

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

In the Matter of:

CLAIMANT

and

INLAND REGIONAL CENTER

Service Agency

OAH No. 2019100394

DECISION

Marion Vomhof, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter on January 7, 2020, in San Bernardino, California.

Senait Teweldebrhan, Fair Hearings Representative, Fair Hearings and Legal Affairs, Inland Regional Center, represented Inland Regional Center (IRC).

Claimant's mother represented claimant. Claimant's father was also present for the hearing.

Oral and documentary evidence was received. The record was closed and the matter was submitted for decision on January 7, 2020.

ISSUE

Should IRC fund 120 hours per month of homemaker services for claimant?

FACTUAL FINDINGS

Jurisdictional Matters

1. On July 29, 2019, claimant requested that IRC fund homemaker services as part of claimant's IRC services.
2. On September 16, 2019, IRC issued a Notice of Proposed Action (NOPA), signed by Program Manager Leigh-Ann Pierce, advising that it was denying claimant's request for 120 hours per month of homemaker services and attaching a 10-page letter explaining its rationale.
3. On October 7, 2019, claimant submitted a fair hearing request appealing IRC's decision.
4. An informal hearing was held on October 15, 2019, and on October 22, 2019, IRC issued a five-page letter, signed by Fair Hearing Representative Senait Teweldebrhan, stating that it was standing by its decision and explaining its rationale. Claimant chose to proceed with the fair hearing request and this hearing followed.

Claimant's Background and the Services He Has Received

5. Claimant is a 10-year-old boy, who is a current IRC consumer with a qualifying diagnosis of Mild Intellectual Disability resulting from an Unspecified Chromosomal Abnormality. Claimant's mother and father both work full time out of

the home. Claimant has two younger siblings, ages 9 and 7, who are not IRC consumers. Claimant has an Individualized Education Program (IEP) and receives 48 hours per month of routine in-home respite services from United Cerebral Palsy. IRC also funds an Applied Behavior Analysis (ABA) therapy provider, Key Essentials, to provide a 1:1 ABA-trained aide at claimant's afterschool/daycare program five days per week. Claimant receives Occupational Therapy, Speech Services and Adaptive P.E. in school that is funded by the school district.

Request for Homemaker Services

6 On July 23, 2019, claimant's mother requested homemaker services via an email to claimant's Consumer Services Coordinator (CSC), Genesis Bernal. Claimant's mother stated that as both parents work full time outside the home, they have a difficult time staying on top of housecleaning as they devote their available time to caring for all of claimant's needs, and this has become a stress on the family. After discussing the request with her program manager Leigh-Anne Pierce, Ms. Bernal suggested that the mother contact In-Home Supportive Services (IHSS) as that resource must be utilized first. On July 24, 2019, Ms. Bernal sent claimant's mother a second email, attaching information regarding protective supervision offered by IHSS.

7. On July 29, 2019, claimant's mother sent Ms. Bernal another email, which she stated was her "formal request" for homemaker services. Claimant's mother asserted that she and her husband often work more than 40 hours per week and have limited free time outside of work, and all their free time is devoted to tending to claimant's needs and the needs of their two younger children. "As such, we have very minimal to no time to focus on keeping the home clean and organized, or to prepping for meals." She concluded that it was very important that they get assistance keeping

the home in order for the entire family, as they focus on maintaining claimant "in the home and working towards independence."

8. On September 16, 2019, IRC issued a NOPA, signed by Ms. Pierce, denying claimant's request for homemaker services and providing the rationale and statutory basis for its decision. The NOPA stated in part: "[W]hile it is understandable that maintaining the household with all of your responsibilities may at times be difficult, it would not be unusual for a parent of a non-disabled child to complete housekeeping or hire a service to do so." IRC recommended that claimant "seek additional supports for cleaning and household duties through IHSS."

9. Claimant appealed and an informal hearing was held on October 15, 2019, with claimant's parents, Ms. Teweldebrhan, Ms. Bernal and Ms. Pierce in attendance. As a follow-up to the informal hearing, IRC issued a letter dated October 22, 2019. IRC reported that claimant's parents stated that claimant requires a lot of assistance with his self-care needs and has behaviors that have become more self-injurious. In addition, claimant's mother has Graves' Disease, an autoimmune disorder that causes hypothyroidism. Claimant's parents requested that IRC provide homemaker services for two hours in the morning to assist with preparing meals and feeding claimant while the parents get the other children ready for school, and two to three hours after school to assist with preparing meals and house cleaning.

