

**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**

In the Matter of:

CLAIMANT,

v.

SAN ANDREAS REGIONAL CENTER, Service Agency.

DDS No. CS0010408

OAH No. 2023110089

DECISION

Administrative Law Judge Juliet E. Cox, State of California, Office of Administrative Hearings, heard this matter on April 23, 2024, by videoconference.

No one appeared for claimant at the hearing.

Executive Director's designee Monica Martinez appeared for service agency San Andreas Regional Center (SARC).

The matter was submitted for decision on April 23, 2024.

ISSUE

Is claimant eligible under the Lanterman Developmental Disabilities Services Act (the Lanterman Act, Welf. & Inst. Code, § 4500 et seq.) for services from SARC?

FACTUAL FINDINGS

1. Claimant applied to SARC for Lanterman Act services. SARC notified claimant in writing that its staff members' evaluation did not show him to be eligible. Claimant filed a timely appeal.

2. SARC staff members had communicated with claimant and his representative in evaluating claimant's eligibility, and attempted to communicate with claimant's representative about the hearing. The Office of Administrative Hearings also sent notices to claimant's representative about the hearing, at the email address the representative had given as a contact address on claimant's appeal.

3. The hearing began at the time and in the videoconference location stated on the notices that OAH sent to claimant. Neither claimant nor anyone acting on his behalf attended the hearing.

LEGAL CONCLUSIONS

1. To establish eligibility for SARC's services under the Lanterman Act, claimant has the burden of proving by a preponderance of the evidence that (1) he suffers from a developmental disability and (2) he is substantially disabled by that developmental disability. (Welf. & Inst. Code, §§ 4501, 4512, subd. (a).)

2. Because claimant failed to appear at the hearing he requested, he has not met his burden to establish eligibility under the Lanterman Act for services from SARC.

ORDER

Claimant's appeal is denied.

DATE:

JULIET E. COX

Administrative Law Judge

Office of Administrative Hearings

NOTICE

This is the final administrative decision. Each party is bound by this decision. Either party may request reconsideration pursuant to subdivision (b) of Welfare and Institutions Code section 4713 within 15 days of receiving the decision, or appeal the decision to a court of competent jurisdiction within 180 days of receiving the final decision.