

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

**In the Matter of:**

**CLAIMANT**

**and**

**ALTA CALIFORNIA REGIONAL CENTER, Service Agency**

**DDS No. CS0032726**

**OAH No. 2025121070**

**PROPOSED DECISION**

Hearing Officer Coren D. Wong, Office of Administrative Hearings, State of California, heard this matter by videoconference on February 6, 2026, from Sacramento, California.

DJ Weersing, Legal Support Specialist, represented Alta California Regional Center (ACRC), service agency.

Claimant's mother (Mother) represented claimant.

Evidence was received, the record closed, and the matter submitted for decision on February 6, 2026.

## **ISSUE**

Is the proposal in claimant's current Self-Determination Program (SDP) spending plan to purchase specialized non-medical transportation services "to ensure he has safe and reliable access to community activities, appointments (not medical), and outings" a permissible use of SDP funds?

## **FACTUAL FINDINGS**

### **Background**

1. Claimant is an 18-year-young man eligible for regional center services and supports based on a diagnosis of cerebral palsy (CP) due to a cerebellar medulloblastoma brain tumor. Radiation treatment caused the premature death of cells and tissue in his brain and cervical spine and adversely affected his mobility, speech, and overall functioning.

2. Claimant lives in the family home with his parents. He has four older siblings, three of whom live in the family home along with one of their wives. The fourth sibling lives outside the family home. Family describes claimant's strengths as being friendly, social, determined, resilient, and patient with everyone. Claimant enjoys listening to music, learning about history, watching movies, and collecting miniature cars, bobbleheads, knives, and posters. He particularly enjoys watching television, especially shows about cooking or the military, spending time with his family, going on outings, and going to church.

3. Claimant is a quadriplegic, cannot turn his head independently, has a tracheotomy, depends on a ventilator to breathe, and receives all nourishment and

medication through a gastrostomy tube (G-tube), a tube for delivering nutrition, fluids, and medication directly into the stomach. He utilizes a suction machine and a CoughAssist machine to clear secretions from his lungs and help stimulate a natural cough. He uses incontinence supplies.

4. Claimant is nonverbal, but he communicates with others by using a Tobii DynaVox eye gaze/eye tracking communication device, mouthing words, and spelling letters. Also, those who know him well can read his facial expressions. Claimant understands others and engages in reciprocal conversations with them. He can focus on a specific task or activity for an extended period, and he does not have any significant behavioral issues.

5. Claimant requires total assistance with activities of daily living, and he cannot help by making helpful movements. Claimant requires frequent shifting when in bed or his wheelchair to prevent bedsores. He requires respiratory care each morning and evening. Providers use an electric Hoyer lift to transfer him to and from his bed, wheelchair and shower chair.

## **Delivery of Services and Supports**

6. Claimant originally received regional center services and supports from approved vendors under the traditional services delivery model. However, he began the process of transitioning to the SDP around November 2023. The SDP is an alternative to the traditional services delivery model that allows participants to choose their own services and providers, rather than selecting from a pre-approved vendor list. Participants receive an individualized budget to purchase the services and supports required to implement their individual program plan (IPP).

7. The SDP is funded by the Medicaid Home and Community-Based Services (HCBS) waiver program. The HCBS waiver covers broad categories of services and supports and provides general examples of specific services and supports that may be included within each category. The California Department of Developmental Services (DDS) issues directives further outlining specific services and supports that are allowed and prohibited under the HCBS waiver. All regional centers are bound by the terms of the HCBS waiver and are prohibited from funding services and supports outside the waiver.

