



North Los Angeles County Regional Center

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Request for Vendorization (“RFV”) Financial Management Services for Self Determination Program

Service Code 034

Published Date: Monday April 8, 2019

North Los Angeles County Regional Center (“NLACRC”) is seeking proposal submissions (“Proposal”) for the vendorization of Financial Management Services (“FMS”) provider to support consumers (“Participants”) who are participating in the Self-Determination Program (“SDP”). Participants will receive support from a FMS provider to assist Participants to pay for services they need.

State law, Welfare & Institutions Code (“WIC”) §4685.8(d)(3)(E), requires that participants enrolled in the SDP use an FMS. WIC §4685.8(c)(1), establishes that the FMS provider provides support to participants in many ways including, but not limited to, the following:

- Managing and direct the distributions of funds contained in the participant’s budget
- Ensure that the participant has the financial resources to implement their IPP through the year
- Bill paying services and activities that facilitate the employment of service and support workers by the participant
- Ensuring all fiscal accounting, tax withholdings, compliance with relevant state and federal employment laws are followed
- Assist with hiring employees and eligibility for employment
- Ensuring providers are qualified to deliver services to Participants
- Helping providers obtain criminal background check, if needed
- Track, prepare and distribute monthly expenditure reports
- Maintain all source documentation related to the authorized service(s) and expenditures
- Maintain a separate accounting of funds used by each participant
- Ensure payments do not exceed the amounts authorized by the regional center.

In addition to the qualifications outlined in the RFV, all applicants must demonstrate familiarity with California Code of Regulations (“CCR”), Title 17,



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Section 54310 through 54390, vendor application requirements; CCR, Title 17, Section 58884, 58886, and 58887, Participant-Directed Services; and, be eligible for vendorization by NLACRC.

Vendorization is the process for identification, selection, and utilization of service providers based on the qualifications and other requirements necessary in order to provide services to consumers. The vendorization process allows regional centers to verify, prior to the provision of services to consumers, that an applicant meets all of the requirements and standards specified in regulations and statutes. All applicants must demonstrate that they possess the necessary relevant experience and qualifications to be eligible for vendorization.

NLACRC invites all interested applicants, meeting the qualifications described in the RFV, to review the information listed herein and submit a proposal to NLACRC for consideration. All material and information provided herein is for the sole use of the applicants applying for the FMS vendorization.

NLACRC appreciates your interest in responding to this RFV to meet the unique needs of participants who are in need of FMS services.

Informational Meeting

An informational meeting to answer questions about this RFV will be held on Monday, April 22, 2019 1:30 p.m. in NLACRC's Chatsworth office, 1st Floor Conference Room.

Applicants interested in responding to this RFV may download a complete copy of the RFV from NLACRC's website at www.nlacrc.org. Copies of the RFV will also be available at the informational meeting. Attendance at the informational meeting is not required for those applicants who wish to submit a proposal.

The deadline for submission of proposals is Friday May 3, 2019 11:59pm PST

A. RFV SUBMISSION PERIOD

NLACRC will accept written proposals from interested parties effective April 8, 2019 through May 3, 2019 and will consider other RFV after the submission period.



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B. BACKGROUND OF NLACRC:

NLACRC is a private, nonprofit corporation, which contracts with the State of California's Department of Developmental Services ("DDS"), to provide services and supports to persons with developmental disabilities and their families in the San Fernando, Santa Clarita, and Antelope Valleys. Developmental disabilities include intellectual disabilities, epilepsy, autism, and cerebral palsy. The Internal Revenue Services ("IRS") has established NLACRC as a 501(c)(3) corporation.

NLACRC serves developmentally disabled consumers from infants to adults. Currently, NLACRC serves nearly 27,000 consumers in its catchment area. Services and supports provided by NLACRC to our consumers include diagnostic, evaluation, case management, and early intervention services. In addition, NLACRC purchases services from over 1,000 entities or individuals in NLACRC's catchment area. The purchased services include, but are not limited to, out-of-home residential services, community-based day programs, transportation, independent living services, supported living services, Early Start services for children under the age of 3 years, and family supports, such as day care or respite, and behavioral intervention services.

