

**BEFORE THE DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA**

In the Matter of:

CLAIMANT,

vs.

**NORTH LOS ANGELES COUNTY REGIONAL CENTER,
Service Agency.**

DDS No. CS0018503

OAH No. 2024070028

(Consolidated with DDS No. CS0018501,

OAH No. 2024060991; and DDS No. CS0018502,

OAH No. 2024070023)

PROPOSED DECISION

Taylor Steinbacher, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter via videoconference on October 7, 2024. This matter was consolidated, for hearing purposes only, with two other cases: (1) a case pertaining to Claimant's younger sister, OAH number 2024060991; and (2) a case pertaining to Claimant's younger brother, OAH number 2024070023. Separate proposed decisions are being issued for each case.

Rachel Milman, Attorney at Law, represented Claimant at the fair hearing. Claimant's mother (Mother) was also present throughout the hearing. Names are omitted to protect the privacy of Claimant and his family.

Aaron Abramowitz, Enright & Ocheltree, LLP, represented North Los Angeles County Regional Center (NLACRC).

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on October 7, 2024.

ISSUE

Should the regional center's decision to decrease the amount of Personal Assistant services Claimant receives be upheld?

EVIDENCE RELIED UPON

Documents: NLACRC Exhibits 1–27; Claimant's Exhibits A–I.
Witnesses: For NLACRC: Lisa DePiro, NLACRC Behavior Consultant; Amy Gandin, NLACRC Consumer Services Provider. For Claimant: Mother.

FACTUAL FINDINGS

Parties and Jurisdiction

1. Claimant is an 11-year-old boy who lives with Mother, his father (Father), and his three siblings in the catchment area served by NLACRC.

2. NLACRC is a regional center designated by the Department of Developmental Services (DDS) to provide funding for services and supports to persons with developmental disabilities under the Lanterman Act. (Welf. & Inst. Code, § 4500 et seq.)

3. Claimant receives services from NLACRC under the Lanterman Act. He also participates in the regional center's Self-Determination Program (SDP). (See Ex. 21 [SDP budget].) On May 24, 2024, NLACRC sent Mother a Notice of Action (NOA), stating that the regional center intended to: (1) reduce the number of personal assistance (PA) service hours Claimant receives, and (2) change the ratio of care for PA services from the individual to the sibling rate, with both changes to begin in the next year of Claimant's SDP budget. (Ex. 3, p. A12.) (The NOA also proposed to deny Mother's funding request for other, unrelated services. That issue, referred to as "Request 1" throughout the NOA, was resolved by the parties before the hearing and is not at issue here.) As further explained in the NOA, NLACRC intends to reduce Claimant's PA services as follows: (a) during the school year, Claimant would receive 23 hours per week at "Sibling Rate 3" for all three siblings who receive regional center services, and two hours per week at "Sibling Rate 2" for Claimant and his younger sister; (b) during school breaks or holidays, Claimant would receive 22 hours per week at "Sibling Rate 3" and two hours per week at "Sibling Rate 2." (*Id.*, p. A15.)

4. On June 19, 2024, Mother filed a fair hearing request to appeal NLACRC's proposed action regarding Claimant's PA services. (Ex. 6.) This hearing ensued.

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NLACRC's Evidence

CLAIMANT AND THE SERVICES HE RECEIVES

5. Claimant qualifies for regional center services based on a diagnosis of autism spectrum disorder. (Ex. 11, pp. A65–A66.) As noted in Claimant's Individual Program Plan (IPP) with NLACRC, he

has few areas of behavioral concern. He has a difficult time with transitions and will often drag things out when told to transition from one activity to the next and will pout, stomp and occasionally throw himself to the floor. He does not display physical aggression and does not have large outbursts. [Claimant] can be non-compliant and displays sensory sensitivities to tags on his clothing and food textures.

(*Id.*, p. A64.)

6. As a result of Claimant's most recent IPP, he receives one-on-one PA services for 10 hours per day on non-school days and five hours per day on school days and Saturdays. (Ex. 11, p. A65.) These services are provided to "ensure his safety and success" in mainstream settings. (*Ibid.*) Claimant also receives 90 hours per month of In-Home Supportive Services (IHSS) with Mother as the provider and 46 hours per month of respite services. (*Id.*, pp. A63–A64, A67.)