8. "Non-Medical Transportation" is a service explicitly covered by the HCBS waiver. The service is defined as follows:

Service offered in order to enable individuals served to gain access to the Self-Determination Program waiver and community services, employment, activities and resources, and participate in community life as specified by their Individual Program Plan. This service is offered in addition to medical transportation required under 42 CFR 431.53 and transportation services under the State plan, defined in 42 CFR 440.170(a) (if applicable), and shall not replace them. Transportation services under the waiver shall be offered in accordance with the individual's plan of care and shall include transportation aides and such other assistance as is necessary to assure the safe transport of the recipient. Private, specialized transportation will be provided to those individuals who cannot safely access and utilize public transportation services (when available). Whenever possible,

the use of natural supports, such as family, neighbors, friends, or community agencies which can provide this service without charge will be utilized. All SDP participants will work with a regional center service coordinator and a Financial Management Services provider. Some will choose to also work with an Independent Facilitator. The SDP participant, and one or all of these entities will determine when the use of natural supports, such as family, neighbors, and friends have been exhausted and paid services begin.

### **December 19, 2025 IPP**

9. On December 19, 2025, a team consisting of Mother and claimant's independent facilitator, client services manager, and service coordinator met by videoconference for claimant's annual IPP meeting. The resulting IPP identifies claimant's short-term goal as attending college to study software engineering and design. His long-term goals include attending college, continuing to rehabilitate to recover physically, and obtaining more independence.

10. The IPP notes that claimant encounters the following barriers to accessing the community or participating in social activities:

[Claimant] cannot be transferred into and throughout the community without all of his medical equipment accompanying him. This makes every trip ranging from family outings to doctor visits a difficult task to complete.

11. Claimant's health insurance pays for a non-emergency ambulance to bring him to and from healthcare appointments. For all other transportation needs, the

IPP states, “[Claimant] is currently an SDP client and has his community and immediate transportation funded through the regional center.” However, the IPP further provides:

A vital need for the family is to obtain some vehicle that is already modified or can be modified to allow for easier access to the community on a regular basis given how difficult it is to transfer [claimant]. This need could not be met from ACRC despite several attempts to generate various transportation options. The family can currently not fund out of pocket for any vehicle as well. An Noa [*sic*] has been filed by the client and his support system on 12/18/2025.

### **Request for Non-Medical Transportation Services**

12. ACRC employees document their involvement and interactions with a particular consumer in “Consumer I.D. Notes” (also referred to as “T19 notes”). Claimant’s Consumer I.D. Notes show that ACRC has been aware of his need for non-medical transportation services since at least December 15, 2023. Indeed, his service coordinator, independent facilitator, and Mother met the following month specifically to discuss his transportation needs. Claimant’s service coordinator subsequently documented claimant’s request for transportation to go to the mall, attend church, and go on other outings so he can interact with his peers and others outside his immediate family. ACRC ultimately agreed to fund a maximum of 10 Dial-a-Ride (DAR) passes per month for social recreation. DAR is a demand-response, shared-ride public transportation service that typically provides the public curb-to-curb or door-to-door transportation services within defined routes.

13. In March 2025, claimant's independent facilitator contacted ACRC and advised of claimant's upcoming 18th birthday and high school prom. She asked ACRC to add funds to claimant's SDP budget for a rental van so he could celebrate his birthday and attend his high school prom. In discussing the request with her colleagues, claimant's service coordinator explained, "The family does have natural supports but none that have a modified vehicle to help transport [claimant] to and from different places. Transportation is something the family has been advocating for, [sic] for years."

14. The service coordinator further explained that ACRC agreed to fund DAR passes, but "due to being unable to find the service code for this [she] was unable to input an authorization for it when he was under traditional services." Additionally,

The family has still been struggling with finding a reliable mode of transportation for [claimant]. He is quadriplegic and unable to maneuver his hands, legs, or turn his head. He also requires assistance with maneuvering his wheelchair.

15. The service coordinator subsequently emailed Mother and explained that the request for additional funding was denied because: (1) the request did not relate to his disability; (2) he did not qualify for ACRC-funded transportation services as a minor; and (3) high school prom did not qualify as a social/recreational activity. Mother subsequently paid out-of-pocket to rent a van and sought reimbursement from ACRC.

