

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

In the Matter of:

CLAIMANT

and

NORTH LOS ANGELES COUNTY REGIONAL CENTER,

Service Agency

DDS No. CS0036383

OAH No. 2026050675

DECISION

Irina Tentser, Administrative Law Judge (ALJ), Office of Administrative Hearings, State of California, heard this matter on June 23, 2026, at North Los Angeles County Regional Center (NLACRC), located at 43850 10th Street, West Lancaster, California 93534.

Claimant's mother appeared on behalf of Claimant, who was not present. (Titles are used in lieu of names to protect Claimant's privacy rights.) Stella Dorian, Due Process Officer, appeared on behalf of NLACRC (also referred to as Service Agency).

Testimonial and documentary evidence was received. The record was closed, and the matter was submitted for decision on June 23, 2026.

ISSUE

Should regional center fund for Claimant's program, Inclusive Adventures Connections (Inclusive Adventures), in the amount of \$75 per hour for 30 to 50 hours per month, totaling between \$2,250 and \$3,750 per month?

EVIDENCE RELIED UPON

The parties relied on Exhibits 1 through 20 and the testimonies of Claimant's Mother, Rocio Segala (Inclusive Adventures Program Coordinator), and Claudia Flores (NLACRC Consumer Services Supervisor).

FACTUAL FINDINGS

Background

1. Claimant is an almost 17-year-old consumer who is eligible for regional center services based upon a diagnosis of autism spectrum disorder (ASD). He resides in the family home with his adoptive Mother and five siblings. Claimant is the youngest sibling.

2. Claimant attends an online high school, and will be entering 12th grade. Claimant receives accommodations and speech services. He struggles to complete his classwork because it is all computer work.

3. Claimant receives CBEM (California Behavioral and Educational Services) which provides crisis intervention, health and safety supports, in-home supports, and coordination of communications with behavioral service providers. CBEM meets with Claimant once a week. At the last Individual Program Plan (IPP) meeting held in October 2025, Mother reported to Service Agency that Claimant has exhibited increasing verbal and physical aggression towards Mother and siblings. This includes hitting his older brother if his brother tells Claimant what to do or if Claimant does not agree with his brother. These outbursts occur at least once a week. Mother also reported that Claimant is "always replying with an attitude, yelling, cussing or screaming." (Exhibit 3, p. A41.)

4. Claimant also receives Applied Behavior Analysis (ABA) services twice a week for one hour to address his ongoing behaviors. Claimant requires constant supervision during waking hours to prevent injury or harm in all settings. He does not have safety awareness in the community and does not have stranger awareness. Claimant is not able to use a telephone and is not familiar with accessing emergency services.

Socialization, Leisure and Recreation Skills Assessment

5. Socialization, leisure and recreation services are those services and supports designed to develop appropriate socialization skills in children whose social skill challenges limit age-appropriate socialization opportunities. (Exhibit 6.)

6. In September 2025, due to the NLACRC program planning team determination that Claimant exhibited social skill challenges, as documented in Claimant's record, NLACRC conducted a socialization, leisure, and recreation skills assessment of Claimant. (Exhibit 6.) As a result of the assessment, the IPP outcome

goal of social recreation for September 1, 2025 through December 30, 2025, wherein "Claimant will go out in the community and learn appropriate social skills to be able to make friends while . . . participating in adaptive bowling," was provided. (*Ibid.*) NLACRC agreed to fund Claimant's participation in adaptive bowling once a week for two hours to address his social skill deficits.

IPP Addendum - January 2026

7. A January 2026 IPP addendum was added to Claimant's NLACRC records after Mother reported that Claimant did not go out in the community very much and continued to need support in developing friendships. Mother reported that Claimant's outings were only with family members and asked NLACRC for support in developing Claimant's social skills. (Exhibit 4.)

8. Specifically, Mother asked NLACRC to fund the Adaptive Bowling program through Inclusive Adventures as social recreation for Claimant so that Claimant could meet his goal of building friendships and encouraging socialization. NLACRC, based on the reported needs, agreed to fund Claimant's participation in the Adaptive Bowling League by Inclusive Adventures for the season through a one time payment of \$340, which covered the period from January 7 through April 30, 2026, and added a new IPP goal for Claimant. The new IPP goal was for Claimant to go out in the community and learn appropriate social skills to be able to make friends while participating in adaptive bowling. (Exhibit 4.)