7. Claimant also has an Individualized Education Program (IEP) with his school district due to his autism spectrum disorder diagnosis. Claimant's most recent IEP noted:

Student's area of strength-

[Claimant] is a smart and pleasant student. . . . [Assessments suggest] that [Claimant] does not exhibit any problem behaviors that would produce negative social outcomes in the school, community or home setting.

Student's area of needs-

[Claimant] does not have area of needs. He follows classroom rules, listens to teacher and participates in video game play during nutrition/lunch along with the rest of his peers. [Claimant] has the skills to initiate, and sustain participation in cooperative play and cooperate learning. . . . [Claimant] is able to access his general education through the skills he has learned through the IEP team.

Student's disability does not impact their involvement and progress in the general education curriculum for this performance area.

(Ex. 18, p. A157.) Because Claimant achieved all of his IEP goals, the school's IEP team concluded that he "is ready to exit special education[.]" (*Id.*, pp. A165, A167.)

LISA DEPIRO

8. Lisa DePiro is a Behavior Consultant in the Clinical Department at NLACRC. She has a master's degree in clinical psychology and is a board-certified behavior analyst. DePiro has been board certified since 2012 and has conducted thousands of behavioral observations and written reports documenting those

observations. In preparing these written reports for NLACRC, she reviews documents provided by the regional center's service coordinators and then conducts her own observation of the client.

9. NLACRC requested that DePiro conduct a behavioral observation of Claimant in part to determine if "[PA] is appropriate for [Claimant] and whether or not clinical team recommends continuation of individual rate [PA] services." (Ex. 15, p. A82.) During these observations, DePiro looks for the intensity and frequency of challenging behaviors and compares that to what is expected for a child of the subject's age—the more frequent or the higher intensity of the behaviors observed, the more likely that one-on-one support is appropriate.

10. DePiro conducted an observation of Claimant during Claimant's orchestra class on April 30, 2024. Claimant was not observed while at home or in the presence of Claimant's younger sister and younger brother; DePiro conducted an observation of Claimant's siblings while at their home on April 8, 2024. According to DePiro, the children's school and extracurricular schedules made it difficult to get all three together for an observation at once, and moreover, Mother thought it would be better to observe Claimant in a social recreation setting, rather than at home.

11. DePiro wrote the following about her observation of Claimant:

The [orchestra] class consisted of various ages ranging from 10-adults. There were about 15 total individuals in the orchestra class. [Claimant] was observed to sit in his chair and participated independently during the 40 minutes of observation. When the instructor would ask him a question he would answer (sometimes with an "I don't know") and

then he would play according to the instructor's feedback/direction. It appeared that the individual sitting next to [Claimant] would give him a verbal reminder of what the instructor asked them to do, then [Claimant] would follow along. An aide was not present during the orchestra class and [Claimant] was observed to participate independently.

(Ex. 15, p. A83.)

12. DePiro also reviewed Claimant's IEP. According to DePiro, the information from Claimant's IEP was significant because the school concluded he no longer required any special education support, such as a one-on-one aide. DePiro also noted that Claimant had received adaptive skills training (AST) previously but had graduated from that program in November 2022 due to meeting his goals. (Ex. 15, p. A83.)

13. Based on her observation and a review of documents including Claimant's IEP, DePiro made several recommendations about Claimant's ongoing PA services. First, she recommended that "traditional" rather, than "specialized" PA services, be provided. (Ex. 15, p. A83.) DePiro explained that traditional PA services are for supervision and support to engage in age-appropriate activities, while specialized PA services are required when a person exhibits significant self-injurious behaviors, property destruction, or physical aggression. DePiro recommended traditional PA services because Claimant did not demonstrate those behaviors.