16. ACRC issued a Notice of Action (NOA) denying claimant's request for additional funding and Mother's subsequent request for reimbursement. Claimant

appealed the NOA. The matter resolved at mediation. The Notice of Resolution summarized the resolution as follows:

ACRC acknowledges that Ride A Long is no longer a viable option for [claimant]. ACRC Service Coordinator Keliliah Thomas will be in communication with [claimant's] New Adult Service Coordinator Rich Garibaldi about opening the SDP budget to allocate funds to assist with his complex transportation needs. [Mother] will work with ACRC in providing an estimate of costs for transportation services [claimant] will require up until his next SDP budget.

17. In the meantime, claimant's planning team met April 11, 2025, to discuss his transition to ACRC's adult unit because he was graduating from high school in two months. The team also discussed the services claimant wanted to fund in his SDP budget, including transportation services. The service coordinator agreed to discuss the proposed services during "staffing for the budget."

18. The service coordinator subsequently sent an email to her colleagues discussing the services claimant wanted to include in his SDP budget. She wrote the following regarding transportation services:

Funding for rental vans (through SacVans Mobility or Mobility Works) 5 days a week. This is different from the request to have payment/reimbursed for his outing on his birthday/prom. Family is interested in pursuing transportation services for [claimant] and want to know what their options are now that [he] is an adult. [He] is

paraplegic and reliant on a ventilator. They currently have Dial-a-Ride, which they have attempted to utilize and have determined that it ultimately was not working/meeting the need. Due to the amount of medical equipment required for [claimant] in his day to day life, the family found it incredibly challenging to utilize a transit system for transportation because they have lots of equipment that needs to be brought in order for [him] to go on outings, and if a situation occurs where one of [his] equipment malfunctions (for example his ventilator battery dying, which has happened a few times), they are then reliant on Dial-a-Ride to come back to whatever spot they're at to pick them up. Having a rental van allots the family more flexibility and control over their outings so that [claimant] can get the most out of wherever they go, they aren't relying on the transit system to come pick them up & they can travel comfortably with all of [his] stuff and be prepared in case there are sudden emergencies/changes in routine. This is what the family shared with me. I am not sure if this request can be accommodated or if there are alternatives to this service in the Adults unit but this is what the team is asking for as of now.

19. After discussing claimant's proposed services, ACRC decided to deny the request to fund a rental van. The service coordinator notified Mother of ACRC's decision by email.

20. A few months later, one of ACRC's client service managers sent Mother the following email:

Good Afternoon [Mother], Regarding Mobility Works, it still appears that this option is the leasing of a vehicle regardless of the wording, so I would like to extend the offer to have a meeting to further discuss this need for Mobility Works as [claimant's] transportation source and the options that have been explored that are specialized nonmedical transportation services. When you can, please provide your availability for next week (excluding 11/11 Veteran's Day) and the week of the 17th and let us know if you prefer a virtual or in person meeting.

21. Mother responded by declining to meet, explaining, "I have submitted [claimant's] schedule to you, and yet you continue to refuse adding the transportation service to his budget. We have discussed this for almost a year now, and it is unreasonable to be forced to restart the process yet again." She requested that ACRC either: (1) issue an NOA so claimant could exercise his appellate rights; or (2) include specialized non-medical transportation in his SDP budget because "this service is essential, it has already been established as a need, and it was approved before."

### **Pending NOA and Appeal**

22. On November 14, 2025, ACRC issued an NOA denying claimant's request "to use Self-Determination Program (SDP) funds to rent, lease, or purchase a vehicle through vendor Mobility Works for [his] specialized non-medical transportation." ACRC explained, "The requested vehicle rental, lease, or purchase is not an allowable

expense under the Self-Determination Program because it is prohibited under federal waiver requirements and DDS guidance.” Claimant appealed the NOA.

