

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

**In the Matter of:**

**CLAIMANT**

**vs.**

**SOUTH CENTRAL LOS ANGELES REGIONAL CENTER,**

**Service Agency.**

**DDS No. CS0025168**

**OAH No. 2025030478**

**DECISION**

Chris Ruiz, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter at the South Central Los Angeles Regional Center (RC or Regional Center), on August 22, 2025.

Tami Summerville, Appeals and Government Fair Hearing Manager, represented RC.

Claimant's mother (Mother), represented Claimant. Titles are used to protect the privacy of Claimant's family.

Leyla Arenas provided Spanish to English and English to Spanish interpreting services, as needed, to assist the parties.

Testimony and documents were received as evidence. The record closed and the matter was submitted for decision on August 22, 2025.

## **ISSUE**

Is Claimant eligible to receive services from RC pursuant to the Lanterman Developmental Disabilities Services Act (Lanterman Act)?

## **EVIDENCE RELIED ON**

Exhibits 1-6 and A; Testimony of Dr. Laurie McKnight Brown and Dr. Vanessa Ron.

## **FACTUAL FINDINGS**

### **Jurisdictional Matters**

1. Claimant is a 15-year-old male who has requested services from RC.
2. On February 25, 2025, RC sent a letter to Claimant notifying him he was found ineligible for RC services. RC concluded that Claimant has a qualifying diagnosis of Autism Spectrum Disorder (ASD). However, RC also concluded that Claimant is not "substantially disabled" by his ASD, as is required by Welfare and Institutions Code (Code) section 4512, subdivision (l), and California Code of Regulations (CCR), title 17, section 54001. All further references to the CCR are to title 17 unless otherwise stated.

3. On March 11, 2025, Claimant appealed RC's decision denying eligibility and submitted a Fair Hearing Request (FHR).

### **Prior Assessment of Claimant**

4. In July 2019, Claimant was referred to RC for an evaluation. At that time, Claimant was beginning fourth grade in school. RC referred Claimant to Jennie M. Mathess, Psy.D. (Mathess), and Mathess performed a psychological assessment of Claimant. Mathess concluded that Claimant did not have a qualifying diagnosis at that time.

### **Most Recent Assessment of Claimant**

5. In 2024, Claimant requested that he be re-evaluated for eligibility. RC referred Claimant to Consulting Collective, and Claimant was evaluated by a licensed psychologist who diagnosed Claimant as having ASD. (Exhibit 3.)

### **Eligibility Requirements**

6. For Claimant to be eligible to receive services from RC, he must have a qualifying diagnosis which results in substantial disability in three or more of the major life activities.

7. Pursuant to Code section 4512, subdivision (l), the term "substantial disability" means significant functional limitations in three or more of the following areas of major life activity: Self-care, Receptive and Expressive language, Learning, Mobility, Self-direction, Capacity for Independent Living, and Economic Self-Sufficiency. The regional center determines whether a significant functional limitation exists for each category, as appropriate to the age of the person.

8. In this case, RC concluded that Claimant has a qualifying diagnosis of ASD, which causes Claimant to have a substantial disability in the area of Self-Direction (See Stipulation below). However, RC also concluded that Claimant's ASD does not result in a "substantial disability" in any of the other areas of major life activity. Therefore, RC concluded that Claimant is not eligible to receive services.

### **Stipulations of the Parties**

9. RC stipulated that Claimant has a qualifying diagnosis of ASD and is substantially disabled in the area of Self-Direction.

10. Claimant stipulated that he is contending he is substantially disabled in the areas of Economic Self-Sufficiency, Capacity for Independent Living, and Self-Direction. Claimant did not contend that he is substantially disabled in any of the other areas of major life activity.

11. Based on these stipulations, this decision will consider only the two areas of major life activity in dispute, which are Economic Self-Sufficiency and Capacity for Independent Living.

### **Testimony of Laurie McKnight Brown**

12. Laurie McKnight-Brown, Ph.D. (Dr. Brown) is a licensed clinical psychologist and an RC consultant. She reviewed all of Claimant's medical records, mental health records, and school records. Dr. Brown was also part of RC's interdisciplinary assessment team that considered Claimant's eligibility in 2024.

13. Dr. Brown testified that some of Claimant's deficits are likely caused by a lack of motivation, as compared to a lack of capacity or ability. Additionally, Claimant has been hospitalized for psychiatric issues on two prior occasions. Dr. Brown testified

that many of Claimant's deficits arose later in life, after his parents divorced, and his mental health issues and related deficits increased at that time. Dr. Brown testified that Claimant suffers from major depressive disorder with psychotic features.

14. As to the area of Capacity for Independent Living, Dr. Brown testified that Claimant can seek basic medical care, make simple snacks for himself, make phone calls, and follow instructions, if he is motivated to do so. Claimant is also able to use digital tools, such as a computer, and can perform digital assignments with basic directions.

15. As to the area of Economic Self Sufficiency, Dr. Brown testified that Claimant is of average intelligence, can express himself, and is able to receive information from other people.

16. Dr. Brown testified that she does not believe Claimant is substantially disabled in either the area of Economic Self Sufficiency or Capacity for Independent Living.

17. Dr. Brown testified that Claimant's deficits in these two areas are likely caused by Claimant's psychiatric issues and depression, both of which reduce his motivation to perform tasks.

