

Eligibility Under the **Lanterman Act: Far Northern** **Regional Center Services** after age 3



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Can my child continue with Far Northern Regional Center after turning 3?

Prior to age three, children diagnosed with, or who are at risk for, developmental delays or developmental disabilities can receive early intervention services from Regional Centers. This is known as Early Start or Part C of the Individuals with Disabilities Education Act (IDEA). At age three, Early Start services end.

Some children will be eligible for continued Regional Center services under two different categories.

1) Provisional eligibility: your child has significant limitations in two areas of life activities.

Provisional eligibility supports your child through ages 3 and 4 (until they turn 5).

2) Lanterman eligibility: your child has a diagnosed developmental disability and substantial difficulty in at least 3 areas of functioning. Lanterman eligibility supports your child throughout their life.

What is the Lanterman Act?



In addition to having the same rights as other Californians, The Lanterman Act is the California law that gives people with developmental disabilities the right to services and supports they need to live independent and normal lives. The Act says it is important for each person to get the services and supports that meet their needs and choices.

The California Regional Center system was established by the state to support individuals with developmental disabilities. The Far Northern Regional Center, which serves Plumas County, assists people of all ages with intellectual disabilities, cerebral palsy, autism, epilepsy, and related conditions. It provides intake, assessment, diagnosis, and ongoing service coordination.

Who qualifies for Provisional Eligibility through the Regional Center?

- If your child has received Early Start services, the Far Northern Regional Center must assess them 90 days before their 3rd birthday to determine if they have a developmental disability that qualifies them for lifelong regional center services under the Lanterman Act. If they do not qualify under the Lanterman Act, the center will evaluate your child for provisional eligibility.
- To qualify for provisional eligibility, your child must be 3 or 4 years old. They must also exhibit significant developmental delays in at least two of the following five areas of major life activities: self-care, receptive and expressive, language, learning, mobility, or self-direction. Provisional eligibility allows qualifying 3- or 4-year-olds to access full regional center services until they turn 5.
- If your child is deemed provisionally eligible, you will collaborate with the regional center to create an Individual Program Plan (IPP). This plan will specify the services and supports your child will receive. Provisional eligibility is transferable between all 21 regional centers in California, meaning your child will retain their eligibility if you move within the state.
- The regional center must reassess your child for continued eligibility under the Lanterman Act at least 90 days before their 5th birthday. If the assessment determines that your child does not have a developmental disability, their eligibility and services will end. However, you have the right to appeal by requesting a [fair hearing](#).

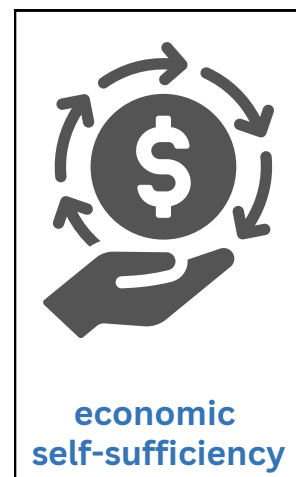
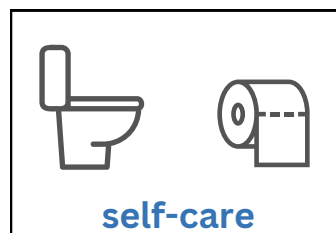
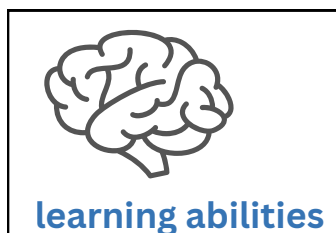


Who qualifies for services through the Lanterman Act at the Regional Center?

To be eligible for Regional Center services under the Lanterman Act, a child must have a diagnosed developmental disability and substantial disability that begins before age 18 and is expected to continue indefinitely.

- Eligible disabilities include cerebral palsy, epilepsy, autism, intellectual disability, and other conditions closely related to intellectual disability or that require similar treatment.
- However, a diagnosis alone is insufficient for eligibility; the child's disability must be "substantial."

A "substantial" disability is one in which the person has impairments (defined in comparison to the expectations for a typical person of the same age) in **at least three of the following areas:**



In order to qualify for services under the Lanterman Act, the regional center will do an assessment. You and your family are encouraged to take part in the assessment. If your child is found eligible for services an Individual Program Plan (IPP) meeting must be held within 60 days of the assessment. If the regional center finds you ineligible for services and you disagree, you have the right to appeal by requesting a fair hearing.

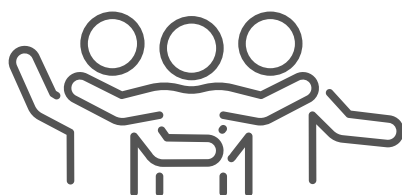
How will your child benefit from Lanterman Services?

Regional Centers fund many services but the scope of services under the Lanterman Act is significantly different from what is provided through Early Start.

Common Regional Center services after age 3



Respite Care & Specialized Child Care



Social-recreational Funding*



Behavioral Services

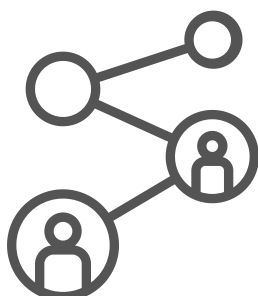


Incontinence Supplies

*Typically, for generic community programs such as dance classes, Scouts, community summer camps, etc., the cost of the program itself remains the parents' responsibility, as it would for the parents of a typically developing child. When a child needs additional supports to participate in community group activities with non-disabled peers, Regional Centers may fund a variety of services to help them access those programs.

