BEFORE THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA

In the Matter of:

CLAIMANT

and

ALTA CALIFORNIA REGIONAL CENTER, Service Agency

DDS No. CS0035071

OAH No. 2026030846

PROPOSED DECISION

Wim van Rooyen, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, acting as a hearing officer, conducted a fair hearing on June 10 and 16, 2026, by videoconference from Sacramento, California.

Claimant's mother and authorized representative (Mother) represented Claimant, who did not appear.

DJ Weersing, Legal Services Specialist, represented Alta California Regional Center (ACRC).

Evidence was received, the record closed, and the matter submitted for decision on June 16, 2026.

ISSUE

Did ACRC improperly deny funding Claimant's Self-Determination Program (SDP) individual budget for the purchase of personal assistant/daycare, respite, tutoring, and social recreation services after Claimant's transfer from Regional Center of the East Bay (RCEB)?

FACTUAL FINDINGS

1. In addition to witness testimony, the parties presented extensive and voluminous documentary evidence concerning Claimant's participation in and receipt of services through the SDP at RCEB; Claimant's transfer from RCEB to ACRC; and subsequent communications among Claimant, ACRC, and RCEB concerning the continuance of such services upon and after the transfer. All of that evidence was carefully reviewed. However, while the undersigned considered all the evidence in this matter, this decision only briefly summarizes the most pertinent facts to explain resolution of Claimant's appeal.

2. Claimant is a 13-year-old boy whom RCEB found eligible for regional services in late 2013 based on a diagnosis of intellectual disability due to Down Syndrome. He lives at home with Mother and has no contact with his biological father, who does not provide any financial assistance for Claimant's care or needs.

3. At RCEB, Claimant was most recently in the SDP. He had an Individual Program Plan (IPP) with an established individual budget of $73,630.52 for the period of October 1, 2024, through September 30, 2025. Services paid for with SDP funds included daycare, respite, and social recreation.

4. During the middle of the 2024–2025 year, Claimant relocated to Roseville, California, which falls in the catchment area of ACRC. ACRC accepted Claimant's case transfer on May 15, 2025, prior to the expiration of Claimant's last IPP at RCEB.

5. Starting in June or July 2025, ACRC started the process of gathering information and developing a new IPP for Claimant at ACRC. The parties' accounts diverge at this point. According to ACRC, Mother canceled several meetings, failed to respond to inquiries, and failed to provide requested information. According to Mother, ACRC failed to respond to her inquiries and unreasonably demanded documentation already in its possession.

6. On September 17, 2025, RCEB extended Claimant's budget through November 30, 2025, to allow ACRC and Claimant to get a new IPP in place. RCEB thus continued to fund Claimant's services through November 30, 2025.

7. As of December 1, 2025, Claimant did not have a new IPP, budget, or spending plan in place at ACRC. ACRC claimed that it was still missing necessary documentation to assess Claimant's current needs and to understand what services were required to meet those needs. Specifically, ACRC believed it was missing Claimant's schedule and Mother's work schedule, documentation of Mother's income, documentation of Claimant's In-Home Supportive Services (IHSS) hours, and progress reports from social recreation activities. Additionally, because Mother had requested funding for tutoring services, ACRC needed but had not received Claimant's complete Individualized Education Program (IEP) and offer of Free Appropriate Public Education (FAPE) from the school district. Mother claimed that she either had already provided the aforementioned documentation or should not be required to provide certain categories of information.

8. Starting December 1, 2025, RCEB's funding of Claimant's services ceased, and ACRC did not take over that funding. The parties continued to communicate for several more months, both virtually and in person, in an attempt to finalize a new IPP. However, they were ultimately unable to reach an agreement.

9. On March 16, 2026, ACRC issued Claimant a Notice of Action (NOA). The NOA stated that ACRC was denying the request to add funds to Claimant's SDP individual budget for the purchase of personal assistant/daycare, respite, tutoring, and social recreation services. It explained that it did not have sufficient documentation to assess Claimant's needs and determine whether those services are necessary to implement his IPP.

