

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

In the Matter of:

CLAIMANT,

and

NORTH LOS ANGELES COUNTY REGIONAL CENTER,

Service Agency.

DDS No. CS0029705

OAH No. 2025090380

DECISION

Erlinda Shrenger, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter by videoconference on February 10, 2026.

Claimant was represented by her legal guardian/foster mother (Mother). Claimant and Mother are identified by titles to protect their privacy.

Paul Mejia, Due Process Officer, represented North Los Angeles County Regional Center (Service Agency).

Two Spanish-language interpreters provided interpreting services during the hearing.

Oral and documentary evidence was received. The record closed, and the matter was submitted for decision on February 10, 2026.

ISSUE

May Service Agency terminate funding for claimant's Personal Assistant (PA) services of four hours per day, five days per week?

EVIDENCE RELIED UPON

Documentary: Service Agency's exhibits 1-28; Claimant's exhibit A.

Testimonial: Magali Espinoza, Consumer Services Supervisor; Dr. Arpi Arabian, Behavioral Services Manager; and Mother.

FACTUAL FINDINGS

Jurisdictional Matters

1. Claimant is a 10-year-old female who is eligible for regional services based on her diagnosis of Autism Spectrum Disorder.
2. By a Notice of Action dated July 28, 2025, Service Agency notified Mother it was proposing to terminate funding for claimant's PA services of four hours per day, five days per week.

3. On August 29, 2025, Mother filed an Appeal Request to appeal Service Agency's termination of claimant's PA services.

Testimony of Magali Espinoza

4. Magali Espinoza has been employed by Service Agency for a total of seven years. She is currently a Consumer Services Supervisor, a position she has held for the past two years. Prior to that, Espinoza was a Service Coordinator. As a Consumer Services Supervisor, Espinoza's duties include overseeing service coordinators and reviewing purchase of service requests. Espinoza is familiar with claimant's case because she has supervised claimant's assigned service coordinator for the past two years.

5. Pursuant to an Individual Program Plan (IPP) Addendum dated July 30, 2020, Service Agency agreed to fund PA services for claimant, three hours per day, Monday through Friday. (Exh. 3.) Service Agency funded the PA services because claimant had not been attending school since March 2020; her school was closed due to the COVID pandemic. Espinoza explained that PA services are specialized care for supervision and daily living to assist families when the intensity and severity of the consumer's developmental disability impacts the family's ability to provide care in the home.

6. Pursuant to an IPP Addendum dated May 4, 2022, Service Agency terminated the funding for claimant's PA services because claimant returned to attending school full-time and in person. (Exh. 4.)

7. Pursuant to an IPP Addendum dated June 16, 2022, Service Agency agreed to reinstate PA services for claimant. (Exh. 5.) Claimant's need for PA services was due to increased supervision and behavioral concerns reported by the family,

including that claimant threw objects at her siblings when she was upset, she often cried when she was frustrated, and she required constant attention and care to complete daily activities. Mother reported difficulty providing care for claimant's needs while also having to care for her siblings. Service Agency granted Mother's request for PA services of four hours per day, Monday through Friday.

8. An IPP planning team meeting was held on August 17, 2023, with Mother and claimant's service coordinator, Veronica Glasgow. (Espinoza is Glasgow's supervisor.) The meeting is documented in claimant's IPP dated August 17, 2023. (Exh. 6.) The continued need to fund PA services for claimant was discussed. Mother reported she was struggling to manage claimant and the other children in the home while also meeting her household needs. Mother requested Service Agency continue funding claimant's PA services.

9. At the August 17, 2023 IPP meeting, Mother was advised of her obligation to exhaust generic resources, such as In-Home Supportive Services (IHSS) through the county. Service Agency agreed to continue funding claimant's PA services, 4 hours per day, Monday through Friday, contingent on Mother seeking and exhausting IHSS as a generic resource, and claimant participating in an Adaptive Skills Training (AST) assessment. (Exh. 6, p. A21.)

10. On September 5, 2023, Service Agency's Behavior Consultant completed a clinical consultation to determine claimant's need for PA services. (Exh. 13.) The Behavior Consultant recommended an AST assessment to determine claimant's current support needs, skill levels, and direction of services. The Behavior Consultant also recommended that funding for PA services continue for another six months while an AST assessment was completed. Mother was notified Service Agency would extend claimant's PA services contingent upon Mother applying for IHSS and claimant

participating in an AST assessment. Mother agreed to apply for IHSS but declined an AST assessment.

11. Pursuant to an IPP Addendum dated September 9, 2024, Service Agency agreed to an extension of claimant's PA services to give Mother time to exhaust IHSS as a generic resource. The Addendum states Mother "has applied for IHSS and is waiting for her doctor office to fill out required IHSS forms." (Exh. 7, p. A34.)

12. Mother applied for IHSS and protective supervision through Los Angeles County (County). The County conducted a needs assessment of claimant, which determined claimant did not need more supervision than a child of comparable age, there were no reported incidents of claimant placing herself in harm or danger, and there were no critical incidents reported or documented. On November 20, 2024, the County denied claimant's application for IHSS and protective supervision. (Exhs. 10, 11.) Espinoza testified the County's Notice of Action (Exhibit 10) indicated the basis for the denial was claimant did not require IHSS to remain in the home; she did not require more supervision than a child without a disability; and she was able to remain in the home safely without 24-hour supervision.