IPP Addendum – March 2026

9. A March 2026 IPP addendum was added to Claimant's NLACRC records after Mother reported that Claimant was "slowly coming out of his shell," but

continued to need support in the area of friendship and that social skills continued to be an area of need. (Exhibit 5.)

10. Based on the reported needs, NLACRC agreed to fund Claimant's participation in the Adaptive Bowling League for the first session, from May to August 2026, at \$20 per week, totaling \$260, and to fund for his participation in the second session, from September through December 2026, for a total of \$300. The IPP goal to be met by the Adaptive Bowling League was for Claimant to have social recreation, go out in the community and learn appropriate social skills to be able to make friends. (Exhibit 5.)

Social Recreation Through Inclusive Adventures

11. Between November 2025 and January 2026, Mother requested that NLACRC fund additional social recreation activities available through Inclusive Adventures, such as hiking and beach trips, to give Claimant the opportunity to meet his IPP goal of socializing with peers while being out in the community. (Exhibit 8.)

12. Inclusive Adventures contacted NLACRC on February 20, 2026, on behalf of Mother, and provided detailed information about its Connections Program: Social Explorers Level 2, that Claimant expressed interest in joining. (Exhibit 9.) The program was described as "designed to support participants in building friendships, increasing social communication skills, and engaging meaningfully with peers in community-based settings. . . all of which directly align with common IPP goals related to socialization, peer engagement, and community participation." (Exhibit 8, p. A171.) The program, available for 30 to 50 hours per month at \$75 per hour, provides a four-to-one participant-to-staff ratio, with staff trained in providing sensory, behavioral, or

physical-support, in groups limited to eight. (*Id.* at p. A172.) Transportation to and from activities is incidental to the local and regional excursions.

13. NLACRC denied Mother's request. The bases for the denial were as follows: there are free community activities or activities offered at discount prices which make the Inclusive Adventures program "not cost effective"; the Inclusive Adventures program advertises transportation to activities and NLACRC cannot fund transportation as Claimant is a minor and transportation is parental responsibility; and the program is not appropriate for Claimant as he is a minor. (Exhibit 8.)

14. NLACRC provided Mother with a list of activities and sports in the community (i.e., generic resources), which regional center claimed would provide Claimant with socialization opportunities. (Exhibits 10-12.) The generic resources provided to Claimant included a copy of an Instagram post of a walking group in Antelope Valley, a copy of an Instagram post of running group; a copy of a flyer advertising a beach social for individuals with disabilities and their families for Sunday June 28, 2026 from AV Seed and Grow which was open to the first 50 people who register, and an internet link for museum and theme park tickets that are free or discounted.

15. NLACRC acknowledged that, unlike the referenced generic resources, the Inclusive Adventures program also offered support to participants. To address Claimant's need for support, NLACRC stated that Mother and the regional center "can discuss having that support such as a personal assistant attend with [Claimant] to ensure his needs are met" until such time as Claimant "learns how to socialize with peers safely and independently." (Exhibit 8, p. A151.)

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16. On March 12, 2026, NLACRC issued Claimant a Notice of Action (NOA) denying Mother's request, on behalf of Claimant, to fund for social recreation services with Inclusive Adventures citing the program's lack of cost effectiveness, claiming the program was more of a community integration program, and citing transportation as an issue since Claimant is a minor and transportation is considered the parent's responsibility. (Exhibit 2.) NLACRC asserted it offered "multiple social recreation activities that offer similar if not the same opportunity for socialization with peers," which Mother declined. (*Id.* at p. A7.) NLACRC cited the following provisions of the Lanterman Act to support the NOA's denial of the requested service: Welfare and Institutions Code sections 4512, subdivision (b), 4648, subdivision (a)(8), 4646.4, 4659, 4512, subdivision (b), 4640, subdivision (b), 4646, subdivision (a), 4648, subdivision (a)(6), 4651, subdivision (a), 4659, and 4697, subdivision (b). (*Id.*) The NOA made no mention of Claimant's potential need for support, such as the previously mentioned personal assistant option, to address his behavioral issues and help him participate in social recreation programs.