23. According to claimant’s Consumer I.D. Notes, ACRC subsequently decided to “exhaust[] ACRC [*sic*] funded transportation resources that can provide the client with the desired service.” The service coordinator compiled a list of nine vendors who could possibly meet claimant’s transportation needs, all but one of whom serviced Sacramento County.

24. The service coordinator discussed his list of vendors with Mother and obtained a list of all the equipment and other things necessary to ensure claimant is safely transported. It was subsequently determined that Mobility Works and Alpha One were the only vendors able to serve all of claimant’s transportation needs. The service coordinator sent Mobility Works the following email and intended to contact Alpha One as well:

Good morning,

I am a service coordinator with the regional center for a mutually shared client, [claimant]. It is to my knowledge that this client and their family have been facilitated services by your company on previous occasions.

My message today is centered around finding out if Mobility Works can provide a particular service that ensures [claimant] is afforded the opportunity to engage within the community as often as possible.

[Claimant] is a quadriplegic who is on a 24/7 ventilator, thus making it difficult for him to attend various community engagements such as church or attending family outings.

Our goal is to find a transportation company that will not only transport [claimant] to these outings but remain in the immediate vicinity and hold all of his needed medical equipment. [He] would be accompanied during each transport by his designated care provider along with a nurse.

Please let me know if this is a potential option for Mobility Works.

Thank you!

25. No evidence of Mobility Works's response, if any, was introduced. Nor was any evidence of an email being sent to Alpha One produced.

### **Claimant's SDP Spending Plan – Year 2**

26. Claimant and ACRC signed claimant's SDP Spending Plan – Year 2 with his appeal pending. The spending plan allocates funds to "Non-Medical Transportation" on a per trip basis. It accounts for eight trips per month for a total of 96 trips per year at the rate of \$185 per trip. The spending plan allocates a total of \$17,760 to this service. The service provider is identified as "TBD Pending NOA." The following description of the service is provided:

[Claimant] requires specialized transportation due to his unique needs directly related to his disability. A

transportation company or specialized transportation van is necessary to ensure he has safe and reliable access to community activities, appointments (not medical), and outings. This support also allows him to participate in meaningful activities that promote socialization, and quality of life, per his IPP/PCP goals. Ratio 1:1. Transportation must be provided at a 1:1 ratio to ensure his safety and to meet his medical, [sic] and mobility-related needs while traveling in the community.

## **Testimony at Hearing**

27. Mother described a typical day in claimant's life as waking up in the morning and a family member or another provider getting him out of bed, dressing him, brushing his teeth, and putting him in his wheelchair. He is "100 percent dependent on providers" for everything including activities of daily living, respiratory care, exercising his range of motion, and transferring him between his bed and wheelchair. She estimated claimant switches between his bed and wheelchair three to four times each day.

28. Claimant enjoys attending church on Sundays, but transportation barriers prevent him from attending in person so he attends online. He uses a power wheelchair, and it is very heavy because of the motor and battery. Additionally, he is on a ventilator and a G-tube and always requires access to related equipment and supplies. Therefore, he travels with two oxygen tanks, all the equipment and supplies for his ventilator and G-tube, and a CoughAssist machine. None of claimant's family members or friends have a vehicle equipped or large enough to transport him in his wheelchair and all his medical supplies. The family does not have the funds to

purchase such a vehicle, even if SDP funds were available to modify it and make it accessible to claimant.

29. Claimant tried using DAR, but it did not meet his needs. Although DAR is equipped to transport people in wheelchairs, it is not equipped to transport people with all the medical supplies with which he must travel. Additionally, services are limited to defined routes and do not allow for traveling out of town. Claimant has a large family that enjoys traveling out of town. However, because of his transportation barriers, they either do not travel out of town or travel without him.

30. Mother insisted claimant is not requesting transportation services as a luxury or out of convenience. Health insurance pays for a non-emergency ambulance to take him to and from all healthcare appointments, and he only wants similar transportation services to remove barriers to his accessing the community and participating in social recreation. Mother has noticed those barriers have negatively affected claimant physically and emotionally. He cannot go to the mall, watch movies, or visit friends. He is left at home with one of his parents during family outings.

