

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

**In the Matter of:**

**CLAIMANT**

**and**

**CENTRAL VALLEY REGIONAL CENTER, Service Agency**

**DDS No. CS0032087**

**OAH No. 2025120280**

**DECISION**

Administrative Law Judge Jennevee H. de Guzman, Office of Administrative Hearings, State of California, acting as a Fair Hearing Officer, heard this matter by videoconference on February 24, 2026, from Sacramento, California.

Jacqui Molinet, Fair Hearings and Appeals Manager, represented Central Valley Regional Center (CVRC).

Claimant's mother (Mother), who is also his authorized representative, represented claimant.

Evidence was received, the record closed, and the matter submitted for decision on February 24, 2026.

## **ISSUE**

Whether CVRC failed to acknowledge the need for an additional psycho-educational assessment.

Whether CVRC should be required to reimburse claimant for the cost of a psycho-educational consultative assessment conducted on October 19, 2025.

## **FACTUAL FINDINGS**

### **Background and Jurisdictional Matters**

1. Claimant is 11 years old and lives with his parents, uncle, and sibling in their home in Coarsegold, California. Claimant qualifies for Lanterman Act services coordinated through CVRC due to his diagnosis of autism.

2. On July 25, 2025, Mother and claimant's then service coordinator, Sarah Rea, attended an Individual Program Plan (IPP) meeting at claimant's home. Mother initially signed the IPP but retracted her signature due to a disagreement about the IPP process. CVRC subsequently convened an IPP meeting with Mother. Mother presently disputes the IPP.

3. On September 22, 2025, Mother and Educational Professionals of Central California LLC (EPCC) entered into a service agreement for Raul J. Tejada, M.A., P.P.S., L.E.P., to assess claimant and prepare a written report regarding assessment results. Mother agreed to pay for services rendered upon EPCC submitting, among other things, an invoice. The service agreement provided the cost was "not to exceed \$500." Mr. Tejada performed the psycho-educational consultative assessment on September

24, and October 17, 2025. He prepared a written report entitled “psycho-educational consultative assessment” on October 19, 2025.

4. On October 16, 2025, claimant requested CVRC reimburse him for the cost of EPCC’s services. CVRC denied claimant’s request on October 21, 2025. On October 28, 2025, CVRC sent a notice of action (NOA) proposing to deny claimant’s request because it had not previously authorized the service and such services are typically funded by a generic resource, namely school districts.

5. Claimant timely appealed the NOA. This fair hearing followed.

## **CVRC’s Evidence**

### **ALBERT DUARTE’S TESTIMONY**

6. Mr. Duarte, CVRC’s Assistant Director of Case Management, became familiar with claimant’s request while assisting Melissa Beal, a CVRC program manager, with this matter. At the time of claimant’s request, Mother had not provided CVRC with an invoice for services or the report. In a telephone conversation on October 21, 2025, CVRC informed Mother that claimant’s request was denied for the reasons set forth in the NOA.

### **MELISSA BEAL’S TESTIMONY**

7. Ms. Beal is a CVRC program manager. She oversees approximately 11 service coordinators, including Ms. Rea. Ms. Beal explained IPPs are generated from the IPP process, which collects information and concerns reported by the client’s parents. IPPs are designed to provide a general overview of various domains in a client’s life. The IPP model is not educationally or medically driven, and it does not list highly specific goals that one would see, for example, in an Individualized Education

Program. Rather, the IPP would generally reflect school services received by the client as reported by the parent.

8. Mother first raised claimant's need for an additional psycho-educational assessment on October 16, 2025, during a mediation in an unrelated appeal. Mother had already retained the services of EPCC at the time of her request. Claimant subsequently used the report as evidence in the fair hearing for the unrelated appeal. Ms. Beal stated EPCC rendered the services without prior CVRC authorization. In addition, claimant failed to provide an invoice with his reimbursement request.

## **DOCUMENTS**

9. CVRC submitted a draft December 2023 multidisciplinary psycho-education report prepared by the Yosemite Unified School District (YUSD). The YUSD report was prepared for claimant's triennial evaluation to "determine appropriate placement and continuing eligibility for special education services."

10. CVRC also submitted a draft integrated psycho-educational report from Limitless Learning dated January 19, 2026. The triennial assessment was conducted on December 19 and 30, 2025, and January 9 and 12, 2026. The stated purpose of the evaluation was to "determine claimant's ongoing eligibility for special education services and to further refine the understanding of his neurodevelopmental profile within the academic environment."

## **Claimant's Evidence**

### **MOTHER'S TESTIMONY**

11. Claimant has been a CVRC client since his second birthday. Based on Mother's experience, CVRC service coordinators have provided claimant with varying

levels of support. Most recently, Mother believes her questions and disagreements regarding claimant's most recent IPP went unanswered and were unresolved. Mother acknowledged Ms. Beal and Ms. Rea called her to discuss her disagreements but the phone call was unscheduled and she was "caught off guard." She understands IPP meetings can be convened to create IPP amendments but explained she is "apprehensive because [she] doesn't know what it would look like and how it would overlap with [the] IPP."