14. Next, DePiro recommended the "sibling rate" be paid when PA is provided to Claimant at home. (Ex. 15, p. A83.) DePiro explained that PA services are a

"second set of hands" to assist the caregiver with morning and evening routines and making sure the child is engaged in appropriate activities, and general supervision and support. In recommending the "sibling rate," DePiro concluded that Claimant did not need an additional person to provide one-on-one PA support. Rather, one PA could split their attention between Claimant, his younger sister, and his younger brother, as applicable, during that time. If Claimant was the only child in the home, DePiro would not recommend that NLACRC provide PA services at all, as it is her opinion that Claimant's parents could handle those responsibilities. With respect to PA provided outside the home, DePiro recommended phasing those services out over time, rather than discontinuing them all at once, because Claimant "demonstrated independence with following group instructions and participated well without the presence of an aide." (*Ibid.*)

15. On cross-examination, DePiro stated that she had conducted a behavior observation of Claimant and his siblings before 2024, likely in 2022. At the time, she recommended that PA services continue to be provided at the traditional level and at an individual rate, rather than a sibling rate. But DePiro could not recall what, if anything, had changed about Claimant between DePiro's 2022 and 2024 observations to suggest that a change to the level of Claimant's PA services was appropriate. Rather, DePiro stated her recommendation regarding the level of PA service Claimant required was based on her most recent observation of Claimant and the documents she was provided in connection with that observation.

AMY GANDIN

16. Amy Gandin is a Consumer Services Supervisor at NLACRC. She hires, trains, works with, and supervises 14 Consumer Services Coordinators (CSC) who coordinate services for clients of the regional center. Gandin's supervisory

responsibilities include case guidance, needs determinations, and planning implementation. Claimant, his younger sister, and his younger brother are served by a CSC under Gandin's supervision.

17. In her hearing testimony, Gandin explained that the regional center's decision to increase or decrease PA services is made collaboratively. The group making that decision can include her, the client's CSC, the regional center's clinical team, and a manager. The regional center also takes into consideration the concerns and reporting of the client's parent or guardian. Ultimately, Gandin stated, a parent or guardian's reports or concerns must be corroborated with objective evidence by the regional center before services or supports can be provided to the client. Gandin contends the decision to change the amount of PA services Claimant would receive was made as a result of DePiro's observations and reporting.

18. Gandin explained that, between services provided by NLACRC, IHSS, and Claimant's school, Claimant receives funding for assistance or supervision at nearly all waking hours of the day—the only times in which Claimant does not receive support is between midnight and 6:00 a.m. on weekends, and between 1:00 a.m. and 6:00 a.m. during weekdays. (Ex. 24 [calendar created by Mother showing the services Claimant receives hour to hour].) This includes in-home or out-of-home PA assistance, respite time for parents, IHSS services, or attending at school. In other words, there are only five or six hours per day in which Claimant is not receiving some kind of funding for assistance or supervision, whether he is attending school or on a school break—and the hours he receives no assistances are times in which Claimant would be expected to be asleep.

19. Gandin further explained that the regional center expects parents to exercise care over children with developmental disabilities to the same degree that

they would need to care for a child without a disability. This, coupled with the fact that Claimant was receiving services at all waking hours of the day, were indicia that Claimant may not have needed the amount of PA services that he had been receiving previously.

20. Gandin stated her belief that, at the time the regional center initially agreed to provide services that resulted in Claimant having only five to six unfunded hours per day it “may have been appropriate” based on his needs at the time. But Gandin also expressed some skepticism that the amount of PA services NLACRC initially authorized for Claimant was correct and she thought it was “not looked at closely enough at the time.” NLACRC’s decision to decrease those hours in the second year of Claimant’s SDP budget was a way to correct that potential oversight.

21. On April 26, 2024, four days before DePiro conducted her observation of Claimant at his orchestra class, DePiro placed notes in Claimant’s younger brother and younger sister’s files in NLACRC’s online system, noting her recommendation that they also no longer needed PA services at the level they had been receiving. (Ex. 25, p. A203; Ex. 26, pp. A217.) The same day, Ganin placed an identical note in Claimant, his younger sister, and his younger brother’s files stating NLACRC contacted Mother to state that “moving forward the recommendation is for sibling rate [PA] when provided in the home and not individual rate, inclusive of the overnight. We need to look at how this changes the complexion of the calendars.” (Ex. 25, pp. A203–A204; Ex. 26, pp. A217–A218; Ex. 27, p. A233.)