Statewide, 2,500 participants have been selected throughout the State of California to participate during the first three years of the SDP program. Of the 2,500 participants, 184 NLACRC participants were identified. Currently, 174 of the 184 participants have indicated interest in enrolling into the SDP program. After the first three years, the SDP will be open to any consumer who is interested in participating in the SDP.

NLACRC's funding from DDS includes funding for both the operations of the regional center and the services purchased for consumers. NLACRC's allocation from DDS for fiscal year 2018-2019 is \$471,915,480 of which \$51,210,984 is for regional center operations and \$420,704,796, is for purchase of services. NLACRC anticipates similar funding from DDS in future years.

More information regarding NLACRC and the services provided by NLACRC can be found on NLACRC's website at www.nlacrc.org.



C. FMS MODELS

Pursuant to WIC §4685.8(c)(1), depending on how services are arranged by a participant, more than one of the models, described below, may be used by the FMS provider:

1. FMS as Bill Payer (also known as the Fiscal Agent model)

A participant may choose this model of FMS provider when goods or services are purchased from a business. The FMS providing services in this capacity writes checks and pays for goods and services listed in the participant's Individual Program Plan ("IPP"). No Employer/employee relationship exists between the FMS, the service provider (business), or the participant. The business is responsible to provide the goods or services and the FMS provider writes the check for the goods or services provided. The business maintains the employer/employee relationship with any workers providing services. Therefore, the business is responsible for all applicable employment laws and taxes and to obtain appropriate insurances (i.e. worker's compensation).

2. Participant as Sole Employer (also known as the Fiscal/Employer Agent) [CCR, Title 17, Section 58884(a)(5)]

A participant may choose this model if they want to be the direct employer of the workers providing services. The FMS providing services in this model assists the participant in (1) abiding with all applicable employment laws, (2) payroll processing, (3) processing payments for the reimbursement of goods and services, and (4) verifying provider qualifications. Under this arrangement, the participant is the employer and is required to obtain appropriate insurances (i.e. worker's compensation).

3. Participant and FMS as Co-Employer [CCR, Title 17, Section 58884(a)(4)]

A participant may choose this model if they want to share some of the employer roles and responsibilities with a FMS. While the FMS provider in this model is the employer of record, the participant maintains the ability to hire and terminate employees with input from the FMS provider. The FMS provider maintains the primary employer liability and required insurances (i.e. worker's compensation).



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The FMS provider also assists in verifying service provider qualifications and processing payroll.

D. QUALIFICATIONS OF A FMS PROVIDER

Applicants applying for vendorization to provide Financial Management Services must be able to demonstrate that they satisfy the following qualifications:

1. Must meet the applicable requirements in CCR, title Sections 54302 et. al. for vendorization
2. Must meet the applicable requirements in Section 58884, 58886, 58887 of Title 17 of the California Code of Regulations for participant directed services.
3. Applicant's business must be in "Active" status with the California Secretary of State
4. Applicant must have a physical business office in NLACRC's catchment area. Business office must have the capacity to securely store confidential consumer records consistent with HIPAA laws; allow access to records by DDS, NLACRC, or any other authorized agency representative pursuant to CCR, Title 17, Section 50603; and provide space and accommodations for meeting with NLACRC staff, service providers, or consumers.
5. Must be able to demonstrate insurance coverage that complies with NLACRC's Board of Trustee service provider insurance policy and contractual requirements.
6. Must be able to file a bond, issued by a surety company, to the State of California as principal, in an amount that is no less than 20 percent of the total of all individual budgets for participants served by the FMS. This requirement only applies if the total of all individual budgets for participants served by the FMS during a state fiscal year is \$500,000 or more.
7. Accounting knowledge, education and experience sufficient to successfully perform financial management services.
8. Possession of a computerized accounting system.
9. Must be able to invoice and receive payments from regional centers no more than two times per month, on regularly scheduled dates each month.
10. Make purchases/submit invoices for only those services and supports identified in the participant's IPP and individual budget.
11. Must provide monthly statements to the participant and regional center that include: (1) the amount of funds allocated by budget category; (2) the