31. Anne Shayler is ACRC's Client Service Manager for SDP. She is responsible for overseeing ACRC's implementation of the SDP and training staff on the applicable policies and procedures.

32. On July 8, 2024, DDS issued a directive titled "Self-Determination Program: Updated Goods and Services." The directive reiterated a previous directive that SDP funds may be used to purchase only services and supports approved by the federal Centers for Medicare and Medicaid Services and not available through other funding sources. It included an enclosure itemizing different services and supports that

are and are not allowed under the HCBS waiver. The “purchase/lease of a vehicle for transportation is not allowable.”

## **Analysis**

33. It was uncontested that claimant’s extensive and complicated medical needs are related to the developmental disability which qualifies him for regional center services and supports (CP). Those needs constitute barriers to his accessing community events and other social recreation activities. His service provider wrote in a recent email to Mobility Works that claimant’s medical needs make it “difficult for him to attend various community engagements[,] such as church or attending family outings.”

34. It was further uncontested that claimant requires specialized transportation to ensure safe and reliable access to community events and other social recreation activities. His service coordinator explained to Mobility Works, “Our goal is to find a transportation company that will not only transport [claimant] to these outings but remain in the immediate vicinity and hold all of his needed medical equipment.”

35. Moreover, it was uncontested that claimant’s current SDP spending plan allocates funds for specialized transportation “to ensure he has safe and reliable access to community activities, appointments (not medical), and outings.” Nevertheless, ACRC denied him use of those funds based on its argument that the HSBC waiver prohibits funding the purchase or lease of a vehicle.

36. ACRC’s argument is based on an overly myopic interpretation of the HSBC waiver. The HSBC waiver funds only those services and supports necessary to implement a consumer’s IPP. In other words, the services and supports purchased

must be related to the consumer's qualifying disability. It was uncontested that claimant's need for specialized transportation is directly related to his qualifying disability, CP. It was also uncontested that the HSBC waiver funds non-medical transportation services, including "specialized transportation . . . to those individuals who cannot safely access and utilize public transportation services (when available)." ACRC acknowledged that DAR "is no longer a viable option for [claimant]" and there are no generic resources or natural supports that can satisfy his needs.

37. The HSBC waiver's prohibition against purchasing or leasing a vehicle does not create an exception to the types of non-medical transportation services that may be purchased. Rather, it is a reminder that the services purchased must be related to the consumer's qualifying disability. Accordingly, the prohibition precludes purchasing a long-term, exclusive right to use and possess a vehicle, but not a short-term, exclusive right, basis based on the determination that the former is not related to the consumer's qualifying disability, but the latter is. (See Civ. Code, §§ 654 [ownership is the exclusive right to the possession and use of property] & 1925 ["Hiring is a contract by which one gives to another the temporary possession and use of property . . . and the latter agrees to return the same to the former at a future time"]; cf. Veh. Code §§ 372 [lease of a vehicle is "for a term exceeding four months"] & 508 [rental of a vehicle is "for a term not exceeding four months"].)

38. This interpretation of the HSBC waiver's prohibition is consistent with the Legislature's intent in adopting the Lanterman Developmental Disabilities Services Act (Welf. & Inst. Code, § 4500 et seq.; Lanterman Act). The Legislature declared, "An array of services and supports should be established which is sufficiently complete to meet the needs and choices of each person with developmental disabilities . . . to support their integration into the mainstream life of the community." (Welf & Inst. Code, §

4501.) It concluded, "Services and supports should be available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age." (*Ibid.*)

39. The Legislature granted the developmentally disabled certain statutory rights, including the right to have services and supports "directed toward the achievement of the most independent, productive, and normal lives possible." (Welf. & Inst. Code, § 4502, subd. (b)(1).) Additionally, the developmentally disabled have the right "to the maximum extent possible" to have services and supports "provided in natural community settings." (*Id.* at subd. (b)(2).) They have "a right to religious freedom and exercise," "a right to social interaction and participation in community activities," and "a right to physical exercise and recreational opportunities." (*Id.* at subd. (b)(5)–(7).) They have "a right to make choices in their own lives, including . . . their relationships with people in their community, the way they spend their time, including education, employment, and leisure . . . ." (*Id.* at subd. (b)(11).)