22. On cross-examination, Gandin was asked to explain why, as reflected in her note on April 26, 2024, NLACRC appears to have decided to reduce the level of Claimant’s PA service before DePiro conducted a behavioral observation to justify that change. Gandin explained that she copied and pasted the same note into all the

children's files at the same time, as she is the supervisor for their CSC and the issues were interrelated. But she stated further that, contrary to what she wrote in Claimant's file, NLACRC would not reduce the level of a client's services without first conducting an observation. This is consistent with how NLACRC in fact handled its decision to reduce Claimant's level of PA service. DePiro conducted her observation of Claimant on April 30, 2024, and submitted the report with her findings on May 2, 2024. (See Ex. 15, p. A83.) An internal discussion at NLACRC about the appropriate level of Claimant's PA services in light of DePiro's recommendations occurred around that time. (Ex. 27, pp. A234 [case notes noting receipt of DePiro's 313C behavioral consultation report and discussion between Claimant's CSC and DePiro regarding same].) NLACRC did not send a NOA stating its intent to reduce Claimant's level of PA service until May 24, 2024, which was weeks after DePiro observed Claimant and provided her recommendations to NLACRC. (*Id.*, p. A236; Ex. 3, p. A11.)

Claimant's Evidence

MOTHER'S TESTIMONY

23. Claimant and his siblings live with Father and Mother. Father is a physician who works long hours when he is home. Father often travels for conferences and speaking engagements and is out of the house up to 50 percent of the time. Mother is an accountant who works from home 32 hours per week.

24. According to Mother, Claimant needs constant reminders and prompting to complete personal grooming tasks, such as bathing, brushing his teeth, and dressing. Claimant exhibits "stimming" behaviors, such as lying on the floor while moaning or whining and making swimming motions or rolling. He needs to be redirected to stop those behaviors and finish his tasks of living.

25. Mother has safety concerns about Claimant. Due to his lack of understanding and awareness, he would not know to call 9-1-1 if there was an emergency at the home. Despite stating that he understands he needs to look both ways before crossing the street, he will often walk into the street without looking. At school, he would read his Chromebook laptop while walking, unaware of his surroundings, and has been nearly stuck by vehicles more than once. (Ex. I.) Claimant now has an accommodation from his school in which he cannot take his Chromebook out of the classroom and has a second Chromebook at home to do his work instead to stymie these behaviors.

26. Mother provides protective supervision to Claimant, which is funded through IHSS. Because Mother is also Claimant's younger sister's IHSS provider, she occasionally needs to provide those services to Claimant and his younger sister simultaneously.

27. Mother sleeps about four hours per night. Despite Claimant's schedule having zero unfunded hours, Mother contends that this does not mean she demonstrates no parental responsibility for Claimant or her other children. Mother did not put any of the time she spends supervising and caring for her children into the calendar she prepared for NLACRC because she was not asked to do so. On the contrary, Mother cooks, cleans, bathes, toilets the children as necessary, takes the children to doctor's appointments, assists them with homework, and prepares their backpacks and lunches for the next day, all of which is not listed expressly in the calendar.

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Analysis of Evidence

28. The weight of the evidence supports a finding that Claimant no longer needs the same level of PA services that he has been receiving to date. Claimant graduated from his AST program in 2022. (Factual Finding 12.) He is exiting his IEP at school because he no longer requires special education services, such as a one-on-one aide. (Factual Finding 7.) DePiro's observation of Claimant corroborated a similar finding that Claimant does not need one-on-one assistance at home. (Factual Findings 12–14.) And Gandin's un rebutted testimony was that it was likely inappropriate for someone in Claimant's situation to receive the level of services he receives, *i.e.*, services or supervision, including one-on-one PA services, at all waking hours of the day. (Factual Findings 18–19.)

29. Furthermore, there is ample evidence that NLACRC did not decide to reduce Claimant's level of PA services before his behavioral observation. Gandin testified that she copied and pasted the same note into all the siblings' files about reduction in services after NLACRC decided to reduce Claimant's siblings' level of PA services. (Factual Finding 21.) But other evidence demonstrates that NLACRC relied on DePiro's observation and report, and internal staff discussions, before making the final decision to reduce Claimant's level of PA services. (Factual Finding 22.)

30. Mother provided credible testimony about Claimant's challenging behaviors. But DePiro's observation and the information from Claimant's school stating he no longer requires any special education services through an IEP were more persuasive.