10. The NOA advised Claimant of his appeal rights. Mother timely filed an appeal request on Claimant's behalf. Consequently, the matter was set for a fair hearing.

11. By the time of hearing, Claimant still did not have a new IPP, budget, or spending plan in place at ACRC. He still has not received any funding for services since December 1, 2025. ACRC represented that it had recently received some of the previously requested documentation from Mother, and the parties reportedly reached further agreements regarding provision of documentation at a mediation conducted before the start of the fair hearing on June 10, 2026.

LEGAL CONCLUSIONS

1. The Lanterman Act governs this case. (Welf. & Inst. Code, § 4500 et seq.) 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.)

2. Welfare and Institutions Code section 4643.5, subdivision (c), provides, in part:

> Whenever a consumer transfers from one regional center catchment area to another, the level and types of services and supports specified in the consumer's individual program plan (IPP) shall be authorized and secured, if available, pending the development of a new IPP for the consumer. If these services and supports do not exist, the regional center shall convene a meeting to develop a new IPP within 30 days. Prior to approval of the new IPP, the regional center shall provide alternative services and supports that best meet the IPP objectives in the least restrictive setting.

3. Here, ACRC failed to comply with Welfare and Institutions Code section 4643.5, subdivision (c). The plain language of the statute required ACRC to immediately continue funding Claimant’s level and types of services and supports previously funded by RCEB until a new IPP was developed. This allows for a “smooth transition of services and supports from one regional center to another.” (Welf. & Inst. Code, § 4643.5, subd. (c).) Instead, ACRC has denied funding Claimant’s services since RCEB stopped funding them on November 30, 2025, based on alleged insufficient documentation.

4. To be sure, ACRC need not indefinitely adopt RCEB’s IPP, budget, and spending plan. Indeed, upon transfer of a case, ACRC has an independent obligation to assess Claimant’s current needs, the availability of generic resources, and the necessity of specific services as part of formulating a new IPP and budget. (See, e.g.,

Welf. & Inst. Code, §§ 4646.5, 4648, subd. (a), & 4685.8.) If the parties ultimately disagree as to the new IPP or budget, or a consumer fails to reasonably cooperate with providing necessary documentation, ACRC's remedy is to promptly issue a NOA to terminate SDP funding for services. However, until any appeal of that NOA is resolved through a final administrative decision or settlement, ACRC must continue to fund the level and types of services and supports previously funded by the transferring regional center. ACRC plainly erred when it failed to do so here in violation of Welfare and Institutions Code section 4643.5, subdivision (c).

5. Given the foregoing, Claimant's appeal should be granted. ACRC shall be ordered to immediately fund Claimant's level and types of services and supports previously funded by RCEB for a minimum of 90 days to allow sufficient time to develop and agree on a new IPP and budget. No later than 30 days before the expiration of the 90-day period, ACRC shall issue a new NOA to terminate SDP funding for services if the parties are unable to reach agreement.

ORDER

Accordingly, IT IS ORDERED that:

1. Claimant's appeal is GRANTED.

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2. ACRC shall immediately fund Claimant's level and types of services and supports previously funded by RCEB for a minimum of 90 days to allow sufficient time to develop and agree on a new IPP and budget. No later than 30 days before the expiration of the 90-day period, ACRC shall issue a new NOA to terminate SDP funding for services if the parties are unable to reach agreement.

DATE: June 23, 2026

WIM VAN ROOYEN

Administrative Law Judge

Office of Administrative Hearings

BEFORE THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA

In the Matter of:

Claimant

OAH Case No. 2026030846

Vs.

DECISION BY THE DIRECTOR

Regional Center of ACRC

Respondent.

ORDER OF DECISION

On June 23, 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 as its Decision in this matter. 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 July 14, 2026.

Original signed by

Katie Hornberger, Deputy Director
Community Assistance and Resolutions Division