



# California's 2019-20 Budget Highlights of Issues Affecting the Autism Community

*Prepared by the Autism Society of California*



## Introduction

Governor Gavin Newsom signed the 2019-2020 State Budget bill (AB 74) late Thursday afternoon (June 27th), along with a number of budget trailer bills, including health, developmental services, human services, and mental health.

We are disappointed with the outcomes of the following:

- Social recreation and camp will not be restored.
- No SSP COLA increase.
- Sunset on the 7% increase to IHSS remains
- There is no fix to the minimum wage “quirk” (meaning that services in regions with local minimum wages higher than the state minimum wage will still no longer be eligible for increases when the state minimum wage goes up January

There are a number of areas where we will be impacted. We've included the highlights that may be most interesting to our community. This is not a complete list.

Special thanks to Marty Omoto at CDCAN and the California Person Centered Advocacy Partnership of which the Autism Society of California is a member for their advocacy efforts this year.

Submitted by Public Policy Chairs:

Beth Burt, Autism Society of California President

Marcia Eichelberger, ASC Past President

## Early Start

Removed the 400% FPL income requirements for co-pays for Early Start. **Requires the regional centers to pay any applicable copayment, coinsurance, or deductible for a service or support required by a consumer's IFSP if the service is paid for by the health care service plan or health insurance policy of the consumer's parent, guardian, or caregiver, regardless of the family's income level.** (Section 4659.1)

Note: A decision is still pending regarding Senate Bill 412 which would be this allow Regional Centers to pay for copayments, coinsurance, or deductibles for families with children and adults over age 3 years.

## Regional Centers

The number of individuals with developmental disabilities served by regional centers is expected to increase from 333,524 in the current year, to 350,487 in 2019-20. The total budget for regional centers is proposed to increase to approximately \$8.2 billion in 2019-20 from \$7.5 billion in 2018-19. Specific items include:

- **Service provider rates received an initial investment of \$125 million next year, and \$250 million the following year for rate increases.** There is a sunset date (a date when those investments would stop) of December 31, 2021; Requires the Department of Developmental Services (DDS) to consult, commencing in the summer of 2019, with specified stakeholders to discuss system reforms to better serve consumers with developmental disabilities, to report on the progress of these efforts, and to post specified material on its website, including a summary of public comments. The meetings will specifically focus on "how to create a sustainable, innovative, cost-effective, consumer-focused, and outcomes-based service delivery system."
- **Continued suspension of the Uniform Holiday Schedule, a predetermined 14 days affecting** site based type programs, like day programs, and certain transportation services to those programs. This will sunset January 1, 2022.
- **For clients who have severe behavior or are in crisis:** Expands the number of community crisis homes, including crisis homes for children, and requires DDS to develop guidelines for the use of restraint in these homes; requires DDS to identify new service models, and the state's role in providing services for individuals private providers will not serve; Provides lower service coordinator caseloads for individuals with complex service needs; Limits the use of restraints in community crisis homes and requires DDS to develop restraint guidelines by March 2020.

## Regional Center Transparency & Accountability

- **New informational packets** shall be distributed at intake, upon transfer of receiving services under the Lanterman Developmental Disabilities Services Act, on the website, and upon request with information regarding services provided under the California Early Intervention Services Act and the Lanterman Developmental Disabilities Services Act including an overview of the regional center system, a resource guide for consumers and their families, consumer rights and contact information for the regional center, the department, the office of clients' rights advocacy, and the protection and advocacy agency (Section 4642).
- **New requirements for the IPP:** At the conclusion of an individual program plan meeting, the regional center shall provide to the consumer, in written or electronic format, a list of the agreed-upon services and supports, and, if known, the projected start date, the frequency and duration of the services and supports, and the provider (Section 4646).
- **Develop key indicators.** These indicators shall include both local and statewide measures and shall include a recommendation for analysis and followup of any concerning trends, as well as a plan for reporting of best practices for use statewide (Section 4519.2a.)

## Regional Centers Transparency & Accountability (continued)

- **Regional center quality assurance instrument (Section 4571) and new requirements for the DDS performance dashboard (Section 4572).** New posting requirements by regional centers on any regional center developed assessment tools used to determine the transportation, personal assistance, independent or supported living service needs of a person with developmental disabilities receiving those services (Section 4519.2b). In addition to the POS policies, Regional Centers must post other policies, guidelines or assessment tools used to determine transportation, personal assistance and ILS/SLS needs of client. Quality assurance reports also will go on website. (Section 4629.5)
- **Provisions regarding regional center governing boards.** Board members shall include persons with legal, management, public relations, management or board governance, financial, and developmental disability program skills; Board governance expertise may not be acquired solely by serving on a regional center board. (Section 4622). Additionally, by August 15 of each year, the governing board of each regional center shall submit to DDS detailed documentation, as determined by the department, demonstrating that the composition of the board is in compliance with Section 4622. If the composition of the governing board is not in compliance with Section 4622, the governing board shall submit a plan to DDS with its board composition documentation setting forth how and, in as expeditious a manner as possible, when the board will come into compliance, in part or in whole, with Section 4622. (Section 4622.5).

## IHSS

Includes trailer bill language requiring that the development and implementation of the electronic visit verification system adhere to specified principles including the prohibition that it not utilize geo-tracking or GPS capabilities.

## CalFresh Expansion to SSI Recipients:

The budget makes permanent the “hold harmless” programs created in the 2018-19 budget and provides \$86 million for the cost of benefits. The Supplemental Nutrition Program (SNB) and the Transitional Nutrition Program (TNB) were created to ensure that CalFresh households that lost CalFresh benefits due to the expansion would be made partially or completely whole if their households lost CalFresh benefits.

## K-12 Education System

**Expands eligibility for the California State Preschool program to include all three and four year olds in a school attendance area of a public school where at least 80% of enrolled pupils are eligible for free or reduced meals, beginning January 1, 2020.** Includes existing priority for lowest income, neglected and abused and four year-old children first. Changes the eligibility requirements for the State Preschool program to provide priority access to full-day state preschool program slots to income eligible families with a need for full-day care (parents are working or in school), with remaining full-day slots available for other income eligible families.

Special Education Early Intervention Preschool Grants: **Establishes the Special Education Early Intervention Preschool grant**, provided to LEAs (Local Educational Agencies) based on the **number of three and four year olds with exceptional needs, specifically students with Individualized Education Plans (IEPs)**. Requires ongoing funding to be contingent upon the passage of legislation in the 2020-2021 State budget to reform the special education system to improve outcomes for students.

Provides \$300 million in one-time General Fund for the Full-Day Kindergarten Facilities Grant program and **prioritizes schools converting part-day to full-day Kindergarten programs** and allows for any remaining grant funding to be used for other one-time costs to implement the full-day kindergarten program.

## Medi-Cal

**Expands Medi-Cal to income-eligible adults up to age 26 regardless of immigrations status:** \$98 million (\$74.3 million General Fund) to expand full-scope Medi-Cal coverage to undocumented young adults age 19 through 25 effective no sooner than January 1, 2020.

**Several Medi-Cal "Optional Benefits" Restored** - At Least Until December 31, 2021. The Health #1 budget trailer bill (SB 78) includes provisions that will restore the following Medi-Cal "Optional Benefits": audiology, incontinence creams and washes, optical, podiatry, and speech therapy, beginning no sooner than January 1, 2020. \$17.4 million General Fund in 2019-20 and \$40.5 million ongoing to restore the following optional MediCal benefits: (a) audiology (b) incontinence creams/washes (c) optical (d) podiatry (e) speech therapy.