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LEGAL CONCLUSIONS

Jurisdiction

1. The Lanterman Act governs this case. (Welf. & Inst. Code, § 4500 et seq.; all further undesignated statutory references are to the Welfare and Institutions Code.) The Legislature enacted the Lanterman Act to provide a pattern of facilities and services sufficiently complete to meet the needs of each person with developmental disabilities, regardless of age or degree of handicap, and at each stage of life. The purpose of the statutory scheme is twofold: To prevent or minimize the institutionalization of developmentally disabled persons and their dislocation from family and community, and to enable them to approximate the pattern of everyday living of nondisabled persons of the same age and to lead more independent and productive lives in the community. (*Assn. for Retarded Citizens v. Dept. of Developmental Services* (1985) 38 Cal.3d 384, 388.)

2. DDS is the state agency charged with implementing the Lanterman Act; DDS, in turn, may contract with private, non-profit community agencies called "regional centers" to provide developmentally disabled persons with access to the services and supports best suited to them throughout their lifetime. (§§ 4416, 4620.)

3. Under the Lanterman Act, an administrative proceeding, also known as a "fair hearing," is available to determine the rights and obligations of the parties, including regional center decisions with which the claimant disagrees. (§§ 4700–4717.) Claimant timely requested a fair hearing, and jurisdiction for this case was established. (Factual Findings 1–4.)

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Standard and Burden of Proof

4. The party proposing a change in existing services or asserting a new claim holds the burden of proof in administrative proceedings. (See, e.g., *In re Conservatorship of Hume* (2006) 140 Cal.App.4th 1385, 1388 [the law has “a built-in bias in favor of the status quo,” and the party seeking to change the status quo has the burden “to present evidence sufficient to overcome the state of affairs that would exist if the court did nothing”].) The standard of proof for these proceedings is the preponderance of the evidence because no other law or statute, including the Lanterman Act, provides otherwise. (Evid. Code, § 115.) This standard is met when the party bearing the burden of proof presents evidence that has more convincing force than that opposed to it. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

5. Here, NLACRC bears the burden of proving by a preponderance of the evidence that its proposal to change the level of PA services it will provide to Claimant is justified.

Individual Program Plan Process

6. The determination of which services and supports are necessary for each regional center client is made through the IPP process with the regional center. (§ 4512, subd. (b).) This determination “shall be made on the basis of the needs and preferences of the consumer or, when appropriate, the consumer's family, and shall include consideration of a range of service options proposed by [IPP] participants, the effectiveness of each option in meeting the goals stated in the [IPP], and the cost-effectiveness of each option.” (*Ibid.*; § 4646, subds. (a), (b) [noting that the IPP is developed through an “individualized needs determination” that includes the client as

well as their parents, guardians, or authorized representatives, and should reflect “the needs and preferences of the consumer, and, as appropriate, their family.”.])

7. The IPP process includes “[g]athering information and conducting assessments to determine the life goals, capabilities and strengths, preferences, barriers, and concerns or problems of the person with developmental disabilities” and should include a review of the “needs of the child and the family unit as a whole.” (§ 4645.5, subd. (a)(1).) Assessments to determine a regional center client’s “capabilities and strengths, preferences, barriers, and concerns or problems,” should be conducted “by qualified individuals and performed in natural environments whenever possible.” (*Ibid.*) Such assessments “shall reflect awareness of, and sensitivity to, the lifestyle and cultural background of the consumer and the family.” (*Ibid.*)

8. When selecting the types of services and supports appropriate for inclusion in a regional center client’s IPP, the regional center must consider

the family’s responsibility for providing similar services and supports for a minor child without disabilities in identifying the consumer’s service and support needs as provided in the least restrictive and most appropriate setting. In this determination, regional centers shall take into account the consumer’s need for extraordinary care, services, supports and supervision, and the need for timely access to this care.

(§ 4646.4, subd. (a)(4).) With respect to PA services, NLACRC’s Service Standards provide that

Personal assistant services are to assist with bathing, grooming, dressing, toileting, meal preparation, feeding,

and protective supervision is a typical parental responsibility for minor children. Personal assistant services for minor children will be considered on an exception basis when the needs of the consumer are of such a nature that it requires more than one person to provide the needed care. There may be exceptional circumstances as a result of the severity and/or intensity of the developmental disability that may impact the family's ability to provide specialized care and supervision while maintaining the child in the family home. Eligibility and/or use of generic services such as [IHSS] will be explored and accessed where possible prior to NLACRC funding as an exception.

(Ex. 3, p. A16.)

