

DEPARTMENT OF DEVELOPMENTAL SERVICES

1215 O Street, MS 8-30
Sacramento, CA 95814
TTY: 711
(833) 421-0061



October 24, 2022

Lori Banales, Executive Director
Alta California Regional Center
2241 Harvard Street, Suite 100
Sacramento, CA 95815

Dear Ms. Banales:

The Department of Developmental Services (Department) has reviewed Alta California Regional Center's (ACRC) proposal submitted on October 11, 2022, pursuant to Welfare & Institutions (W&I) Code section 4669.2, Regional Center Alternatives for Service Delivery. The proposal requests that the Department waive W&I Code section 4691.9(a) to allow ACRC to negotiate reimbursement rates for licensed psychologists conducting intake assessments at rates higher than the median rates implemented on July 1, 2008.

Your proposal has been approved.

Regulatory or Statutory Provisions Waived:

W&I Code section 4691.9(a) states:

"(1) A regional center shall not pay an existing service provider, for services where rates are determined through a negotiation between the regional center and the provider, a rate higher than the rate in effect on June 30, 2008, unless the increase is required by a contract between the regional center and the vendor that is in effect on June 30, 2008, or the regional center demonstrates that the approval is necessary to protect the consumer's health or safety and the department has granted prior written authorization."

California Code of Regulations (CCR), Title 17 section 57300 – Rate-Setting Requirements Applicable to all Nonresidential Service Vendors states:

"(e) If a vendor does not have a rate established by the Department, and if the SMA is not applicable to the service provided by the vendor, and if the vendor does not have an established usual and customary rate as defined in Section 57210(a)(19), the vendoring regional center shall negotiate with the vendor the level of payment for services provided to consumers for a specified period of time."

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CCR, Title 17 section 57332 – Maximum Rates of Reimbursements for Non-Residential Services, states in relevant part:

“(b) The maximum rate of reimbursement for the following medical services shall be in accordance with the Schedule of Maximum Allowances (SMA):... (4) Clinical Psychologist – Service Code 785.

The Department waives the requirement to consider SMA rates before negotiating the above rates.

For the limited purpose of completing intake assessments, ACRC may fund:

- Up to \$2,000 per assessment for an Intellectual Disability (ID) and/or Autistic Spectrum Disorder (ASD) evaluation that is not deemed to be complex in nature, requiring a minimum of six hours of combined face-to-face and indirect service time.
- Up to \$2,500 per assessment for an ID and/or ASD evaluation that requires a minimum of eight hours of combined face-to-face and indirect service time.
- Up to \$3,000 per assessment for an ID and/or ASD evaluation that requires a minimum of 10 hours of combined face-to-face and indirect service time that also meets one of the following criteria:
 - Is provided in a locked facility
 - Requires multidisciplinary evaluation by more than one provider
 - Has considerable medical or mental health complexity that requires an additional observation and/or more than four additional hours of collateral review

Funding at the above rates may be utilized for any consumer or person believed to have a developmental disability as described in W&I Code section 4642(a)(1). The rates identified above may be utilized for existing ACRC vendored psychologists. ACRC shall assign the following subcodes for the above rates: 637-1 (\$2,000), 637-2 (\$2,500) and 637-3 (\$3,000). For any new clinical psychologists, which ACRC is seeking to vendor at the rates listed above, ACRC shall vendor these new psychologists under service code 785.

Applicable areas of W&I Code:

W&I Code section 4642(a)(1)(2) – Regional Center Responsibilities defines who shall be eligible for initial intake and assessment services in the regional centers. Initial intake must be performed within 15 days following a service request.

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W&I Code section 4643 – Assessment Timelines requires that an assessment be performed within 120 days of the initial intake.

Effective Date of Waiver: November 1, 2022

Regional Center Implementation and Approval:

The regional center shall implement the approval subject to the following:

- The approval is limited to services for individuals described in W&I Code section 4642 and 4643.
- The approval is for the rates listed above only. Further increases to the payment rate shall be requested in a separate proposal.

Pursuant to W&I Code section 4669.2(c), the regional center shall annually submit to the Department a report on the implementation of the service delivery options approved under this section. The report shall review the effects of the proposal, if applicable, upon the regional center purchase of service budget and the state budget, the impact on other regional center services, and the impact on consumers served under the proposal.

If you have any questions regarding this approval, please contact Aaron Christian, Assistant Deputy Director, Office of Community Operations, at (951) 405-0214, or by email, at aaron.christian@dds.ca.gov.

Sincerely,



ERNIE CRUZ
Deputy Director
Community Services Division

cc: Dan Kilmer, Alta California Regional Center
Norma Vidaurreta, Alta California Regional Center
Brian Winfield, Department of Developmental Services
Aaron Christian, Department of Developmental Services
Yasir Ali, Department of Developmental Services
Ed Yan, Department of Developmental Services