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- amount spent in the previous 30 days; and (3) the amount of funds remaining in the individual budget.
12. When applicable, must be able to verify that service providers meet requirements (e.g. license, certification, education, experience) for the service they will provide.
 13. Verify individuals providing direct personal care to the participant obtain a background check and receive clearance provider to providing services.
 14. Verify that providers are not “excluded individuals” defined as those that have been placed on either the U.S. Department of Health and Human Health Care Services (“DHCS”) Medi-Cal Suspended and Ineligible Provider List of persons, or individuals and entities that have been convicted of a criminal offense related to involvement in any program under Medicare, Medicaid or the Title XX services program, pursuant to WIC, Section 4648.12 and CCR, Title 17, Section 54311(a)(6).
 15. Verify the completion of the assessment process to ensure that services are provided in settings that meet the Home and Community-Based Services’ settings requirements. This applies to services provided in settings: (1) that are designed primarily or exclusively for the provision of services to people with developmental disabilities, or (2) where individuals with developmental disabilities are grouped or clustered for the purpose of providing services.
 16. Comply with all vendor requirements outlined in CCR, Title 17, Section 54327 including reporting to the regional center any special incident, as defined in this section that the FMS has knowledge of or that has been reported to the FMS by the participant, a service provider, or other person.

E. MAXIMUM RATE OF REIMBURSEMENT

The rate of reimbursement for Financial Management Services is determined by the DDS. The FMS rates published by DDS for the Self Determination Program are as follows:

FMS Model	Number of Services	Max Rate Per Month
FMS as Bill Payer (Fiscal Agent)	1-3	\$50
	4-6	\$75
	7+	\$100
Participant as Sole Employer (Fiscal/Employer Agent)	1-2	\$110
	3-4	\$125
	5+	\$150
Participant & FMS as	1-2	\$125



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Co-Employers	3-4	\$140
	5+	\$165

Pursuant to Welfare & Institutions Code (WIC), Section 4685.8(n)(1)(B)(iii) the amount of the individual budget for the participant shall not be increased to cover the cost of the financial management service.

There is zero (\$0) Start-Up funding available for the development of this service.

F. PROPOSAL PREPARATION GUIDE

The following information is provided to assist the applicant in preparing their proposal:

1. **Attachment A: Proposal Title Page**
2. **Attachment B: Table of Contents and Proposal Requirements**
3. **Attachment C: Program Design Requirements**
4. **Attachment D: Vendor Application (Form DS 1890)**
5. **Attachment E: Applicant/Vendor Disclosure Statement (Form DS 1891)**
6. **Attachment F: Home & Community Based Services Provider Agreement**
7. Attachment G: Financial Management Services Provider Contract
8. **Attachment H: Service Provider Insurance Policy**
9. **Attachment I: Notice of Exclusion from CalPERS membership**
10. **Attachment J: Statutes and Regulations**

G. INFORMATION TO INCLUDE IN PROPOSAL

1. **Attachment C: Program Design Requirements**
2. **Attachment D: Vendor Application (Form DS 1890)**
3. **Attachment E: Applicant/Vendor Disclosure Statement (Form DS 1891)**
4. **Attachment F: Home & Community Based Services Provider Agreement**
5. **Attachment I: Notice of Exclusion from CalPERS membership**
6. Organization Chart
7. Job Descriptions of all staff positions
8. Copy of the last two years of independent audit or review reports
9. Completed IRS W-9 Form



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H. SELECTION TIMETABLE IS AS FOLLOWS:

Information Meeting on Monday, April 22, 2019 at 1:30 p.m. at NLACRC's Chatsworth office located at 9200 Oakdale Avenue, Suite 100; Chatsworth, CA 91311

1. Proposals due to NLACRC no later than Friday May 3, 2019 by 11:59pm PST
2. Interviews May 17-20, 2019
3. Selection by May 24, 2019
4. Financial Management Services Provider Contracting Paperwork completed by Friday May 27, 2019
 - a. Attachment E: Vendor Application (Form DS 1890)
 - b. Attachment G: Home & Community Based Services Provider Agreement
 - c. Attachment H: Financial Management Services Provider Contract
5. Present Contract for Administrative Affairs Review: May 29, 2019
6. Present Contract for Board Approval: June 12, 2019
7. The financial management services provider awarded contract should be ready to provide financial management services beginning Monday June 28, 2019