40. Allowing claimant to use the funds allocated to "Non-Medical Transportation" in his SDP Spending Plan – Year 2 is consistent with the terms and conditions of the HSBC waiver program, the Lanterman Act, and DDS directives. Therefore, claimant's appeal of ACRC's November 14, 2025 NOA should be granted.

## **LEGAL CONCLUSIONS**

### **Applicable Burden/Standard of Proof**

1. Claimant requested permission to use funds allocated in his Spending Plan – SDP Year 2 to "Non-Medical Transportation" to access specialized transportation services capable of providing him safe and reliable transportation when

participating in community life, attending non-medical appointments, and going to social events. He has the burden of proving by a preponderance of the evidence that this would be a permissible use of SDP funds. (*Lindsay v. San Diego Retirement Bd.* (1964) 231 Cal.App.2d 156, 161 [the party seeking government benefits has the burden of proving entitlement to such benefits]; Evid. Code, § 115 [the standard of proof is preponderance of the evidence, unless otherwise provided by law].) This evidentiary standard requires claimant to produce evidence of such weight that, when balanced against evidence to the contrary, is more persuasive. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.) In other words, he must prove it is more likely than not that he is entitled to use the funds allocated to “Non-Medical Transportation” as proposed. (*Lillian F. v. Super. Ct.* (1984) 160 Cal.App.3d 314, 320.)

## **Applicable Law**

2. Under the Lanterman Act, the State of California accepts responsibility for persons with developmental disabilities and pays for the majority of the “treatment and habilitation services and supports” to enable such persons to live “in the least restrictive environment.” (Welf. & Inst. Code, § 4502, subd. (b)(1).) “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 [citations], and to enable them to approximate a pattern of everyday living of nondisabled persons of the same age and to lead more independent and productive lives in the community [citations].” (*Assn. for Retarded Citizens v. Dept. of Developmental Services* (1985) 38 Cal.3d 384, 388.)

3. To determine how an individual consumer is to be served, regional centers are directed to conduct a planning process that results in an IPP designed to promote as normal a lifestyle as possible. (Welf. & Inst. Code, § 4646, subd. (a); *Assn.*

*for Retarded Citizens v. Dept. of Developmental Services, supra*, 38 Cal.3d at p. 389.)

The IPP is developed by an interdisciplinary team and must include the consumer and/or their representative. (Welf. & Inst. Code, § 4646, subd. (b).) Among other things, the IPP must set forth goals and objectives for the consumer, contain provisions for the acquisition of services (which must be based upon the consumer's developmental needs), contain a statement of time-limited objectives for improving the consumer's situation, and reflect the consumer's particular desires and preferences. (Welf. & Inst. Code, §§ 4512, subd. (b); 4646, subds. (a) & (d); 4646.5, subd. (a)(2); & 4648, subd. (a)(6)(E).)

4. "The regional center shall secure services and supports that meet the needs of the consumer . . . within the context of the [IPP]." (Welf. & Inst. Code, § 4648, subd. (a)(1).) "The services and supports provided by the regional center should assist each consumer in achieving their personal outcomes and life goals" and "be effective in meeting the goals stated in the [IPP]." (Welf. & Inst. Code, § 4646, subd. (a).) They must be "directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual with a developmental disability, or toward the achievement and maintenance of an independent, productive, and normal life." (Welf. & Inst. Code, § 4512, subd. (b).)

