmental disability, and any resident of the State of California believed to be at high risk of

parenting an infant with a developmental disability shall be eligible, upon application to the regional center, for initial intake, diagnostic and counseling services, and a determination regarding the need for assessment.

- (b) Eligibility for ongoing regional center services shall be contingent upon the determination, after intake and assessment, that the person has a developmental disability with that constitutes a substantial handicap disability as defined in this ~~article~~ Article 1 of this subchapter.

- (c) Any individual deemed ineligible may appeal the decision in accordance with Welfare and Institutions Code, Sections 4700-472516. The Director's decision resulting from a fair hearing appeals process shall be final and binding on all parties.

Authority: Sections 4512 and 4640, Welfare and Institutions Code.

Reference: Sections 4512, 4640, 4642, 4643, and 4644, Welfare and Institutions Code.