I. INELIGIBILITY FOR VENDORIZATION

The following applicants are not eligible for vendorization:

- Employees and board members of any regional center, pursuant to CCR, Title 17, Section 54314
- Any Officer or employee of the State of California, pursuant to CCR, Title 17, Section 54314
- Any applicant in which the regional center employee or board member has a relationship which creates a conflict of interest pursuant to Title 17, Sections 54500 through 54525, unless the conflict is eliminated or a waiver is obtained pursuant to Title 17, Sections 54522 through 54525
- Any applicant that has been determined to be an excluded individual or entity, pursuant to CCR, Title 17, Section 54302(b)(1); CCR, Title 17, Section 54311; and WIC, Section 4648.12,



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- Any applicant that has been determined to be an active member of CalPERS, unless the membership is eliminated or it is determined that no conflict exists.
- Any adult consumer or family member, pursuant to CCR, Title 17, Section 58886(b)(3)(C),

J. REVIEW PROCEDURES:

All proposals received by the deadline will be reviewed by the Resource Development Unit in Community Services Department. Proposals will be reviewed for completeness and compliance with vendorization requirements pursuant to statute, CCR Title 17, and DDS procedures and guidelines.

VENDORIZATION APPROVAL

All applicants that meet CCR Title 17 and statutory vendorization requirements will be eligible for vendorization as a FMS provider.

K. RESERVATION OF RIGHTS:

NLACRC may, at its sole and absolute discretion, select no provider for the fiscal management services if, in its determination, no applicant meets vendorization requirements. NLACRC reserves the right to withdraw this Request for Vendorization and/or any item within the RFV at any time without notice. Vendorization does not guarantee that any consumers will be referred to the vendor by the regional center.

L. COSTS FOR PROPOSAL SUBMISSION:

Applicants responding to the Request for Vendorization shall bear all costs associated with the development and submission of a proposal.

M. INQUIRIES/REQUEST FOR ASSISTANCE

All additional inquiries regarding the application or requesting technical assistance should be directed to: Lisa Mayti, Resource Developer Supervisor at lmayti@nlacrc.org or (818) 756-6399.

N. VENDORIZATION DENIAL PROCEDURE

Vendors or applicants for vendorization may appeal any denial of a vendorization application, termination of vendorization, or other failure of a regional center to comply with regulations. Such appeals shall be made to the director of the vendoring regional center within 30 days of receiving the written



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notification of action by that regional center or within 30 days after the failure of the vendoring regional center to comply with regulations.

The written appeal shall contain pertinent vendor/applicant information, identification of the action being appealed, the specific basis for the appeal and all supporting documentation necessary to substantiate the appeal.

The director of the vendoring regional center or the director's designee shall determine within 15 days if all necessary information has been provided, and may request more information if necessary. The regional center director or the director's designee shall issue a decision on the appeal within 60 days of receiving a complete appeal package.

If unsatisfied with the regional center director's decision, the vendor/applicant may appeal the decision to the Director of the Department of Developmental Services (Department) by filing an appeal of the decision with the director of the regional center within 15 days of receipt of the decision. This appeal shall include all information originally filed with the regional center, along with a copy of the regional centers decision and a statement of the issues, facts, documentation and authority identifying why the Department Director should reverse the regional centers decision. Within 15 days after receipt of the appeal, the regional center director or his/her designee shall forward the appeal to the Department Director.

The Department Director or the Director's designee may request additional information form the vendor/applicant or regional center if necessary.

The Department Director or the Director's designee shall issue a decision within 60 days of receiving all required or requested information. The Department Director's decision shall identify the specific issues, rule on each issue, state the facts supporting each ruling and cite any pertinent statutory or regulatory authority. The Department Director's decision is the final administrative decision.

A copy of this decision will be sent to the vendor, and the vendoring and using regional centers within 15 days after the decision is rendered.



