

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

In the Matter of:

CLAIMANT,

and

WESTSIDE REGIONAL CENTER,

Service Agency.

DDS No. CS0033290

OAH No. 2026010640

DECISION

Erlinda Shrenger, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter on March 30, 2026, at the Westside Regional Center (Service Agency or WRC) in El Segundo, California. (Claimant's other appeal in OAH No. 2026010645 (DDS No. CS0033291) was also heard on March 30, 2026, and a separate decision will be issued for that appeal.)

Claimant was present and represented herself. (Claimant is not identified by name to protect her privacy.) Sonia Tostado, Appeals and Resolution Specialist, represented Service Agency.

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on March 30, 2026.

ISSUE

Should Service Agency be required to fund ongoing and unlimited Uber and Lyft rideshare reimbursements for Claimant?

EVIDENCE RELIED UPON

Documents: Service Agency exhibits 1 through 10.

Testimonial: Sonia Tostado, WRC Appeals and Resolution Specialist; and Claimant.

FACTUAL FINDINGS

Jurisdictional Matters

1. Claimant is a 25-year-old female who is eligible for regional center services based on her diagnosis of Autism Spectrum Disorder (ASD).
2. In early 2025, while Claimant was attending school in northern California, Service Agency agreed to reimburse Claimant for the cost of her transportation to school and medical appointments provided by Uber and Lyft. Service Agency agreed to provide reimbursement for this transportation as an exception and only temporarily, until July 31, 2025.

3. Claimant moved back to southern California in July 2025. At that time, Claimant requested that Service Agency continue to reimburse her transportation with Uber and Lyft. Service Agency agreed, as an exception, to extend the transportation reimbursement with Uber and Lyft until February 28, 2026, but only for transportation to Claimant's medical appointments and tennis.

4. In or about December 2025, Claimant requested Service Agency reimburse her for all of her Uber and Lyft transportation, not just the rides for medical appointments and tennis.

5. By a Notice of Action dated December 4, 2025, and a letter dated December 9, 2025, Service Agency notified Claimant that her request for reimbursement for all Uber and Lyft transportation rides was denied. (Exh. 4, pp. A31-A35.) Service Agency denied Claimant's request on the grounds that, pursuant to Welfare and Institutions Code section 4648.35, subdivision (a), "Regional Centers are prohibited from funding private specialized transportation for adults who can safely access and use public transportation when it is available." (*Id.* at p. A31.) Service Agency noted that it "may fund a monthly bus pass or reimburse for Access, when appropriate." (*Ibid.*)

6. On January 9, 2026, Claimant appealed the denial of her request for Uber and Lyft reimbursement for the following reasons:

Limiting rides to only certain locations would prevent me from fully participating in daily life and therefore significantly reduce my independence. This directly contradicts the purpose and intent of regional center services under the Lanterman Act, which require

individualized services, community inclusion, and full participation in life. I am requesting that full transportation coverage be applied retroactively and that transportation reimbursement be authorized on an ongoing, long-term basis to meet my individual needs.”

(Exh. 4, p. A27.)

Service Agency’s Contentions

7. At hearing, Ms. Tostado explained that Service Agency made an exception when it agreed to reimburse Claimant for Uber and Lyft rideshares for school and medical appointments while she was attending school in northern California. Service Agency wanted to ensure Claimant was on time for her classes and medical appointments.

8. Ms. Tostado testified that, after Claimant moved back home to southern California in July 2025, Service Agency made one final exception by agreeing to extend the transportation reimbursement to February 28, 2026. Claimant was informed this extension was temporary and limited to transportation only for medical appointments and tennis. Service Agency discussed with Claimant that it would not provide ongoing and unlimited reimbursement for Uber and Lyft transportation.

9. Ms. Tostado testified Service Agency extended the transportation reimbursement to February 28, 2026, to assist Claimant with getting acclimated to the new service programs she would be attending through WRC, such as her internship program and tennis. Service Agency also authorized Claimant to receive tailored service hours, which includes mobility training, to assist her with learning how to use public transportation and Access services. Mobility training services “teach individuals

how to use public transportation or other modes of transportation which will enable them to move about the community independently.” (See Cal. Code Regs., tit. 17, § 54342, subd. (a)(47).) Ms. Tostado noted Service Agency can provide Claimant with a bus pass and a pass for using Access services. Ms. Tostado also noted Service Agency paid for driving lessons for Claimant, and she is driving now. Claimant indicated she drove herself to this hearing.

10. Service Agency contends that individuals who attend college, work, or attend regional center funded day programs, are generally expected to utilize public transportation or Access services. (Exh. 1, p. A2.)