17. On May 4, 2026, Mother, on behalf of Claimant appealed NLACRC's NOA denying Claimant's request to fund social skills through the Inclusive Adventures program. (Exhibit 1.)

Hearing

18. At hearing, there was no dispute between the parties that Claimant has deficits in social skills that need to be addressed to meet his IPP goal of socialization and making friends.

19. NLACRC continued to insist that the generic resources provided to Claimant were sufficient to meet Claimant's IPP goals. (Testimony of Claudia Flores.)

No meaningful options were presented by NLACRC to address Claimant's behavioral issues, such as his potential to become aggressive during social outings, while participating in the generic social recreation activities. The option of a personal assistant as a needed support for Claimant when participating in generic social skills resources was only discussed after the ALJ raised the issue that had been previously identified by NLACRC.

20. Mother expressed genuine surprise when the option of a personal assistant as a support for Claimant to help him participate in generic social recreation activities was raised during hearing, testifying that she did not know that personal assistant was an option to help Claimant participate in community socialization. Mother is concerned Claimant could become aggressive during social outings provided by generic resources without support.

21. Since February 2026, Claimant has participated in the Inclusive Adventures program's social excursions funded by Mother and sometimes provided without charge by Inclusive Adventures. (Testimonies of Mother and Rocio Sigala.) Mother can no longer afford to fund Claimant's participation in Inclusive Adventures. Sigala, who is the Inclusive Adventures program coordinator, explained at hearing that transportation is incidental to the community excursions provided as part of the Inclusive Adventures program. According to Sigala and Mother, Claimant has benefited from participating in these outings and the program has been beneficial in helping him reach his IPP goals of socialization. Notably, unlike the generic resources provided by NLACRC, the Inclusive Adventures program has staff who accompany participants and encourage them to engage socially and address behavioral issues that may arise. Mother reported that Claimant's behavior at home has deteriorated since he can no longer participate in the Adventures program outings.

Analysis

22. NLACRC's evidence did not establish that generic resources available for socialization for Claimant are currently sufficient and comparable to address Claimant's IPP goals of socialization in light of Claimant's potential behavioral issues during social outings.

23. While personal assistance services may be available to support Claimant when engaging in generic resource social recreation options, that service has not been authorized or implemented, and NLACRC did not present evidence demonstrating that providing Claimant with a personal assistant would be more cost effective than funding Claimant's outings with Inclusive Adventures. Based on Mother's testimony that Claimant is currently experiencing behavioral outbursts that are alleviated by his involvement in Inclusive Adventures outings, it would be detrimental to Claimant to deny his involvement in the Inclusive Adventures program at this time and create a gap in service, which is contrary to the goals of the Lanterman Act for consumers.

24. Until such time as the parties engage in the IPP process to address Claimant's need for social recreation services tailored to meet Claimant's individual needs, such as a personal assistant to provide support during social outings, Claimant's participation in the Inclusive Adventures program at the rate of 15 hours per month at \$75 per hour for a total of \$1,125 per month, should be funded by NLACRC to meet Claimant's IPP goals and avoid a gap in service.

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LEGAL CONCLUSIONS

Jurisdiction and Burden of Proof

1. An administrative hearing to determine the rights and obligations of the parties is available under the Lanterman Act to appeal a regional center decision. (Welf. & Inst. Code, §§ 4700-4716.) Claimant timely requested a hearing following the Service Agency's denial of funding for Claimant's participation in the Inclusive Adventures program, and therefore, jurisdiction for this appeal was established.

