

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

In the Matter of:

CLAIMANT

and

VALLEY MOUNTAIN REGIONAL CENTER, Service Agency

DDS No. CS0032815

OAH No. 2026010250

DECISION

Administrative Law Judge Marcie Larson, a Hearing Officer with the Office of Administrative Hearings (OAH), State of California, heard this matter by videoconference on February 6, 2026, from Sacramento, California.

Jason Toepel, Compliance Officer, represented Valley Mountain Regional Center (VMRC).

Claimant was represented by his mother. Claimant was not present at the hearing. The names of claimant and his mother are omitted to protect their privacy.

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

ISSUE

The issue in this matter is whether VMRC is required to grant claimant's mother's request to fund AngelSense, a GPS tracking and communication device and subscription plan (AngelSense)?

FACTUAL FINDINGS

Background

1. Claimant is a 20-year-old un-conserved man who lives in Turlock, California with his mother and three younger siblings. Claimant receives VMRC services based on his autism diagnosis.

2. In the fall of 2025, claimant's mother requested that VMRC fund the cost of AngelSense. Claimant's mother provided VMRC with a copy of an Advanced Health Care Directive form which she contended allowed her to make the decision on claimant's behalf to request the funding for AngelSense.

3. On September 15, 2025, VMRC denied claimant's mother's request for the following reasons:

VMRC consumers have all of the same rights as every other citizen, including, but not limited to the right to privacy.

[Claimant] is an adult, and VMRC would need confirmation from [claimant] that he is ok with being tracked by someone else prior to consideration of funding. Although [claimant] has an advanced health care directive granting

power of attorney for healthcare decisions to his mother, this does not remove his right to privacy or right to be involved in a decision relating to his privacy. It is also noted that being tracked by a GPS location device is not considered a healthcare decision.

4. Claimant's mother appealed the denial, contending that although claimant is supervised 24 hours a day, AngelSense is needed to ensure that in the event of a natural disaster or accidental separation in public settings he could be located.

Claimant's August 2025 Individual Program Plan

5. Claimant's Individual Program Plan (IPP) meeting took place on August 6, 2025. Claimant was present during the IPP meeting but chose not to participate. Claimant's mother spoke on claimant's behalf. Claimant's IPP notes that claimant is verbal and outgoing. He obtained a high school "Certificate of Completion" and plans to attend junior college in the future. It was also noted that claimant is involved in making decisions about his goals and plans, but that his mother has an Advanced Health Care Directive to make medical decisions on his behalf.

6. The IPP also notes that claimant enjoys being in the community and is involved in various activities. Claimant's mother noted that claimant has "GPS on his phone and someone is always with him." Claimant did not request as part of his IPP funding for AngelSense.

AngelSense

7. AngelSense is a wearable device that tracks an individual's location and movements in real-time, provides historical location data, and has a speakerphone for two-way communication. The AngelSense website provides various information about the use of the device including the following:

[I]f you are the legal guardian of a child under 18 you have the legal right to use a child tracker. For teens and adults with special needs or dementia, it is also legal as their guardian to use these devices that will help you know where they are and keep them safe.

It is generally not legal to track an adult without them knowing or without consent. However, consent is not needed to give permission to adults to track their child.

VMRC Decision to Deny Funding for AngelSense

8. Jessica Coronel-Luang is Program Manager for VMRC's Modesto Office. She oversees the Transition Team that services VMRC clients ages 18 to 23 years old. Ms. Coronel-Luang was involved in the decision to deny claimant's mother's request to fund AngelSense. Ms. Coronel-Luang explained that VMRC requested to speak with claimant to ensure he consented to be monitored by AngelSense. However, claimant's mother would not allow claimant to be questioned by VMRC staff concerning AngelSense because she contends that claimant is not able to provide consent.

9. Ms. Coronel-Luang also explained that the Advanced Health Care Directive claimant's mother provided VMRC allows her to make medical-related

healthcare decision for claimant. However, Ms. Coronel-Luang explained that VMRC does not view AngelSense as medical care.