Self-Determination Program

9. The Self-Determination Program allows participants and their families to have an annual budget for services and supports to meet the objectives of the participant's IPP. (See § 4685.8.) SDP is an alternative to the regional center's traditional IPP planning and service provision process and it requires the client's opt-in to participate. (*Id.*, subd. (d).) "'Self-determination' means a voluntary delivery system consisting of a defined and comprehensive mix of services and supports, selected and directed by a participant through person-centered planning, in order to meet the objectives in their IPP. Self-determination services and supports are designed to assist the participant to achieve personally defined outcomes in community settings that promote inclusion." (*Id.*, subd (c)(6).)

10. “The Self-Determination Program shall be available in every regional center catchment area to provide participants and their families, within an individual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their IPP.” (§ 4685.8, subd. (a).) “The Self-Determination Program shall only fund services and supports provided pursuant to this division that the federal Centers for Medicare and Medicaid Services determines are eligible for federal financial participation.” (*Id.*, subd. (c)(6).)

11. When developing a client’s SDP budget for their IPP, the regional center must “determine the services, supports and goods necessary for each consumer based on the needs and preferences of the consumer, and when appropriate the consumer's family, and the effectiveness of each option in meeting the goals specified in the IPP and the cost effectiveness of each option[.]” (§ 4685.8, subd. (b)(2)(H)(i).)

12. Adjustments to a regional center client’s annual SDP budget can be made as needed if the regional center determines that an increase or decrease in the budget is appropriate due to “a change in the participant's circumstances, needs, or resources[.]” (§ 4685.5, subd. (m)(1).) A participant’s annual SDP budget can also be adjusted as part of an annual review process conducted by the regional center. (§ 4685.5, subd. (o).)

Analysis

13. NLACRC met its burden to show by a preponderance of the evidence that its proposed changes to Claimant’s PA service level are justified. NLACRC had the authority to make changes to Claimant’s SDP budget as necessary or as part of an annual review of his needs, and that is what it did here. (Legal Conclusion 12.) As Gandin explained, this decision was driven in part by the Lanterman Act’s requirement

to account for “the family’s responsibility for providing similar services and supports for a minor child without disabilities.” (Legal Conclusion 8.) NLACRC also considered Claimant’s family’s needs, as required by the Lanterman Act. (See Legal Conclusions 6–7, 11.) As DePiro explained, if Claimant was the only child in the household, she would not recommend any funding for PA services at all. (Factual Finding 14.) In other words, it is precisely because Claimant has siblings who are also regional center clients that he will continue receiving PA services, albeit less than he received before.

14. Neither Gandin nor DePiro could explain what, if anything, changed between 2022 and 2024 that required a reduction in Claimant’s PA services—NLACRC’s justification to reduce those services would likely be even more persuasive if it could articulate what those changes were. Gandin conceded, however, that the quantity and level of PA services it initially provided to Claimant may have been an oversight. Regardless, NLACRC presented sufficient evidence to support its decision to reduce those services based on Claimant’s current needs. (Factual Findings 10–14, 18–19, 28–30.)

15. There is no doubt Mother takes her parental responsibilities seriously and performs them diligently under the trying circumstances of raising three children with developmental disabilities. But the evidence established Claimant does not need the same level of PA services that he was receiving previously, and the regional center is justified in reducing those services at this time.

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ORDER

Claimant's appeal is DENIED.

DATE:

TAYLOR STEINBACHER
Administrative Law Judge
Office of Administrative Hearings

BEFORE THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA

In the Matter of:

Claimant

OAH Case No. 2024070028

Vs.

DECISION BY THE DIRECTOR

North Los Angeles Regional Center,

Respondent.

ORDER OF DECISION

On October 16, 2024, an Administrative Law Judge (ALJ) at the Office of Administrative Hearings (OAH) issued a Proposed Decision in this matter.

The Department of Developmental Services (DDS) takes the following action on the attached Proposed Decision of the ALJ:

The Proposed Decision is adopted by DDS as its Decision in this matter. The Order of Decision, together with the Proposed Decision, constitute the Decision in this matter.

This is the final administrative Decision. Each party is bound by this Decision. Either party may request a reconsideration pursuant to Welfare and Institutions Code section 4713, subdivision (b), 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.

Attached is a fact sheet with information about what to do and expect after you receive this decision, and where to get help.

IT IS SO ORDERED on this day November 13, 2024.

Original signed by:

Pete Cervinka, Acting Director