### **Testimony of Vanessa Ron**

18. Vanessa Ron, Ph.D. (Dr. Ron) is employed by the County of Los Angeles, Department of Mental Health, and she has been providing treatment for Claimant since March 2024. Dr. Ron testified that RC's description of Claimant's abilities and deficits is very different than the deficits she has witnessed while treating Claimant. Dr.

Ron believes that Claimant's deficits in the two areas of major life activity at issue in this matter are more severe than reported by RC.

19. As to the area of Economic Self-Sufficiency, Dr. Ron testified that Claimant does not know how to obtain employment, and Claimant's lack of social skills will likely prevent Claimant from presenting himself adequately during an employment interview. Dr. Ron testified that Claimant is not able to hold a meaningful conversation for more than a few questions. Dr. Ron testified that during interactions with his treatment team, Claimant will, at times, remain silent in response to questions presented and Claimant has difficulty following the trajectory of a conversation.

20. As to the area of Capacity for Independent Living, Dr. Ron testified as follows:

[Claimant's] treatment team also believes that [Claimant] is not on target for capacity for independent living. [Claimant] is 2 years and 4 months from adulthood, and he is not demonstrating the skills needed to live an independent life. [Claimant] is not displaying knowledge surrounding how to maintain an independent life including how to make a living, how to pay bills etc. [Claimant] will state that his plan is to become an engineer, however upon further exploration of this topic, [Claimant] is not aware of different subsets of engineering and does not specify the type of engineering he is interested in. [Claimant] is also not aware of the qualifications needed to complete an engineering degree. [Claimant's] treatment team is concerned about his ability to live independently.

## **Other Findings**

21. The evidence in this matter is in conflict in the areas of Economic Self-Sufficiency and Capacity for Independent Living. Additionally, since Claimant is currently 15 years-old, his abilities in these area may become clearer in the next few years. Many teenagers' abilities, even typical teenagers, are unclear in these two areas. The evidence presented did not explain why Dr. Ron's experience with Claimant was different than RC's experience.

22. To further complicate the issue presented, the evidence presented established that Claimant's conditions, and related deficits, were evolving and changing at the time RC performed its evaluation in 2024. On August 21, 2024, Claimant was diagnosed by personnel at the Department of Mental Health as having a major depressive disorder with psychotic features (Ex. 5, p. A93.) Approximately four months later, on December 19, 2024, personnel at the Department of Mental Health diagnosed Claimant as having Persistent Depressive Disorder, but also stated that Claimant was making significant progress in treatment.

23. The evidence presented did not establish if Claimant's deficits in the two areas at issue are caused by his ASD, or his mental health and psychiatric issues, or a combination of both. Equal weight was given to the evidence presented by RC and the evidence presented by Claimant. Both Dr. Brown's testimony and Dr. Ron's testimony were credible, even though their opinions differ. Since Claimant bears the burden of proof in this case, and the weight of the evidence presented is equal, Claimant failed to carry his burden of proof in this matter, and Claimant did not establish that he is substantially disabled in the areas of Economic Self-Sufficiency and Capacity for Independent Living.

## LEGAL CONCLUSIONS

1. The Lanterman Act (Code, § 4500 et seq.) provides a framework for the provision of services and supports to individuals with developmental disabilities.

2. Individuals who disagree with regional center determinations, such as in this case, may appeal the determination through a fair hearing process. (Code, §§ 4700-4716, and CCR §§ 50900-50964).

3. Because Claimant seeks to establish his eligibility for services, he bears the burden to demonstrate his eligibility, and that the RC's decision to deny eligibility is incorrect. (See Evid. Code §§ 115.)

4. Code section 4512, subdivision (a), defines a developmental disability as ". . . a disability which originates before an individual attains age 18; continues or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual." The sole qualifying disabilities are: "intellectual disability, cerebral palsy, epilepsy, and autism. . . [and] disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability but shall not include other handicapping conditions that are solely physical in nature." (*Id.*)

5. In determining eligibility, "the Lanterman Act and implementing regulations clearly defer to the expertise of the DDS (California Department of Developmental Services) and regional center professionals' determination as to whether an individual is developmentally disabled." (*Mason v. Office of Administrative Hearings* (2001) 89 Cal.App.4th 1119, 1127.) In this case, RC assessed Claimant for eligibility and reviewed all information submitted by Claimant.

6. Mother and Dr. Ron are understandably concerned about obtaining whatever assistance is available to help Claimant.

7. Claimant did not establish RC's decision finding him not eligible for Lanterman Act services and supports is incorrect. While Claimant has a qualifying diagnosis of ASD, the evidence did not establish that Claimant has a substantial disability in three or more major life activities, which is required before Claimant can be found eligible to receive RC services. Claimant only established he is substantially disabled in the area of Self Direction.

8. Therefore, RC's determination must be upheld at this time. However, if the evidence discussed above changes, or if additional relevant information becomes available, or if Claimant's situation changes, Claimant may request that RC re-evaluate Claimant for eligibility and consider all available information at that time.

9. For all the above reasons, RC's decision is affirmed.

## **ORDER**

1. Claimant is not currently eligible for regional center services and supports, pursuant to the Lanterman Developmental Disabilities Services Act.

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2. Claimant's appeal of Regional Center's denial of eligibility is denied.

DATE:

CHRIS RUIZ

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 a 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.