10. Ms. Coronel-Luang also explained that VMRC clients are entitled to privacy. Additionally, there are several Penal Code sections which prohibit the use of surveillance without consent. Ms. Coronel-Luang explained that because VMRC was not informed by claimant that he consents to monitoring by AngelSense, VMRC cannot fund the service.

Claimant's Mother's Testimony

11. Claimant's mother explained that she will not allow claimant to speak with VMRC about consenting to the use of AngelSense because she does not believe he can provide consent to a "government agency." Claimant's mother has explained the AngelSense device to claimant and he has agreed to wear the device. Additionally, claimant's mother believes the request to fund AngelSense falls under "health and safety" decisions she can make on his behalf due to authorization provided under the Advanced Health Care Directive.

12. Claimant's mother explained that although claimant has 24-hour supervision, in the case of his phone losing its charge, a natural disaster or separation from his caregiver, AngelSense would provide an extra level of security.

Analysis

13. When all the evidence is considered, claimant's mother did not establish that VMRC must fund AngelSense. Claimant is an un-conserved adult. He has the right to personal liberty, dignity and privacy. He is active in making decisions about his goals and plans as set forth in his IPP. While AngelSense may be a device that is

acceptable to be used on a minor child without their consent, there must be consent if used on an adult. Claimant has not provided that consent. Claimant's mother did not establish that the Advance Health Care Directive gives her the authority to use AngelSense on claimant without his consent. As a result, VMRC is not required to fund AngelSense.

LEGAL CONCLUSIONS

1. The Lanterman Act governs this case. (Welf. & Inst. Code, § 4500 et seq.) Under the Lanterman Act, the State of California accepts responsibility for persons with developmental disabilities. 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.)

2. The Department of Developmental Services is the state agency charged with implementing the Lanterman Act. It contracts with regional centers that are responsible for providing persons who have developmental disabilities with access to services and supports best suited for them. (Welf. & Inst. Code, § 4620, subd. (a).)

3. An administrative "fair hearing" to determine the rights and obligations of the parties, if any, is available under the Lanterman Act. (Welf. & Inst. Code, §§ 4700–4716.) The burden of proof is on the party seeking government benefits or services. (*Lindsay v. San Diego County Retirement Bd.* (1964) 231 Cal.App.2d 156, 161.) Claimant has the burden of proving VMRC must pay for AngelSense. The standard of proof required is a preponderance of the evidence. (Evid. Code, § 115.) A

preponderance of the evidence means proving something is more likely to be true than not true. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

4. Welfare and Institutions Code section 4502 provides in relevant part that:

(a) Persons with developmental disabilities have the same legal rights and responsibilities guaranteed all other individuals by the United States Constitution and laws and the Constitution and laws of the State of California. An otherwise qualified person by reason of having a developmental disability shall not be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives public funds.

(b) It is the intent of the Legislature that persons with developmental disabilities shall have rights including, but not limited to, the following:

(1) A right to treatment and habilitation services and supports in the least restrictive environment. Treatment and habilitation services and supports should foster the developmental potential of the person and be directed toward the achievement of the most independent, productive, and normal lives possible. Such services shall protect the personal liberty of the individual and shall be provided with the least restrictive conditions necessary to

achieve the purposes of the treatment, services, or supports.

(2) A right to dignity, privacy, and humane care. To the maximum extent possible, treatment, services, and supports shall be provided in natural community settings.

[¶...¶]

(10) A right to make choices in their own lives, including, but not limited to, where and with whom they live, their relationships with people in their community, the way they spend their time, including education, employment, and leisure, the pursuit of their personal future, and program planning and implementation.

5. The determination of which services and supports a regional center will provide is made "on the basis of 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." (Welf. & Inst. Code, § 4512, subd. (b).)

6. As set forth in the Factual Findings as a whole, claimant did not show that VMRC is required to fund AngelSense. As a result, claimant's appeal is denied.

ORDER

Claimant's appeal is DENIED. Valley Mountain Regional Center's denial of funding for AngelSense GPS tracking and communication device and subscription plan is SUSTAINED.

DATE: February 12, 2026

MARCIE LARSON

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.