

Office of Administrative Hearings Advisory Committee
Regional Centers Role in Appeals Process – February 12, 2026
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Regional Center Appeals Team Evaluation
DRAFT

Regional Centers Appeals Team & Process Overview:

- 1) What people mean by the “Regional Center Appeals Team”**
- 2) How the appeals process is supposed to work (the operating model)**
- 3) What “bias” looks like in the appeals context (and why communities feel it)**
- 4) What accountability already exists (and where it’s weak)**
- 5) What “person-centered neutrality” should mean for an appeals team**
- 6) Concrete ways the system + families can hold appeals teams accountable**
- 7) Recommendations We can advance (system reform agenda)**

I. Framing Statement for the OAH Advisory Committee Sub-Committee

(To include at the front of the report or survey transmittal)

The **Office of Administrative Hearings Advisory Committee Sub-Committee** is uniquely positioned to assess and recommend standards that ensure **engaged neutrality** within the regional center appeals process. While OAH Administrative Law Judges provide independent adjudication, the **conduct, structure, and posture of regional center appeals teams** significantly shape whether families experience the process as fair, accessible, and person-centered.

This survey and interview process is designed to:

- Incorporate the views, perspective and voice of the Regional Center Appeals Team
- Examine how appeals teams are structured and trained
- Identify practices that either support or undermine neutrality
- Establish accountability standards aligned with the Lanterman Act and principles of due process
- Inform recommendations that strengthen trust, equity, and procedural fairness statewide

II. Survey for All 21 Regional Center Appeals Teams

Purpose: To gather standardized data on structure, practices, decision-making, and accountability related to engaged neutrality.

Instructions: This survey should be completed by the individual(s) responsible for overseeing or coordinating appeals/fair hearings at your regional center. Responses may be aggregated and anonymized for reporting purposes.

Section A: Structure & Authority

1. How is your regional center's appeals/fair hearings function structured?
 - Dedicated appeals unit
 - Shared function across departments
 - Legal counsel-led
 - Other (please describe)
2. Who has final authority to approve resolution at: Title:
 - Informal meeting stage?
 - Mediation stage?
 - Prior to proceeding to fair hearing?
3. Are appeals staff evaluated on:
 - Resolution outcomes
 - Compliance with timelines
 - Reduction of hearings
 - Fiscal impact
 - Other performance measures (please specify)

Section B: Neutrality & Role Definition

4. How does your appeals team define its role?
 - Neutral facilitator of resolution
 - Defender of regional center decisions
 - Hybrid role
 - Not formally defined
5. Does your regional center have **written guidance or policy** defining expectations for neutrality during appeals?
 - Yes (please attach or summarize)
 - No
6. Are appeals staff instructed to consider **person-centered outcomes** separately from budgetary or cost-containment considerations?
 - Always
 - Sometimes
 - Rarely
 - Never

Section C: Informal Meetings & Mediation Practices

7. At informal meetings, does the regional center:
- Explain the legal and factual basis of decisions in plain language?
 - Explore alternatives that could meet the consumer's needs?
 - Enter the meeting with authority to modify decisions?

(Answer each: Yes No Sometimes)

8. How often does your center resolve appeals **before** mediation or hearing? Past calendar year
- Less than 25%
 - 25–50%
 - 51–75%
 - Over 75%
9. What are the most common reasons appeals proceed to hearing?
- Disagreement over facts
 - Interpretation of “cost effectiveness”
 - Lack of authority to settle
 - Policy directives
 - Other (describe)

Section D: Equity, Language Access & Cultural Responsiveness

10. How does your appeals team ensure **effective (not merely available)** interpretation?
- Certified interpreters
 - Pre-meeting interpreter briefings
 - Written translated summaries
 - No formal process
11. Are appeals staff trained on:
- Cultural humility
 - Working with multigenerational households
 - Power dynamics and implicit bias

(Answer each: Yes No)

12. Does your team track appeal outcomes by:
- Language
 - Region
 - Disability type

- Eligibility
- Service Delivery
- Inactive (access to services)

(Answer each: Yes No)

Section E: Accountability & Oversight

13. How is compliance with fair hearing decisions monitored internally?

14. Are implementation delays tracked and reported to DDS or OAH?

- Yes
- No

15. Does your regional center have a process to review **patterns of appeals** (e.g., repeated denials on the same issue)?

- Yes
- No

16. What external oversight most influences appeals team practices?

- OAH decisions
- DDS directives
- Litigation risk
- Community feedback
- None

Section F: Reflection & Improvement

17. In your view, what does “engaged neutrality” mean in practice?

18. What structural or policy changes would most improve trust in the appeals process?

19. What recommendations would you offer the OAH Advisory Committee regarding statewide standards for appeals team conduct?

20. Other:

III. In-Depth Interview Protocol

Audience: 3–4 Regional Center Appeals Teams

Format: 60–90 minute structured interviews

A. Role & Identity

1. How do you personally understand your role when an appeal is filed?
2. Where do you see tension between neutrality and defending the regional center’s position?

B. Decision-Making Power

3. What authority do you *actually* have to resolve a dispute before hearing?
4. Can you describe a time when resolution was prevented by internal constraints?

C. Neutrality in Practice

5. How do you ensure families experience the process as fair—even when the outcome is not in their favor?
6. What safeguards exist to prevent retaliation or perceived retaliation?

D. Equity & Community Trust

7. How do language, culture, or family structure affect appeals outcomes?
8. What feedback have you received from Ethnic Latino or Spanish-speaking families about the process?

E. Accountability & Oversight

9. What metrics should exist—but currently do not—to evaluate appeals team conduct?
10. How should OAH, DDS, or another body hold appeals teams accountable for neutrality?

F. Looking Forward

11. If you could redesign the appeals function from scratch, what would you change?
12. What guidance or standards from the OAH Advisory Committee would be most helpful?