Other services include:

- Assessment and diagnosis
- Counseling
- Individualized planning supports
- Providing a Home and Community Based Services waiver for the Developmentally Disabled (HCBS-DD) whose primary goal is to support individuals with developmental disabilities in living at home or in community settings rather than in residential facilities. It allows for certain Medi-Cal rules to be waived, which can be beneficial for children whose parents' income is above typical Medi-Cal eligibility limits.
- Directly providing supports and services that are not covered through other sources.
- Self-determination programs, which give people a budget that they can use to purchase the services and supports they need to live independently and exercise greater autonomy.

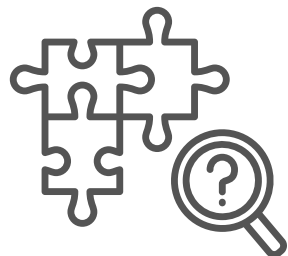


Regional Centers also help coordinate and access services that are funded through other programs. For example, they may:

- Help people understand which resources are available in the community.
- Help people apply for services in the community.

Regional Centers specifically must either fund or help people access certain supports that help with communication, self-determination, and independent living. These can include:

- Assistive technology and training on how to use it
- Personal assistants to help an individual communicate or use a communication device
- Interventions aimed at improving communication, such as speech-language therapy and occupational therapy
- Service coordination services that help ensure continuity of access to communication devices and supports



Regional Centers are payors of last resort. This means that if a service is available through certain state or federal programs - such as Medicaid, the public school system, or private insurance - the regional center is not allowed to pay for it. Regional Centers cannot directly pay for services that are available through other programs such as:

- Medi-Cal (Medicaid)
- In-Home Support Services
- California Children's Services
- private insurance, or
- a health care service plan

Exceptions can be made when the person with a disability is under three years of age, when the individual is still in the process of applying for coverage of those services, or when these programs have issued a letter denying coverage for these services.

How are services and supports determined?

- After your child is determined to be eligible for continued, Regional Center services after age 3, a Far Northern Regional coordinator will schedule an Individualized Program Plan (IPP) meeting with you.
- An IPP is a document that describes your child's needs, goals, and objectives as well as the services and supports your child will need to achieve those goals and objectives.
- Services provided by Regional Center are based on the goals in your child's IPP, so if you plan to request particular services, be sure that they are supported by your child's goals. For example, if you want to ask for behavioral and social skills supports, your child's IPP should document problematic behaviors and difficulties with socialization and include goals to address these concerns.
- For a young preschool-aged child, available services might include social skills and behavioral interventions, copayment assistance for those who qualify, respite care, support to be successful in a child care setting, support groups and conferences, and diapering and medical supplies, social recreation programming, non-medical therapies, educational services in some circumstances, and camping, among others.

What is a Self Determination Plan?

- The Self-Determination Program (SDP) is a voluntary alternative to the traditional way of receiving Regional Center services. Regional Center clients who qualify through the Lanterman Act are eligible for this program beginning at age 3.
- A Self-Determination Program gives people with disabilities more freedom, control, and responsibility to choose the services and supports that help them meet their goals and be fully included in their community. Person-centered planning drives the entire process and is focused on what the person can and wants to do (rather than what they can't do) and the supports, services, and resources needed to achieve their goals.
- The participant develops an individualized budget with their Far Northern Regional Center service coordinator — based on the last 12 months of expenditures and any changes of circumstances or unmet needs — and can decide what services they'd like and who should provide them; providers don't need to be Far Northern Regional Center vendors and can even be family members.
- The Department of Developmental Services (DDS) has a long list of services in their Self-Determination Program Service Definitions document.
- Because Regional Center is the payer of last resort, the participant must use generic services first, such as the school district, private insurance, Medi-Cal, etc.
- To be eligible you must agree to participate in an orientation, work with a financial management services agency, and manage the program's services within the assigned budget.



orientation



**work with financial
management agency**



manage assigned budget

- The participant (and their family as applicable) creates a person-centered plan (PCP), which outlines what is important to and for them as well as the services, supports, and resources that will help them reach their goals. The PCP is presented to the Regional Center, which will come back with an individualized budget. This budget is then used by the participant to create a spending plan that outlines what the participant will do with the money, including addressing any unmet needs (supports or services the participant couldn't access for a variety of reasons, or needs that were not covered in an Individualized Program Plan).
- The participant chooses a financial management service (FMS), an independent agency that helps them use their budget to pay for services, taxes, and insurance. Participants choose the level of involvement they want from the FMS. The FMS can also run background checks on staff and keep track of spending.

Participants have three options for support in creating their Self-Determination plan:

- 1) Hire an independent facilitator (IF) to help create the PCP and spending plan, find and hire the right people, decide how much they should be paid, and mediate issues with providers. The independent facilitator fees are paid by the Regional Center for the first year; if the participant chooses to continue to work with their IF or a different IF after the transition, the fees can come out of the participant's budget.
- 2) Use their Regional Center service coordinator (keep in mind that many have high caseloads and some people consider it to be a conflict of interest).
- 3) Manage the process themselves.

Let your Regional Center service coordinator know if you are interested in transitioning to the Self-Determination Program. They can give you more information, including resources about attending a mandatory SDP orientation.



Additional Resources

[Far Northern Regional Center](#) the local provider of services through the Lanterman Act
[A Consumer's Guide to the Lanterman Act](#), Department of Developmental Services
[Rights Under the Lanterman Act \(RULA\)](#), Disability Rights
[Guide to California's Regional Center Services System](#), California Department of Social Services
[FAQs About Provisional Eligibility For Lanterman Developmental Disabilities Services Act](#),
Department of Developmental Services
[Self-Determination Program \(SDS\)](#), Department of Developmental Services
[Eligibility Under the Lanterman Act: Regional Center Services After Age 3](#), Undivided
[Self-Determination Program 101](#), Undivided



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