13. Mother appealed the County's denial to the California Department of Social Services (CDSS). On May 20, 2025, CDSS issued a hearing decision affirming the County's denial. (Exh. 11.) CDSS affirmed the County's finding that claimant had no assessed needs for IHSS. CDSS also concluded that claimant was not eligible for protective supervision. The CDSS decision explained: "It does appear that the minor needs more supervision than a neurotypical child of the same age, but not substantially so. Therefore, the minor is not eligible for protective supervision." (Exh. 11, p. A149.)

14. On July 10, 2025, the IPP team met to discuss claimant's PA services. Service Agency reviewed documentation related to claimant's Individualized Education Program (IEP) from her school, and the County's Notice of Action and CDSS's hearing decision denying IHSS. Based on CDSS's rationale for denying IHSS, that "[claimant's] needs are atypical to a child her age," Service Agency concluded that claimant's challenges "are age-related rather than disability related, and do not present a health or safety concern." (Exh. 28, p. A222.) At hearing, Espinoza noted the IEP records reviewed by Service Agency indicated claimant did not have a one-to-one aide at school and her behaviors were age-appropriate and could be easily directed.

15. On July 28, 2025, Service Agency issued a Notice of Action proposing the termination of claimant's PA services. (Exh. 28.) On August 29, 2025, Mother appealed Service Agency's proposed termination of PA services.

16. In October 2025, Service Agency requested another clinical consultation to further assess the need for continued funding of PA services for claimant. On October 15, 2025, after reviewing all available information and documentation, Service Agency's Behavioral Consultant recommended a behavioral observation of claimant in the home setting to gather additional data regarding the severity and frequency of behaviors. While documentation indicated claimant exhibited behaviors of concern at school, there was insufficient information about her behavioral presentation at home. Mother declined an in-home behavioral observation.

17. On October 17, 2025, due to Mother declining an in-home observation, the Behavioral Consultant recommended a Functional Behavior Assessment (FBA) conducted by a qualified Applied Behavior Analysis (ABA) provider. The Behavioral Consultant recommended a formal FBA to assist with identifying claimant's current needs, understanding her behavioral concerns, and determining appropriate treatment

and support service recommendations. Mother agreed to an FBA. She also agreed to pursue ABA services and would be selecting a provider. (Exh. 14, p. A164.)

18. Service Agency provided Mother with a list of ABA providers and asked her to select the provider for ABA services and the FBA. According to Espinoza, Mother has not selected a provider to perform the FBA. On October 20, 2025, Espinoza sent Mother a follow-up email asking if she had selected an ABA provider. (Exh. 27.) To date, Service Agency has not heard from Mother regarding her choice of ABA provider, and Mother has not responded to Service Agency's follow up inquiries.

Testimony of Dr. Arpi Arabian

19. Arpi Arabian, Ph.D., has been employed by Service Agency for 10 years. She is currently a Behavioral Services Manager, a position she has held since 2023. Her duties include overseeing the behavioral services team, consulting with the case management team, and making recommendations regarding the level of care. Dr. Arabian holds a doctorate and master's degree in clinical psychology. Dr. Arabian's qualifications are set forth in her C.V. (Exh. 2.)

20. Dr. Arabian is familiar with claimant's case. In September 2023, Dr. Arabian was contacted by the case management team for a consultation to determine whether PA services were appropriate for claimant. Lisa DePiro is a behavior consultant on Dr. Arabian's staff. Ms. DePiro conducted the behavioral consultation on September 5, 2023. (Exh. 13.)

21. Dr. Arabian testified regarding Ms. DePiro's recommendations. Because there was limited information available regarding claimant's skill level, Ms. DePiro recommended an AST assessment to gather more information. She also recommended that claimant's PA services continue at their current level to allow the AST assessment

to be completed. The team would review the completed AST assessment to determine the direction of claimant's services. In her consultation notes, Ms. DePiro reported: "Mother shared she is not interested in AST services and would like to continue with PA services." (Exh. 13, p. A160.)

22. Dr. Arabian testified two additional behavioral consultations were conducted on October 15 and 17, 2025. (Exh. 14.) The first consultation on October 15, 2025, was conducted by Courtney Areliz, a behavior consultant on Dr. Arabian's staff. The first consultation was to determine if claimant's level of care was appropriate for PA services. Ms. Areliz reviewed the available records, which indicated claimant exhibited behaviors of concern at school, but there was limited information about her presentation in the home setting. Ms. Areliz recommended a behavioral observation of claimant in the home to gather data on the frequency and intensity of her behaviors. Ms. Areliz also noted: "Conducting a home-based observation will and [*sic*] help determine the most appropriate direction of services (i.e., AST vs. ABA) and level of care or respite and personal assistance (PA)." (*Id.* at p. A164.) Mother did not agree to an in-home observation. Consequently, Dr. Arabian was contacted by the case management team for a second behavioral consultation.