2. When a party seeks government benefits or services, he bears the burden of proof. (See, e.g., *Lindsay v. San Diego Retirement Bd.* (1964) 231 Cal.App.2d 156, 161 [disability benefits].) Where a change in services is sought, the party seeking the change bears the burden of proving that a change in services is necessary. (See Evid. Code, § 500.) The standard of proof in this case is a preponderance of the evidence, because no law or statute (including the Lanterman Act) requires otherwise. (See Evid. Code, § 115.) This standard is met when the party bearing the burden of proof presents evidence that has more convincing force than that opposed to it. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

3. In requesting funding for Claimant's participation in the Inclusive Adventures program, Claimant bears the burden of proving by a preponderance of the evidence that funding by the Service Agency is appropriate. Claimant has met his burden of proof in part.

General Provisions of the Lanterman Act

4. Under the Lanterman Act, developmentally disabled persons have a right to treatment and habilitation services and supports. (Welf. & Inst. Code, §§ 4502, 4646;

Association for Retarded Citizens v. Department of Developmental Services (1985) 38 Cal.3d 384, 389.) Such services and supports are defined as “specialized services and supports, or special adaptations of generic services and supports, 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 . . . life.” (Welf. & Inst. Code, § 4512, subd. (b).)

5. The Lanterman Act mandates that an “array of services and supports should be established . . . to meet the needs and choices of each person with developmental disabilities . . . and to support their integration into the mainstream life of the community.” (Welf. & Inst. Code, § 4501.) The determination of which services and supports are necessary for each consumer shall be made through the IPP process and shall “reflect preferences and choices of the consumer and reflect the cost-effective use of resources.” (Welf. & Inst. Code, § 4646, subd. (a).)

6. Welfare and Institutions Code section 4648, subdivision (a)(2), also provides, however, that “[s]ervices and supports shall be flexible and individually tailored to the consumer, and, if appropriate, the consumer’s family.”

Analysis and Conclusion

7. The Lanterman Act requires the Department of Developmental Services (Department) to review regional centers’ purchase of service guidelines “to ensure compliance with statute and regulation.” (Welf. & Inst. Code, § 4434, subd. (d).) When purchasing services and supports, a regional center must conform to its purchase of service guidelines. (Welf. & Inst. Code, § 4646.4, subd. (a)(1).) However, the purchase of service guidelines, which are a reflection of the Department’s interpretation of statute

and regulation, are not entitled to the deference given to a regulation. Rather, the purchase of service guidelines are afforded the degree of deference that is dependent on the circumstances in which the agency has exercised its expertise. (*Yamaha Corp. of America v. State Bd. of Equalization* (1998) 19 Cal.4th 1, 12-15.)

8. The paramount consideration for a regional center must be a consumer's individual needs and circumstances when considering the appropriateness of a particular service. In this matter, while it was established that Claimant's socialization goals could potentially be addressed through generic resources provided supports are in place to address his established behavioral issues, those supports are not currently in place. Accordingly, to prevent a gap in service, Claimant's participation in the Inclusive Adventures program, which had been helping him meet his IPP socialization goals, on a temporary and reduced schedule, is the most effective and viable existing option.

9. Given these circumstances, NLACRC is required to fund Claimant's participation in the Inclusive Adventures program at a reduced rate on a temporary basis until support services, such as personal assistance services, can be discussed and implemented through the IPP process to ensure Claimant receives the necessary services and supports to help him reach his IPP goals.

10. Although Claimant has requested NLACRC fund a 30 to 50 hour social recreation program through Inclusive Adventures per month, the evidence does not establish that Claimant requires participation at that level to meet his current IPP goals. Further, NLACRC is already funding for two hours of bowling per week to address Claimant's socialization goals. A reduced award of 15 hours per month will avoid a gap in services, permit continued progress toward Claimant's socialization

goals, and maintain continuity of services while parties reconvene through the IPP process to determine an appropriate long-term service plan.

ORDER

1. Claimant's appeal is granted in part and denied in part.
2. NLACRC shall fund Claimant's participation in the Inclusive Adventures program at a rate of 15 hours per month at \$75 per hour for a total of \$1,125 per month from July 15, 2026, through December 15, 2026.
3. NLACRC and Claimant shall hold an IPP meeting within 30 days after the date of this Decision to discuss the implementation of services and supports, such as personal assistance services, necessary to provide Claimant with the support needed to meet his IPP goals of developing social skills.

DATE:

IRINA TENTSER
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.