IRC's letter concluded as follows:

At this time, IRC is standing by its decision to deny the request to fund homemaker services. When considering needed services and supports, regional centers must take into consideration parental responsibility for providing

similar services and supports to a minor child without disabilities. While it is understandable that maintaining the household and working full time can be difficult, parents of non-disabled children must also juggle responsibilities and demand [sic] between work and home, which includes housekeeping and household maintenance.

[¶] . . . [¶]

[A]s a payer of last resort, regional centers are required by law to take into consideration natural supports and make sure that generic resources have been exhausted. (Claimant) is currently not receiving In-Home Supportive Services (IHSS), which is a federal, state, and locally funded generic resource that may be able to assist you.

10. Claimant elected to go forward with a fair hearing.

Genesis Bernal, IRC Consumer Services Coordinator

11 Ms. Bernal has been claimant's CSC for the past three years. In this position she assists families with locating generic and paid services. She prepared claimant's Individual Program Plan (IPP), which describes his behaviors and daily tasks. Claimant's qualifying diagnosis is Mild Intellectual Disability. He has also been diagnosed with Attention Deficit Hyperactivity Disorder (ADHD), and has a genetic heart condition, although he is currently in stable health. Claimant attends school from 8:00 a.m. to 2:00 p.m. and afterschool care from 2:00 p.m. to 5:30 p.m. Claimant's parents pay for 1:1 ABA support during the school day, and IRC funds 1:1 ABA support in the afterschool program, as well as summer programs, provided by Key Essentials.

Ms. Bernal acknowledged that claimant's IPP states, among other things, that claimant requires constant supervision when eating and swallowing; requires assistance with dressing, toileting, showering, safety, and supervision; tends to wander and is not aware of danger or possible safety issues; requires monitoring so he will not play too rough with his siblings; and has emotional outbursts daily that require intervention. His mother reported that as he is in third grade, his homework needs have increased. Claimant wears hearing aids in both ears due to hearing loss.

Claimant currently receives 48 hours of routine respite care per month, which provides a temporary break for his parents. Respite care can be routine, where a caregiver is assigned, or preferred, where a caregiver is chosen by the parent. Claimant's caregivers include his maternal grandmother and his mother's sister.

When Ms. Bernal received claimant's request for homemaker services, she met with Ms. Pierce and then referred claimant's mother to IHSS and provided her with additional information on protective services offered by IHSS.

Claimant's Request to IHSS

12. In response to claimant's request to IHSS for homemaker services, IHSS issued a NOPA dated November 19, 2019, which stated as follows:

On 11/14/2019, you asked to withdraw your application dated 10/18/2019 for In-Home Supportive Services (IHSS). If you change your mind you can submit a new application.
(MPP 30-009.213)

At this time, client does not qualify for services requested (Domestic and Related) due to age appropriate guidelines.

According to DM 2017-013 2.1 minor children living with parents are not entitled to the following IHSS services categories: Domestic Services. Also DM 2017-013 2.3 states that due to recent policy clarification by CDSS IHSS SSP shall not authorize domestic services when a minor recipient lives with his parents.

IRC asserted that because claimant withdrew her application to IHSS, the NOPA was not a denial. Claimant would need to reapply for services, and obtain a denial in order to have exhausted this resource. Claimant argued that the NOPA is in fact a denial as it clearly stated that claimant was not eligible for homemaker services from IHSS. IRC's position is not convincing. Claimant requested the homemaker services and the NOPA stated that claimant is not eligible, therefore the NOPA provided a de facto denial of claimant's request, regardless of claimant's later withdrawal of that request.

Leigh-Anne Pierce, IRC Program Manager

13. Ms. Pierce has been with IRC for more than 16 years, she previously worked in fair housing and also as a consumer service coordinator. She is familiar with claimant's situation after reviewing his file and meeting with Ms. Bernal. In July 2019, Ms. Bernal spoke to her about claimant's request for homemaker services. Ms. Pierce researched the request and advised Ms. Bernal to refer the mother to IHSS. Ms. Pierce issued a NOPA denying the request, however, claimant did not timely appeal the denial. When Ms. Bernal advised her that claimant's mother had a medical condition¹

¹ Claimant's mother testified that she had been diagnosed with Grave's Disease. She provided an undated document entitled "Clinical Summaries" which listed her

Ms. Pierce reconsidered claimant's request, taking into consideration the mother's medical issues. On September 9, 2019, Ms. Pierce issued a second NOPA on behalf of IRC, and determined that IRC's denial of homemaker services should stand.