23. Dr. Arabian conducted the second behavioral consultation on October 17, 2025. Dr. Arabian recommended an FBA by a qualified ABA provider due to Mother declining an in-home behavior observation. Dr. Arabian recommended that the assessor conduct a thorough review of relevant records, complete interviews with the parent and claimant, and perform multiple observations in various settings, including periods when the PA services provider is present and not present.

24. At hearing, Dr. Arabian opined that claimant may also need habilitative services. In her consultation notes, Dr. Arabian wrote, in part: "At present, the

individual is not receiving habilitative services. The parent has requested PA support at the non-specialized level. However, based on ongoing reports of behavioral concerns in the home setting, it appears that PA services at the non-specialized level may not be sufficient to meet the individual's current needs." (Exh. 14, p. A164.)

25. Dr. Arabian's consultation notes for October 17, 2025, also indicate that Mother "has agreed to pursue [ABA] services and plans to select a provider by the end of the business day. Once a provider is identified, the NLACRC Case Management team will initiate a referral to the chosen ABA agency." (Exh. 14, p. A164.)

Testimony of Mother

26. Mother feels claimant's PA services should not be terminated because claimant has severe behavior issues. Claimant requires 24-hour supervision and cannot be left alone. When left unsupervised, claimant escapes, hurts herself and others, jumps off furniture, and may burn herself playing with the stove. Mother testified claimant does the same behaviors at school. Mother presented a Notice of Suspension dated September 16, 2025, indicating claimant was suspended from school for two days for violating school rules. The Notice states, in part: "[Claimant] has been unsafe in and out of the classroom. [Claimant] has been bullying another student in and out of class. [Claimant] refuses to follow the directions of all staff members on campus. [Claimant] has eloped for 5 consecutive days." (Exh. A, p. B20.)

27. At hearing, Mother testified she is agreeable to any assessments and services that can be provided to address claimant's behaviors. Mother claimed Service Agency never offered her an AST assessment. Mother testified she has no objection to Service Agency conducting assessments of claimant at any time. She agrees to an in-home observation.

28. Mother testified Espinoza offered ABA services for claimant. According to Mother, Espinoza offered two hours of ABA to evaluate and observe claimant. Mother told Espinoza that would not work because claimant's pediatrician already referred her for ABA services. Mother testified that claimant's pediatrician made an order for ABA services. Mother claimed she was told a clinic would call her about ABA services, but she never received a call and she does not know the name of the clinic. Mother testified she has not requested ABA services from claimant's medical insurance. Claimant has not received any ABA services.

29. Mother contends Service Agency never told her about the services and assessments described in its Position Statement, such as AST. She claims she has been asking for services and assessments since last October, and Service Agency is only now offering services for claimant.

LEGAL CONCLUSIONS

1. The Lanterman Act, Welfare and Institutions Code section 4500 et seq., governs this case. (All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.)

2. A regional center is required to secure services and supports that meet the needs of the consumer, as determined in the consumer's IPP. (§ 4646, subd. (a)(1).) The determination of which services and supports are necessary for each consumer shall be made through the IPP process. (§ 4512, subd. (b).) The determination shall be based on 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. (§ 4512, subd. (b).)

3. The Lanterman Act contemplates that the provision of services shall be a mutual effort by and between regional centers and the consumer and their family. The foundation of this mutual effort is the development of a consumer's IPP. (§ 4646, subd. (d).)

4. The planning process for an IPP shall include, among other things, "[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." (§ 4646.5, subd. (a)(1).) "Assessments shall be conducted by qualified individuals and performed in natural environments whenever possible." (*Ibid.*)

5. When purchasing services and supports for a consumer, a regional center shall ensure conformance with its purchase of services policies, utilization of generic services and supports when appropriate, utilization of other sources of funding as contained in section 4659, and consideration of 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. (§ 4646.4, subd. (a).)

Analysis

6. In this case, Service Agency may terminate funding of claimant's PA services. Mother requested continued funding of PA services to address claimant's behavioral issues in the home setting. Due to insufficient information regarding claimant's behavioral presentation at home, Service Agency proposed conducting assessments and observations to gather data and information regarding the severity

and frequency of claimant's behaviors. Mother declined an AST assessment and an in-home behavior observation, and she has not selected a provider for an FBA or for ABA services. The assessments proposed by Service Agency are necessary for identifying claimant's current service and support needs, understanding her behavioral concerns, and determining appropriate treatment and support service recommendations. Absent sufficient information, Service Agency is unable to determine claimant's current service and support needs. Consequently, the termination of claimant's PA services, at this time, is warranted.

7. At hearing, Mother expressed her agreement and willingness to accept behavioral services, supports, and assessments recommended by Service Agency. If Mother wants claimant to receive behavioral services and supports funded by Service Agency, Mother is encouraged to cooperate with Service Agency regarding assessments and other IPP planning activities.

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ORDER

Claimant's appeal is denied. Service Agency may terminate funding for claimant's Personal Assistant (PA) services of four hours per day, five days per week.

DATE:

ERLINDA SHRENGER

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.