

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

In the Matter of:

CLAIMANT,

and

NORTH BAY REGIONAL CENTER, Service Agency.

DDS No. CS0031937

OAH No. 2025120099

DECISION

Administrative Law Judge Michael C. Starkey, State of California, Office of Administrative Hearings, serving as an independent hearing officer, heard this matter on March 4, 2026, in Santa Rosa, California.

Claimant's mother represented claimant.

Director of Client Services Beth DeWitt represented service agency North Bay Regional Center (NBRC).

The matter was submitted for decision on March 4, 2026.

ISSUE

Must the regional center reimburse claimant for the cost of a weekly class held in an indoor trampoline facility?

FACTUAL FINDINGS

Introduction and Procedural History

1. Claimant is 19 years old. She lives in an accessory dwelling unit, adjacent to the residence of her mother and 17-year-old brother.

2. Claimant is eligible for regional center services on the basis of severe intellectual disability (ID), and has also been diagnosed with autism, vision impairment, and Pitt Hopkins Syndrome (a neurodegenerative disorder that causes developmental delays and breathing problems). Claimant is nonverbal and engages in emotional outbursts and self-harming behaviors if frustrated. She is incontinent and wears diapers. Claimant has gait disturbance and wears custom insoles for her right foot, but also elopes. She requires assistance with her activities of daily living and 24-hour supervision for her safety.

3. Claimant receives special education services and attends an adult transitional program from 9:00 a.m. to 1:00 p.m. on school days. Claimant also receives occupational therapy, physical therapy, and speech therapy. She is eligible for 282 In-Home Supportive Services (IHSS) hours per month. NBRC funds an additional 550 "one to one" personal assistant (PA) hours per month for claimant. The role of a PA is to ensure that a client is safe, transport the client to activities and events, and generally provide assistance with personal care. In claimant's case, this includes

assistance with toileting and diaper changes. NBRC also funds incontinence supplies, a weekly dance class, a weekly equestrian class, and skiing lessons for claimant.

4. On November 5, 2025, NBRC issued a notice of action to claimant, stating that NBRC could no longer reimburse claimant for the cost of a small group class (Trampoline Class) at a certain trampoline facility (Trampoline Facility) in the amount of \$100 per week because "a monthly membership in the amount of \$49.99 is the most cost-effective option."

5. Also on November 5, 2025, NBRC issued a separate notice of action to claimant, denying funding for a certain kind of weekly therapy.

6. On November 19, 2025, claimant timely appealed both denials.

7. Both appeals were submitted to OAH and consolidated for hearing.

8. Prior to hearing, the parties reached an agreement regarding the weekly therapy and a notice of resolution was executed, resolving that appeal (OAH No. 2025120097; DDS No. CS0031936). This Decision relates only to claimant's appeal of NBRC's denial of funding for the Trampoline Class.

The Trampoline Class

9. The facts of this matter are largely undisputed.

10. An NBRC case management supervisor (NBRC Supervisor) testified at hearing. He is familiar with claimant's case and supervises her service coordinator.

11. The Trampoline Facility is a national chain of recreational indoor trampoline arenas primarily patronized by children. Claimant began attending the Trampoline Class at the Trampoline Facility more than 18 months ago. NBRC approved

reimbursement for the class (at \$100 per session) as a social recreation activity, based on information claimant's mother provided to an NBRC employee who no longer works for the regional center. The NBRC Supervisor understood that the class was offered by the Trampoline Facility.

12. More recently, NBRC learned that a monthly membership to the Trampoline Facility only costs \$49.99 per month. The NBRC Supervisor called the facility and was told by a Trampoline Facility manager that the Trampoline Facility does not offer or allow any classes in the facility. The NBRC Supervisor then asked claimant's mother more about the class and learned that the primary instructor of the Trampoline Class (Primary Instructor) is an instructional aide at a high school, with more than 10 years of experience. NBRC also learned that claimant's 17-year-old brother sometimes teaches the class.

13. The NBRC Supervisor called the Primary Instructor, but she refused to provide information about the class. The NBRC Supervisor later learned that the Primary Instructor had also worked as a PA for claimant, as recently as Winter 2025.

14. NBRC concedes that the trampoline activities are beneficial to claimant and should be funded. However, the NBRC Supervisor opines that a PA could provide the services included in the Trampoline Class and therefore the class is duplicative of services already being provided.

Claimant's Additional Evidence

15. Claimant's mother testified at hearing. She reports that the Trampoline Facility refuses to develop a class for the special needs community. She reports that she was one of the "main creators" of the Trampoline Class and that the Primary Instructor and claimant's teacher also helped.

16. Claimant's mother submitted a flyer for the Trampoline Class. She reports this flyer was created approximately at the time the class first started and is an accurate description of the class. The flyer states: "Join us for a weekly Trampoline Park small group class one day per week after school! Have fun, engage with peers and other jumpers, and get gross motor skills practice and exercise. . ." The flyer specifies that the class is for students 14 years and older from certain special education programs, including one that claimant attended at that time. The class is held once per week, lasts two hours, and the cost is \$100 per class (in addition to the Trampoline Facility entry fee). The flyer states that the class includes:

- Check in and wristband support
- Changing into required grip socks (\$4/pair)
- Small group jump time on 4x4 trampolines
- Class size of 2-5 people to maintain low group teacher : student ratio
- Jumping support (1:1 parent/caregiver assist ok if needed)
- Peer interaction coaching (within our group and other outside jumpers)
- Popcorn and water at the end

The flyer directs the reader to contact the Primary Instructor.