In making a determination regarding a request for homemaker services, IRC considers, among other things, the age and disability of the child; whether the child is in a one parent or two parent home; the parent(s) responsibilities if the child were not disabled, what a parent(s) of a non-disabled child would do in a similar situation; and generic resources available. In making this decision, Ms. Pierce did not look at the family income or consider whether the family has the ability to pay. While homemaker services are usually understood as adult services, they may be provided to a minor in circumstances such as where the parent is unable to provide care for the consumer, due to illness or otherwise. Those circumstances do not exist here.

Claimant's specific request was that the parents did not have time due to full-time jobs, to keep up with their household duties and meal preparation, while providing the care claimant requires and caring for their other two children. In the IRC's NOPA dated September 16, 2019, Ms. Pierce advised:

while it is understandable that maintaining the household with all of your responsibilities may at times be difficult, it would not be unusual for a parent of a non-disabled child to complete housekeeping or hire a service to do so.

name as "Patient" and "Date Unknown Grave's disease" under "Medical History." No additional evidence was provided regarding her condition and its effect on her ability to care for claimant. Therefore, this diagnosis was not considered in this decision.

At the informal meeting on October 15, 2019, claimant's mother advised that claimant's ABA provider mostly works with him at his afterschool day care and will come on the weekends to help with transitioning from the daycare to the home setting. Ms. Pierce recommended asking Key Essentials if they could provide ABA services during the week when claimant arrives home from school to help him with transitioning, as it may be more effective to target his behaviors as they occur.

Ms. Pierce is aware that claimant did apply for homemaker services through IHSS and received a Notice of Action, however she asserts the Notice of Action sent by IHSS was not a denial for these services as claimant's mother had already withdrawn the request. As noted above, this argument is found to be without merit. Ms. Pierce also advised that claimant may reapply or may request other services that IHSS offers, including personal care, laundry, meal preparation, and protective supervision for a child, and testified that the parents may hire whomever they choose to provide these services.

Ms. Pierce explained that IRC is also required to consider a family's "natural supports,"² which can include their family, friends, and neighbors. Here, claimant's grandmother is currently providing respite hours. When asked what other generic resources were available to claimant, Ms. Pierce again suggested ABA services in the home or perhaps the parents could hire a housekeeper or a cleaning service to assist them in keeping the home clean and orderly.

² The term "natural supports" is defined in Welfare and Institutions Code section 4512, subdivision (e), as "personal associations and relationships typically developed in the community that enhance the quality and security of life for people."

Ms. Pierce pointed out that claimant's family utilizes respite services on evenings and weekends, and while homemaker services and respite care are separate services, each "can do some of the same things." Respite care tends to the consumer individually, by providing basic meals, safety, and toileting for a child, but it does not provide meals for the whole family or clean the house. Respite is used to keep a child safe in the absence of the parent or while the parent is present, to provide the parent a break from caring for the child. Claimant currently receives 48 hours per month of in-house respite services. This service was a factor in IRC's decision to deny claimant's request, as this "break" from their care of claimant provides claimant's parents time to do other things. In fact, IRC offered to temporarily increase claimant's respite services to 96 hours per month, while his parents applied to IHSS, and appealed, in the event their application was denied. Claimant's mother advised that she appreciated the offer but it did not meet the family's needs as the goal was to be able to spend more time with her children, she said, "we currently cannot do that and also attend to the needs of our home care and meal prep."

Ms. Pierce testified that IRC is required to consider the parent's responsibility to provide for the needs of each of their children, with or without disabilities. Household maintenance is a responsibility of all parents of minor children, and finding time to complete all tasks is not unique to parents caring for a disabled child. Claimant's parents have not exhausted all generic resources and the Welfare and Institutions Code requires that they do so. Ms. Pierce's decision regarding denial of homemaker services has not changed: the in-home respite services currently provided to claimant, plus utilization of additional ABA services in the home, would provide care for claimant while providing his parents with the additional time they seek.