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ATTACHMENT A

Proposal Title Page

TO: CPP/EBSH EVALUATION COMMITTEE
Lisa Mayti, Resource Development Supervisor
North Los Angeles County Regional Center
9200 Oakdale Avenue, Suite 100
Chatsworth, California 91311

RE: Submission of Proposal in Response to RFV for Fiscal Management Service

NAME OF APPLICANT or ENTITY/ORGANIZATION SUBMITTING PROPOSAL *(please print)*

ADDRESS

CITY
CODE

STATE

ZIP

TELEPHONE NUMBER

FAX NUMBER

Email address

Website address

CONTACT PERSON FOR PROPOSAL *(please print)*

I affirm that the information presented in this application and proposal is true and that this proposal was developed and authored by authorized individuals of the service provider. I understand that any falsification of information; or failure to disclose any information regarding complaints by any regulatory authority; or failure to report a Conflict of Interest, will be cause for immediate disqualification. I also understand that failure to meet minimum qualifications as stated in the RFV and incomplete proposals will also be cause for immediate disqualification. I further understand that, in the event that this proposal is selected by NLACRC, the proposal itself is not approved conclusively.

Applicant Signature

Date

Printed Name of Applicant



ATTACHMENT B

Table of Contents & Proposal Requirements

1. Proposal Title Page (Attachment A)

- a. Complete “Attachment A” and provide the name, address, and contact information of the applicant.
- b. If the applicant is a corporation, list the principle members of the corporation and include verification of incorporation in California.

2. Statement of Services

- a. Provide a statement of the services to be provided to consumers (“Participants”).

3. Financial Management Service Providers Experience & Qualifications

- a. Provide an overview of the applicant’s business, including an overview of services provided, business philosophy, business location(s), business hours, number of staff, mission statement, business history, etc.
- b. Describe your company’s experience providing fiscal management services.
- c. Provide a description of the technology your company will utilize to manage consumer benefits and transactions.
- d. Provide at least three (3) references. Include address, telephone numbers, contact information, and a statement from the references permitting that references may be verified by NLACRC. Applicants should be aware the RFV Evaluation Committee will contact references or other sources to corroborate any information provided in the proposal.



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- e. Attach an organizational chart that reports the supervisory hierarchy. The chart must include the names of any governing board members.
- f. Provide job descriptions of the staff that will be performing services
- g. Provide your process to recruit and retain quality staff to include, but not limited to, the following:
 - i. Discuss commitments you will make to ensure staff continuity, including your staff turnover experience in the last three years.
 - ii. Discuss how you will ensure that each employee utilized has not been convicted of a crime involving fraud or abuse within ten years immediately preceding and during employment.
- h. Provide information on continuing education and training provided to your staff, to include, but not limited to, the following:
 - i. Describe initial and ongoing training
 - ii. Provide information on your company's HIPAA security and privacy training program.
 - iii. Describe Special Incident Report ("SIR") training program, pursuant to Title 17, Section 54327
 - iv. Describe consumer grievance training pursuant to Title 17, Section 50608(e) and WIC, Section 4705.
 - v. Describe zero tolerance training, pursuant to Section 14.5, Zero Tolerance Policy, as required in the Agreement for Financial Management Services
 - vi. Describe any other training provided to your company's staff
- i. Provide a section on equity and diversity to include the following information, pursuant to WIC, Section 4648.11:
 - i. A statement outlining the applicant's plan to serve diverse populations, including, but not limited to, culturally and linguistically diverse populations.
 - ii. Examples of your company's commitment to addressing the needs of those diverse populations



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- iii. Provide any additional information that the applicant deems relevant to addressing issues of equity and diversity

4. Documentation Requirements

- a. Completed IRS, W-9 Form
- b. Completed, Vendor Application form Ds1980
- c. Completed HCBS Form
- d. Completed Notice of Exclusion form from CalPERS, if applicable
- e. Completed, Signed, Applicant/Vendor Disclosure Statement (Form DS1891)
- f. Provide three (3) references
- g. Provide a copy of your program design, pursuant to CCR, Title 17, Section 50608(a).
- h. Identify all consultants, subcontractors and community resources to be used as part of financial management services, if applicable.
- i. Provide a copy or sample of a Special Incident Report (“SIR”) to be used by your company pursuant to Title 17, Section 54327
- j. Provide a copy or sample of your company’s written procedure to resolve consumer grievances pursuant to Title 17, Section 50608(e) and WIC, Section 4705.
- k. Provide a copy of your company’s independent audit report or independent review report for the past two (2) years.
- l. Provide a copy of your company’s business license that demonstrates it is a financial management company
- m. Provide a copy of the company’s staff training schedule, including the types of training to be provided to staff on a regular basis.