12. Mother explained she has a professional relationship with Mr. Tejeda. She has an educational advocate business, and he has made business referrals to her. Mother explained, in the education context, a parent has the right to request an independent evaluation at the public's expense. Mother disagreed with YUSD's report and believes it would be inappropriate for CVRC to rely on it during the IPP process. She explained her purpose for retaining Mr. Tejeda's services was to "better understand [claimant's] needs in his home environment" and to support claimant's IPP process due to her "concerns [claimant] was not properly serviced under the IPP process."

### **RAUL TEJEDA'S TESTIMONY**

13. Mr. Tejeda is a licensed educational psychologist and credentialed school psychologist. He has known Mother for approximately four years through her professional work as an education advocate. They have mutually referred clients to each other. At Mother's request, Mr. Tejeda conducted a psycho-educational consultative assessment of claimant in 2025. He was unable to articulate Mother's purpose for the referral and did not know the cost of his services. Mr. Tejeda was unaware of the IPP model but stated "there needs to be a coordination of services between [an] IEP and IPP." His report contained an outline of his perceived IPP

deficiencies and suggested IPP best practice considerations, as well as his recommendations.

## **Analysis**

14. Claimant correctly argues the Lanterman Act requires regional centers, such as CVRC, to conduct assessments during the IPP planning process as necessary to determine a consumer's needs. The evidence, however, failed to establish claimant's need for an additional psycho-educational assessment. CVRC appropriately recognized such assessments are directly and routinely provided by school districts. Here, claimant was assessed by YUSD in December 2023, and independently assessed by Limitless Learning in January 2026.

15. Additionally, the evidence further failed to establish CVRC's obligation to reimburse claimant for the consultative assessment conducted by Mr. Tejada. Mother unilaterally retained EPCC's services without CVRC's prior written authorization as required by the Lanterman Act and failed to produce a service invoice establishing the actual cost of the services. Claimant's request must therefore be denied.

## **LEGAL CONCLUSIONS**

1. The party seeking government benefits or services has the burden of proof. (*Lindsay v. San Diego County Retirement Bd.* (1964) 231 Cal.App.2d 156, 161.) In this case, claimant bears the burden of proving, by a preponderance of the evidence, that CVRC is required to reimburse him for the cost of the psycho-educational consultative assessment. The term preponderance of the evidence means "more likely than not." (*Sandoval v. Bank of America* (2002) 94 Cal.App.4th 1378, 1388.)

2. Under the Lanterman Act, the State of California accepts responsibility for persons with developmental disabilities. (Welf. & Inst. Code, § 4500 et seq.) The Lanterman Act “seeks to integrate developmentally disabled Californians into mainstream life and to ensure they are accorded equal access to programs receiving state funds.” (*Tri-Counties Association for Developmentally Disabled, Inc. v. Ventura County Public Guardian* (2021) 63 Cal.App.5th 1129, 1137; see also Welf. & Inst. Code, §§ 4501, 4502.) The State Department of Developmental Services is charged with implementing the Lanterman Act and is authorized to contract with regional centers to provide the developmentally disabled access to the services and supports needed. (Welf. & Inst. Code, § 4620, subd. (a); *Williams v. State of Cal.* (9th Cir. 2014) 764 F.3d 1002, 1004.)

3. The determination of which services and supports are necessary for each consumer shall be made through the IPP process. (Welf. & Inst. Code, § 4512, subd. (b).) The IPP planning process shall include “[g]athering information and conducting assessments to determine the . . . 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.*) “Information shall be taken from the consumer, his or her parents and other family members, his or her friends, advocates, providers of services and supports, and other agencies.” (*Ibid.*)

4. Although regional centers are mandated to provide a wide range of services to facilitate implementation of a consumer’s IPP, they must do so in a cost-effective manner. (Welf. & Inst. Code, § 4646, subd. (a).) A regional center is not required to provide every service a consumer or family may request. When purchasing services and supports, regional centers must ensure utilization of generic services.

(Welf. & Inst. Code, § 4646.4, subdivision (a).) Consequently, regional centers are required to control costs and to otherwise conserve resources that must be shared by many consumers. (Welf. & Inst. Code, §§ 4512, subd. (b), & 4659, subd. (a)(1).) Moreover, service purchase authorizations “shall be obtained from the regional center for all services purchased out of center funds.” (Cal. Code Regs, tit. 17, § 50612, subd. (a).) The authorization shall be obtained in writing and in advance of the service. (Cal. Code Regs, tit. 17, § 50612, subds. (b), (c)(1).)

5. When all the evidence is considered, claimant failed to demonstrate there was a need for an additional psycho-educational assessment for IPP purposes. Claimant had been assessed by YUSD and an independent evaluator in 2023 and 2026, respectively. Claimant further failed to demonstrate CVRC was obligated to reimburse him for the cost of Mr. Tejada’s consultative assessment because Mother retained his services without prior CVRC authorization.

## **ORDER**

Claimant’s appeal is DENIED.

DATE: March 6, 2026

JENNEVEE H. DE GUZMAN  
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.