Pamela Hutt, IRC Program Manager and Behavior Specialist

14. Ms. Hutt has been with IRC since 1996, and is a Program Manager and Behavior Specialist. Her duties include evaluating requests for services and determining what options or providers can best be used for that consumer. She is familiar with claimant, as she assisted in arranging for his afterschool 1:1 ABA services. Ms. Hutt supervises Christine Slaughter, a Behavior Coordinator for IRC, who visited claimant's home and his school, sent the information to Key Essentials, who then conducted an ABA evaluation.

In a November 14, 2019, progress report to IRC, Key Essentials reported the status of claimant's ABA goals, which included communication; self-help such as washing hands, dressing, waiting, and toileting; social skills; and parent education to assist in compliance and progress toward these goals. Beginning in December 2019, claimant was scheduled for 50-65 hours per week out of 215 hours per week authorized, and 100 percent of these sessions were in the afterschool program. Claimant has responded well to treatment in the afterschool setting, and IRC has authorized funding of additional ABA hours which can be utilized in the home. As claimant and his family have recently moved, the afterschool ABA services have paused and Key Essentials is looking for staff near claimant's new home. Ms. Hutt was advised by Key Essentials that they are seeking to do 1:1 ABA services in claimant's home. They have talked with the parents and provided some in home training, but the parents were "not making themselves available" for Key Essentials to consistently go into the home environment. Continuity of services is important to eliminate maladaptive behaviors and continue to reinforce positive behaviors introduced in the afterschool setting. Ms. Hutt opined that if claimant's parents allowed Key Essentials into the home this would benefit claimant. She also acknowledged that homemaker services

would be beneficial by allowing the parents more time to spend with claimant, however, the issue is the funding source for this service.

Claimant's Mother

15. Claimant's mother seeks homemaker services from IRC so she will be able to focus on claimant's needs and those of her other two children. Claimant's parents struggle with assisting him to be independent. In the past, claimant's mother has requested services to help claimant individually; but caring for him has begun to negatively affect her other two children, ages 9 and 7, and she is seeking a "better family dynamic and relationship." She believes homemaker services will benefit claimant as, after picking him up at 7:00 p.m., his parents have limited time to prepare dinner and tend to the needs of claimant and his younger siblings. Homemaking services would allow the family to spend more time with and caring for claimant.

Claimant's mother has looked for outside services. In response to her application for homemaker services, IHSS advised claimant that this service was specific to what a 10-year-old would be expected to do, which would not include cleaning or making meals. She believes the NOPA she received from IHSS was a denial of her request, and that as a parent, she has done what was requested. IRC has offered 48 more hours per month of respite services, but claimant's parents do not want more time away from claimant, they want to spend more time with him. Claimant's mother pointed out that even when a respite worker is in the home caring for claimant, she and her husband are spending that time dealing with their other children, rather than cleaning and meal prep.

Since the family's move a month ago, claimant does not have respite services in the home. Claimant's parents are open to working with ABA but claimant's mother

notes that claimant currently spends the majority of his day with ABA services. Any issues Key Essentials may have had with access to the home was due to “family dynamics,” claimant’s parents have “never said no” to Key Essentials but more people in the house can be disruptive to the family. Key Essentials workers speak with claimant’s parents each day after daycare regarding claimant’s behavior that day. His mother does not believe that more ABA services will alleviate claimant’s bad behaviors such that it will provide his parents with additional free time to clean their home and prepare meals.

Claimant’s parents are requesting a total of 120 hours per month of homemaker services. This would include two hours of homemaker services each morning to prep meals and feed claimant, thereby providing the parents time to help claimant with his self-care and getting dressed, and to help their other two children get ready for school. In addition, they are requesting two to three hours after school each day to assist with preparing meals and housecleaning. Claimant’s mother stressed that they do not want an additional person in their home, rather they are looking for IRC to provide homemaker services so that they can care for claimant and their other children.

LEGAL CONCLUSIONS

Burden and Standard of Proof

1. “Burden of proof” means the obligation of a party to establish by evidence a requisite degree of belief concerning a fact in the mind of the trier of fact or the court. Except as otherwise provided by law. The standard of proof is a preponderance of the evidence. (Evid. Code, § 115.) Claimant had the burden of

establishing that IRC should fund 120 hours per month of homemaker services for claimant.