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ATTACHMENT C

PROGRAM DESIGN REQUIREMENTS

Program Design Requirements pursuant to Title 17, Section 50608

1. A written statement of the applicant's purpose and goals
2. Provide a description of the services to be provided and that demonstrates the applicant's experience in providing financial management services. See section, below entitled "*Financial Management Service Requirements*"
3. Provide a description of the process to be utilized to assist each consumer in achieving their IPP objectives for which the applicant is responsible, including (1) consumer assessment procedures, timelines, and instruments used and how each instrument is applicable in assessing the consumer's needs; (2) utilization of data for determining the specific activity and program services that consumers receive; and (3) evaluation procedures used to determine the extent of a consumer's progress toward achieving the outcomes in each IPP objective for which the applicant is responsible.
4. Provide your company's hours of business operation and location of services
5. Provide Consumer/Participant entrance criteria and exit criteria to the program
6. Describe how you will assist providers with getting a criminal background check.
7. Provide anticipated outcomes resulting from the Consumer's participation in the program
8. Provide evaluation procedures to be utilized to determine the extent of a consumer's progress toward achieving the specific outcomes in each objective for which you would be responsible
9. Provide job descriptions of all staff positions
10. Provide staff qualifications for each job description
11. Provide information regarding your company's staff training plan
12. If applicable, provide information regarding your company's use of consultants, independent contractors, or subcontractors, to provide services or support.
13. Provide a description of your company's internal Consumer grievance procedures pursuant to Welfare and Institutions Code Section 4705



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ATTACHMENT D

Vendor Application (Form DS 1890)

FUNNY



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ATTACHMENT E

Applicant/Vendor Disclosure Statement (Form DS 1891)

FUNNY



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ATTACHMENT F

Home and Community-Based Services Provider Agreement (6/99)

FINAL



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ATTACHMENT G

DRAFT Financial Management Service Provider Contract

DRAFT



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ATTACHMENT H
NLACRC Board of Trustee Service
Provider Insurance Policy

FINAL



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ATTACHMENT I

Notice of Exclusion from CalPERS Membership

FINAL



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ATTACHMENT J

Statutes and Regulations

The hyperlink to all CCR Regulations is as follows:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I54B0C680D60711DE88AEDDE29ED1DC0A&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I54B0C680D60711DE88AEDDE29ED1DC0A&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

- CCR, Title 17, Section 50608, Contract Duties and Responsibilities
- CCR, Title 17, Section 54302 et.al, Vendor Application Requirements
- CCR, Title 17, Section 54327, Requirements for Special Incident Reporting by Vendors and Long-Term Health Care Facilities
- CCR, Title 17 Section 54500 through 54525, Regional Center Conflict of Interest Standards and Procedures
- CCR, title 17, Section 54314, Ineligibility for Vendorization
- CCR, Title 17 Section 58884, 58886, 58887, and 58888, Participant Directed Services
- CCR, Title 17, Section 54302(b)(1) and Section 54311(a)(6) Excluded Individuals and Entities

The hyperlink to all Welfare and Institutions Code (“WIC”) is as follows:

<https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=WIC&tocTitle=Welfare+and+Institutions+Code+-+WIC>

- Welfare & Institutions Code Section 4705, Consumer Grievance Process
- Welfare & Institutions Code 4648.11 Equity and Diversity
- Welfare & Institutions Code 4648.12 Excluded Individuals and Entities
- Welfare & Institutions Code Section 4685.8 Self Determination Program

Attached documents are as follows:

- DDS Financial Management Services procedures, dated 12/21/2018
- DDS Financial Management Services Set Rates