Claimant’s Contentions

11. Claimant testified she has a car now but she cannot use the car for every place she needs to go. Claimant has severe issues with parking her car. She dented her car three weeks ago while trying to park in the garage at the Beverly Hills Library. She had to pay \$1,500 to fix her car. More recently, she drove to her hair salon appointment but could not find an open metered parking space in front of the salon. Because she has difficulty adjusting to unexpected situations, Claimant drove home and called a rideshare service to take her back to the salon.

12. Claimant testified she does not like Access services because Access does not give an exact pick-up time. Access is also carpooling. Access does not indicate the number of passengers or stops to be made during a trip, so it may take longer for Claimant to arrive at her destination. Additionally, Claimant testified her family does not feel comfortable with her traveling by bus because of safety issues. Claimant also feels the bus is “not efficient timewise.” Claimant has specific times she needs to be

somewhere, such as work, tennis, and her internship. Claimant works as an administrative coordinator at her brother's contracting company three days per week.

13. Claimant testified she has visual processing issues when driving or with administrative tasks as a result of her disability, but she feels fine when she plays tennis. She notices the visual processing issues more when she is driving, because there are many things to keep track of while driving. Claimant also finds it hard to judge space, especially when trying to park her car. Claimant finds that driving is stressful and she sometimes gets distracted.

14. Claimant would like Service Agency to provide reimbursement for her Uber and Lyft transportation for all purposes, not just for medical appointments and tennis. Claimant wants rides for "general life" purposes, such as going to the hair salon, the grocery store, running errands, and social activities. Claimant feels having unlimited rides available will help facilitate her independence.

15. Claimant testified she has to spend hours "interpreting" which of her rideshare charges qualify for reimbursement by Service Agency. Claimant explained that, due to her visual processing issues, it takes her hours to interpret her rideshare charges. She testified there is "too much interpretation for me to deal with." Claimant contends it would be easier if Service Agency reimbursed for all rides, so she would not have to "nitpick each ride" to get reimbursed.

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LEGAL CONCLUSIONS

Jurisdiction and Burden of Proof

1. The Lanterman Developmental Disabilities Services Act (Lanterman Act), set forth at Welfare and Institutions Code section 4500 et seq., governs this case. (All undesignated statutory references are to the Welfare and Institutions Code unless otherwise indicated.)

2. When one seeks government benefits or services, the burden of proof is on that party. (*Lindsay v. San Diego Retirement Bd.* (1964) 231 Cal.App.2d 156, 161.) The standard of proof in this case is the preponderance of the evidence, because no law or statute (including the Lanterman Act) requires otherwise. (Evid. Code, § 115.) Preponderance of the evidence means evidence that has more convincing force than that opposed to it. (*Glage v. Hawes Firearms Co.* (1990) 226 Cal.App.3d 314, 324.)

3. In this case, claimant seeks funding for all of her transportation services through Uber and Lyft, which Service Agency has not previously agreed to provide. Therefore, claimant has the burden of proving by a preponderance of the evidence that she is entitled to the requested funding. (See Evid. Code, § 500.) Claimant did not meet this burden.

Lanterman Act

4. A regional center is required to secure the services and supports that meet the needs of the consumer, as determined in the consumer's individual program plan (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 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. (*Ibid.*)

5. When purchasing services and supports for a consumer, a regional center shall ensure conformance with the regional center's purchase of service policies, use of generic services and supports when appropriate, and use of other services and sources of funding as contained in section 4659. (§ 4646.4, subds. (a)(1)-(3).)

6. Regional center funds "shall not be used to supplant the budget of any agency that has a legal responsibility to serve all members of the general public and is receiving public funds for providing those services." (§ 4648, subd. (a)(8).)

7. Pursuant to section 4648.35, subdivision (a), "[a] regional center shall not fund private specialized transportation services for an adult consumer who can safely access and utilize public transportation, when that transportation is available."

Analysis

8. In this case, under section 4648.35, subdivision (a), Service Agency is prohibited from funding Uber and Lyft rideshare services for Claimant. Claimant presented no evidence that she is unable to safely access and utilize public transportation. Service Agency has offered to provide her with a bus pass. Service Agency has also authorized tailored service hours for mobility training that would teach Claimant how to access and ride the bus, which would enable her to travel independently in the community. No evidence was presented that Claimant has used the tailored service hours authorized by Service Agency.

9. Claimant prefers not to use Access and her family prefers that she not travel by bus. However, the preferences of Claimant and her family are one factor, but not the only factor, to be considered when determining the transportation services included in her IPP. The personal preferences of Claimant and her family do not negate the restriction imposed on regional centers by section 4648.5, subdivision (a).

10. Based on the foregoing, Service Agency is prohibited from funding private transportation rideshare services with Uber and Lyft for Claimant. Claimant's appeal must be denied.

ORDER

Claimant's appeal is denied. Service Agency is not required to fund ongoing and unlimited Uber and Lyft rideshare reimbursements for Claimant.

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.