Statutory Authority Regarding the State's Responsibilities to Persons with Developmental Disabilities

2. The Lanterman Development Services Act (Lanterman Act), Welfare and Institutions Code section 4500 et seq., governs the state's responsibilities to persons with developmental disabilities.

3. Welfare and Institutions Code section 4501 states:

The State of California accepts a responsibility for persons with developmental disabilities and an obligation to them which it must discharge. Affecting hundreds of thousands of children and adults directly, and having an important impact on the lives of their families, neighbors, and whole communities, developmental disabilities present social, medical, economic, and legal problems of extreme importance.

The complexities of providing services and supports to persons with developmental disabilities requires the coordination of services of many state departments and community agencies to ensure that no gaps occur in communication or provision of services and supports. A consumer of services and supports, and where appropriate, his or her parents, legal guardian, or conservator, shall have a leadership role in service design.

An array of services and supports should be established which is sufficiently complete to meet the needs and choices of each person with developmental disabilities, regardless of age or degree of disability, and at each stage of life and to support their integration into the mainstream life of the community. To the maximum extent feasible, services and supports should be available throughout the state to prevent the dislocation of persons with developmental disabilities from their home communities. . .

4. Welfare and Institutions Code section 4502.1 states:

The right of individuals with developmental disabilities to make choices in their own lives requires that all public or private agencies receiving state funds for the purpose of serving persons with developmental disabilities, including, but not limited to, regional centers, shall respect the choices made by consumers or, where appropriate, their parents, legal guardian, or conservator. Those public or private agencies shall provide consumers with opportunities to exercise decision-making skills in any aspect of day-to-day living and shall provide consumers with relevant information in an understandable form to aid the consumer in making his or her choice.

5. "Services and supports for persons with developmental disabilities" are defined by Welfare and Institutions Code section 4512, subdivision (b), and include:

“ . . . 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 independent, productive, and normal livesServices and supports listed in the individual program plan may include, but are not limited to, . . . homemaker services, . . . [and] respite, . . . ”

6. “Natural supports” for persons with developmental disabilities are defined by Welfare and Institutions Code section 4512, subdivision (e), and include “personal associations and relationships typically developed in the community that enhance the quality and security of life for people,” including, but not limited to, family relationships, friendships, and associations developed through participation in clubs and associations.

In-Home Services for Children with Developmental Disabilities

7. Welfare and Institutions Code section 4685 addresses in-home services for children with developmental disabilities as follows:

(a) Consistent with state and federal law, the Legislature finds and declares that children with developmental disabilities most often have greater opportunities for educational and social growth when they live with their families. The Legislature further finds and declares that the

cost of providing necessary services and supports which enable a child with developmental disabilities to live at home is typically equal to or lower than the cost of providing out-of-home placement. The Legislature places a high priority on providing opportunities for children with developmental disabilities to live with their families, when living at home is the preferred objective in the child's individual program plan.

(b) It is the intent of the Legislature that regional centers provide or secure family support services that do all of the following:

(1) Respect and support the decision-making authority of the family.

(2) Be flexible and creative in meeting the unique and individual needs of families as they evolve over time.

(3) Recognize and build on family strengths, natural supports, and existing community resources.

(4) Be designed to meet the cultural preferences, values, and lifestyles of families.

(5) Focus on the entire family and promote the inclusion of children with disabilities in all aspects of school and community.

(c) In order to provide opportunities for children to live with their families, the following procedures shall be adopted:

(1) The department and regional centers shall give a very high priority to the development and expansion of services and supports designed to assist families that are caring for their children at home, when that is the preferred objective in the individual program plan. This assistance may include, but is not limited to, . . . respite for parents, homemaker services, camping, day care, short-term out-of-home care, child care, counseling, mental health services, behavior modification programs, . . . and other benefits to which they are entitled.

(2) When children with developmental disabilities live with their families, the individual program plan shall include a family plan component which describes those services and supports necessary to successfully maintain the child at home. Regional centers shall consider every possible way to assist families in maintaining their children at home, when living at home will be in the best interest of the child, before considering out-of-home placement alternatives. When the regional center first becomes aware that a family may consider an out-of-home placement, or is in need of additional specialized services to assist in caring for the child in the home, the regional center shall meet with the family to discuss the situation and the family's current

needs, solicit from the family what supports would be necessary to maintain the child in the home, and utilize creative and innovative ways of meeting the family's needs and providing adequate supports to keep the family together, if possible. . . .