17. Claimant's mother reports that claimant has participated in the Trampoline Class approximately 75 times. Claimant's mother reports that she does not know how many other individuals participate in the class, but she estimates two

others. She explained that she attended the class a "couple of times" when the cost was first approved by NBRC, but because she works, a PA generally takes claimant to the classes. She reports that there is peer engagement in the class. Claimant's mother testified that she does not know if other participants in the Trampoline Class have a PA.

18. When asked if the Trampoline Facility is aware of the Trampoline Class, claimant's mother testified that she thinks so, but no one at the Trampoline Facility ever asked if a class was being held or said that the class was not allowed there.

19. Claimant's mother reports that since claimant started attending the Trampoline Class, claimant's mother has paid the Trampoline Facility \$19.99 per month for claimant's monthly membership. She reports that this membership affords claimant access to the Trampoline Facility during most of its hours of operation.

20. Regarding the decision to set the cost for each two-hour Trampoline Class at \$100, claimant's mother reports the following reasoning: they wanted the price to be more than the \$32 per hour a PA generally costs because the class required preparation; and studio classes tend to cost \$125, but the studios have overhead costs not applicable to the Trampoline Class, because the Trampoline Facility's overhead costs are "contained in the membership price."

21. Claimant's mother reports the following about the Primary Instructor's refusal to provide information about the Trampoline Class to NBRC:

- Claimant's mother told the Primary Instructor that NBRC might deny reimbursement for the class and that claimant would file an appeal.

- After NBRC called, the Primary Instructor reported that NBRC was aggressively questioning her and the Primary Instructor did not want to “undermine” claimant’s mother, so she referred NBRC back to claimant’s mother.
- The Primary Instructor did not want to make a mistake.

The Primary Instructor did not submit a written statement or testify at hearing.

22. Claimant’s mother reports that the Primary Instructor worked with claimant for four years (presumably as a PA), is CPR-trained, and has more than a decade of experience working with the special needs community. Claimant’s mother does not contend that the Primary Instructor has any training or special knowledge regarding trampolines or physical education.

23. Claimant’s mother reports that claimant’s 17-year-old brother has years of volunteer experience working with special needs individuals, including volunteering at the same summer camp that claimant attended and being paid to supervise special needs children. However, she concedes that most of his experience in this area comes from his experiences with claimant. Claimant’s mother reports that claimant’s brother visited the Trampoline Facility at times when he was younger, but never had a monthly membership. She does not contend that he has any training or special knowledge regarding trampolines or physical education that would qualify him to teach the Trampoline Class.

24. Claimant’s mother reports that it is very difficult for her to find people to work as a PA for claimant and claimant never “bills the full PA hours, even at the \$25 per hour offered.” She reports that she trains claimant’s PA’s to the extent possible.

25. Claimant's mother emphasizes that the instructor of the Trampoline Class and a PA have different roles, specifically that the instructor's role is to plan lessons, guide motor skills, teach safety rules, and supervise peer interaction, but not to attend to "meltdowns," toileting needs, or other safety issues. She opines that if there is no instructor, there is no "curated opportunity with peers." However, she does not contend that peer interactions at the Trampoline Facility can occur only in the class.

Ultimate Findings

26. Claimant's participation in the Trampoline Class is plausibly therapeutic. However, claimant did not show that the benefit of the class is significantly greater than what her PA could provide her at the Trampoline Facility. The instructors of the Trampoline Class were not shown to have significantly more relevant expertise or experience than a PA. NBRC already funds a PA and has offered to fund a monthly membership to the Trampoline Facility, at approximately one-tenth the cost of the Trampoline Classes. With a PA's assistance, claimant can participate in and obtain social benefit from the Trampoline Facility solely through a monthly membership. The additional peer interaction in the Trampoline Class was not shown to justify the price difference. Accordingly, the Trampoline Class is not a cost-effective way to provide services to claimant.

LEGAL CONCLUSIONS

1. The State of California accepts responsibility for persons with developmental disabilities under the Lanterman Developmental Disabilities Services Act (Welf. & Inst. Code, § 4500, et seq.) (Act) (All further statutory references are to the Welfare and Institutions Code unless stated otherwise). The purpose of the Act is to

rectify the problem of inadequate treatment and services for the developmentally disabled, and to enable developmentally disabled individuals to lead independent and productive lives in the least restrictive setting possible. (§§ 4501, 4502; *Association for Retarded Citizens v. Department of Developmental Services* (1985) 38 Cal.3d 384.) The Act is a remedial statute; as such it must be interpreted broadly. (*California State Restaurant Association v. Whitlow* (1976) 58 Cal.App.3d 340, 347.)

2. The Act mandates that an “array of services and supports should be established . . . to meet the needs and choices of each person with developmental disabilities . . . and to support their integration into the mainstream life of the community.” (§ 4501.) Regional centers have the responsibility of carrying out the state’s responsibilities to the developmentally disabled under the Act. (§ 4620, subd. (a).) The Act directs regional centers to develop and implement an Individual Program Plan (IPP) for each individual who is eligible for services, setting forth the services and supports needed by the consumer to meet his or her goals and objectives. (§ 4646.) The determination of which services and supports are necessary is made after analyzing the needs and preferences of the consumer, the range of service options available, the effectiveness of each option in meeting the goals of the IPP, and the cost of each option. (§§ 4646, 4646.5, & 4648.)

3. While regional centers have a duty to provide a wide array of services to implement the goals and objectives of the IPP, they are also directed by the Legislature to provide services in a cost-effective manner. (§ 4646, subd. (a).)

4. The Trampoline Class for which claimant seeks reimbursement is not a cost-effective service. (Factual Finding 26.) Therefore, the Act does not authorize the reimbursement claimant seeks.

ORDER

Claimant's appeal is denied. North Bay Regional Center is not authorized to reimburse her for the cost of the weekly class held in an indoor trampoline arena.

DATE:

MICHAEL C. STARKEY

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.