5. One method of delivering services and supports is the SDP. The SDP is "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." (Welf. & Inst. Code, § 4685.8, subd. (c)(6).) The services and supports provided "are designed to assist the participant to achieve personally defined outcomes in community settings that promote inclusion." (*Ibid.*)

6. The SDP provides “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.” (Welf. & Inst. Code, § 4685.8, subd. (a).) The individual budget is the amount of regional center funding provided “for the purchase of services and supports necessary to implement [the consumer’s] IPP.” (*Id.* at subd. (c)(3).) “[W]hen developing the individual budget, [the IPP team 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; the effectiveness of each option in meeting the goals specified in the IPP; the cost-effectiveness of each option . . . ; and the utilization of available generic services.” (*Id.* at subd. (b)(2)(H)(i).) The consumer creates a spending plan allocating how he will spend his budgeted funds. (*Id.*, at subd. (c)(7).)

## **Conclusion**

7. Claimant’s proposal to use SDP funds to purchase non-medical specialized transportation services “to ensure he has safe and reliable access to community activities, appointments (not medical), and outings” is consistent with the terms and conditions of the HCBS waiver program, the Lanterman Act, and DDS directives. Therefore, his appeal of ACRC’s November 14, 2025 NOA should be granted, and he should be allowed to use SDP funds as allocated in his SDP Spending Plan – Year 2 to “Non-Medical Transportation Services.”

## **ORDER**

Claimant’s appeal of Alta California Regional Center’s November 14, 2025 Notice of Action is GRANTED. He shall be allowed to use the Self-Determination

Program funds allocated in his SDP Spending Plan – Year 2 to “Non-Medical Transportation Services” to purchase specialized transportation “to ensure he has safe and reliable access to community activities, appointments (not medical), and outings.”

DATE: February 12, 2026

COREN D. WONG

Administrative Law Judge

Office of Administrative Hearings

BEFORE THE  
DEPARTMENT OF DEVELOPMENTAL SERVICES  
STATE OF CALIFORNIA

In the Matter of:

Claimant

OAH Case No. 2025121070

Vs.

**DECISION BY THE DIRECTOR**

Alta California Regional Center

Respondent.

ORDER OF DECISION

On February 12, 2026, an Administrative Law Judge (ALJ) at the Office of Administrative Hearings (OAH) issued a Proposed Decision in this matter.

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

The Proposed Decision is adopted by the Department but modified as follows:

1. Paragraph seven on page 20 is modified to say - Due to the unique circumstances based on evidence entered into the record in this case, Claimant's proposal to use SDP funds to purchase non-medical specialized transportation services "to ensure he has safe and reliable access to community activities, appointments (not medical), and outings" is consistent with the terms and conditions of the HCBS waiver program, the Lanterman Act, and DDS directives. Therefore, his appeal of ACRC's November 14, 2025 NOA should be granted, and he should be allowed to use SDP funds as allocated in his SDP Spending Plan – Year 2 to "Non-Medical Transportation Services." Purchasing non-medical specialized transportation services shall not include purchasing or leasing a vehicle.
2. The Order on pages 20-21 is modified to say – Due to the unique circumstances based on evidence entered into the record, Claimant's appeal of Alta California Regional Center's November 14, 2025 Notice of Action is GRANTED. He shall be allowed to use the Self-Determination Program funds allocated in his SDP Spending Plan – Year 2 to "Non-Medical Transportation Services" to purchase specialized transportation "to ensure he has safe and reliable access to community activities, appointments (not medical), and

outings.” Purchasing non-medical specialized transportation services shall not include purchasing or leasing a vehicle. ACRC shall assist claimant in securing transportation services that meet his needs. If securing transportation services is not reasonably available, claimant may rent a vehicle that meets his needs.

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 March 10, 2026.

Original signed by

Katie Hornberger, Deputy Director  
Community Assistance and Resolutions Division