Use of Generic and Other Resources and Consideration of the Family's Responsibility to Provide Services

8. According to Welfare and Institutions Code section 4646.4:
 - (a) Regional centers shall ensure, at the time of development, scheduled review, or modification of a consumer's individual program plan developed pursuant to Sections 4646 and 4646.5, or of an individualized family service plan pursuant to Section 95020 of the Government Code, the establishment of an internal process. This internal process shall ensure adherence with federal and state law and regulation, and when purchasing services and supports, shall ensure all of the following:
 - (1) Conformance with the regional center's purchase of service policies, as approved by the department pursuant to subdivision (d) of Section 4434.
 - (2) Utilization of generic services and supports when appropriate . . .

(3) Utilization of other services and sources of funding as contained in Section 4659.

(4) Consideration of the family's responsibility for providing similar services and supports for a minor child without disabilities in identifying the consumer's service and support needs as provided in the least restrictive and most appropriate setting. In this determination, regional centers shall take into account the consumer's need for extraordinary care, services, supports and supervision, and the need for timely access to this care. . . .

9. Pursuant to Welfare and Institutions Code section 4648, subdivision (a)(1) and (2):

In order to achieve the stated objectives of a consumer's individual program plan, the regional center shall conduct activities, including, but not limited to, all of the following:

(a) Securing needed services and supports.

(1) It is the intent of the Legislature that services and supports assist individuals with developmental disabilities in achieving the greatest self-sufficiency possible and in exercising personal choices. The regional center shall secure services and supports that meet the needs of the consumer, as determined in the consumer's individual program plan, and within the context of the individual program plan, the planning team shall give highest preference to those

services and supports which would allow minors with developmental disabilities to live with their families, adult persons with developmental disabilities to live as independently as possible in the community, and that allow all consumers to interact with persons without disabilities in positive, meaningful ways.

(2) In implementing individual program plans, regional centers, through the planning team, shall first consider services and supports in natural community, home, work, and recreational settings. Services and supports shall be flexible and individually tailored to the consumer and, where appropriate, his or her family.

10. Regional centers "shall identify and pursue all possible sources of funding for consumers receiving regional center services." (Welf. & Inst. Code, § 4659, subd. (a).) Regional centers "shall not purchase any service that would otherwise be available from Medi-Cal, Medicare, The Civilian Health and Medical Program for Uniform Services, In-Home Support Services, California Children's Services, private insurance, or a health care service plan when a consumer or family meets the criteria of such coverage but chooses not to pursue that coverage." (Welf. & Inst. Code, § 4659, subd. (c).)

Evaluation

11. Welfare and Institutions Code section 4685 does not prohibit the providing of homemaker services for a consumer who is a developmentally disabled child living with his family. There may be situations where the parent is too ill or

otherwise unable to care for the needs of a disabled child, and homemaker services would be appropriate. This is not such a situation.

12. IRC has agreed to fund and has authorized additional hours of ABA services outside of the after school care, for which claimant has yet to pursue. Claimant's mother stated that additional persons in the home can be disruptive to the family. At the same time, claimant's request for 120 hours per month of homemaking services would require an additional person in the home for several hours on a daily basis.

13. IRC's position is that claimant withdrew his request to IHSS for homemaker services and therefore has not exhausted that resource. While it is true that claimant withdrew the request, IHSS's response is a de facto denial as IHSS stated that claimant is not eligible for homemaker services at this time due to his age.

14. Claimant's family consists of two parents and two non-disabled siblings in the home. Many working parents struggle with keeping up with household chores, meal preparation, and devoting what little free time they may have to meeting the needs of each of their children. IRC is looking at services for what is beyond the scope of normal parental responsibilities, which is the care of claimant's behavior and his self-care. Providing the requested homemaking services to maintain an orderly home for claimant and his family is not a specialized service or support directed toward alleviation of claimant's disability.

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ORDER

IRC's decision to deny claimant's request for homemaker services is affirmed.

DATE: January 22, 2020

MARION VOMHOF
Administrative Law Judge
Office of Administrative Hearings

NOTICE

This is the final administrative decision. Both parties are bound by this decision. Either party may appeal this decision to a court of competent jurisdiction within 90 days.