

North Los Angeles County Regional Center
Guideline

**Out-of-Community Travel or Out-of-State Travel Guideline
for Residential Service Providers**

1. General

The purpose of the Out-of-Community Travel or Out-Of-State Travel Guideline (“Guideline”) is to establish guidelines for ensuring that individual program planning is directed towards ensuring the health and safety of our consumers and ensuring appropriate care and supervision by Residential Service Providers when consumers travel outside their community or outside the State of California while under the care and supervision of a Residential Service Provider.

2. Departments Affected

This policy applies to all North Los Angeles County Regional Center (NLACRC) service coordinators in the San Fernando Valley, Antelope Valley, and Santa Clarita Valley offices.

3. Responsibility

The deputy director/program services director, consumer services directors, consumer services managers, and consumer services supervisors shall have the responsibility to monitor compliance of the Guideline. All NLACRC employees must ensure that they comply with the Guideline as outlined below.

4. Statutes, Regulations, and Assumptions

4.1 Welfare and Institutions Code (WIC), Section 4502.1 states that “The right of an individual 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 making his or her choice.”

4.2 WIC, Section 4512(b) defines services and supports for person with developmental disabilities means specialized services and supports or special adaptations of generic services and supports directed towards 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 lives. The determination of which services and supports are necessary for each consumer shall be made on the basis of the needs and preferences of the consumer or, when appropriate, the consumer’s family, and shall include consideration of a range of service options proposed by IPP participants, the effectiveness of each option in meeting the goals stated in the IPP, and the cost-effectiveness of each option.

- 4.3 WIC, Section 4646.4(a) (2) states that when regional centers are purchasing services supports, the regional shall ensure: 1) utilization of generic services and supports when appropriate; and 2) utilization of other services and sources of funding as contained in WIC, Section 4659.
- 4.4 WIC, Section 4659(a) states the regional center shall identify and pursue all possible sources of funding for consumers receiving regional center services.
- 4.5 WIC, Section 4648(a) states that “in order to achieve the stated objectives of a consumer’s IPP the regional center shall conduct activities, including, but not limited to all of the following: (a) securing needed services and supports.”
- 4.6 WIC, Section 4646(a) states that “It is the intent of the Legislature to ensure that the IPP and provision of services and supports by the regional center system is centered on the individual and the family of the individual with developmental disabilities and takes into account the needs and preferences of the individual and the family, where appropriate, as well as promoting community integration, independent, productive, and normal lives, and stable and health environments. It is the further intent of the Legislature to ensure that the provision of services to consumers and their families be effective in meeting the goals stated in the IPP, reflect the preferences and choices of the consumer, and reflect the cost-effective use of public resources”
- 4.7 WIC, Section 4648(a)(1) states that “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 IPP, and within the context of the IPP, 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.”
- 4.8 WIC, Section 4648(a)(2) states that “In implementing IPPs, 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.”
- 4.9 WIC, Section 4648(a)(6) states that the regional center and the consumer, or where appropriate, his or her parents, legal guardian, conservator, or authorized representative shall, pursuant to the IPP, consider all of the following when selecting a provider of consumer services and supports:
- 4.9.1 A provider’s ability to deliver quality services or supports which can accomplish all or part of the consumer’s IPP.
 - 4.9.2 A provider’s success in achieving the objectives set forth in the IPP.
 - 4.9.3 Where appropriate, the existence of licensing, accreditation, or professional certification
 - 4.9.4 The cost of providing services and supports of comparable quality by different providers, if available, shall be reviewed, and the least costly available provider of comparable service, including the cost of transportation, who is able to accomplish all

or part of the consumer's individualized program plan, consistent with the particular needs of the consumer and family as identified in the IPP, shall be selected. In determining the least costly provider, the availability of federal financial participation shall be considered. The consumer shall not be required to use the least costly provider if it will result in the consumer moving from an existing provider of services or supports to more restrictive or less integrated services or supports.

4.9.5 The consumer's choice of providers, or, where appropriate, the consumer's parent's, legal guardian's, authorized representative's, or conservator's choice of providers.

4.10 WIC, Section 4648(a)(9) states that "A regional center may, directly or through an agency acting on behalf of the regional center, provide placement in, purchase of, or follow-along services to persons with developmental disabilities in appropriate community living arrangements, including, but not limited to, support services for consumers living in homes they own or lease; foster family placements; health care facilities; or licensed community care facilities."

4.11 While limited circumstances may support the need for travel and transportation in order for consumers to access their community, it is not the intent of residential service providers to provide residential services for extended or continual travel outside the community in which the consumer resides or outside the state of California. In these situations, it is difficult for the regional center to meet its obligation to appropriately monitor the provision of residential services and supports by the service provider.

4.12 There may be situations in which a residential service provider plans to travel with consumers on vacations or trips outside of the community in which the consumer resides or outside the state of California.

4.13 A regional center shall not expend funds allocated to it by the Department of Developmental Services (DDS) for the purchase of any service outside the state unless DDS or the DDS director's designee has received, reviewed, and approved a plan for the out-of-state service in the consumer's IPP. WIC, Section 4519 (a)

4.14 A regional center is prohibited from purchasing camping services, social recreation activities, (except for those activities vendored as community-based day programs), education services for children 3 thru 17 years of age, nonmedical therapies, including but not limited to specialized recreation, art, dance, and music, WIC, Section 4648.5(a)

4.15 Title 17, Section 56004(c) states that Service Level 2, 3, and 4 facilities shall provide direct supervision and special services pursuant to Welfare and Institutions Code Sections 4681.1(b)(2) and (b)(3) as needed to provide services in accordance with and to meet the requirements of the approved program design pursuant to Section 56005 and the consumer's IPP objectives.

4.16 Title 17, section 56002(a)(14) "Direct Supervision" means those activities in which direct care staff provide care, supervision, training and support to promote the consumer's functioning in the areas of self-care, daily living skills, physical coordination, mobility, behavioral self-control, choice-making, community integration, accessing community resources and participating in leisure time activities.

- 4.17 Title 17, Section 56002(a)(48) “Special Services” means specialized training, treatment, and/or supervision which are required by the consumer’s IPP and provided by direct care staff in addition to direct supervision.
- 4.18 Title 17, Section 56013, Program Design Requirements, states that (a) Each facility applying for Service Level 2, 3 or 4 approval shall submit a written program design to the regional center pursuant to Section 56005 which is based upon the principles of normalization as measured by consumer participation in a variety of integrated, age-appropriate activities which take place in natural environments, at home, at work, in the community and during leisure time. (b) The program design shall include: (4) A description of program preparation functions to be performed by facility staff which is consistent with the requirements specified in Section 56004 (e)(1) through (6).”
- 4.19 The Admission Agreement, Section 4(p) provides that residential services provided include, continuous, in-the-house supervision, unless a written exception is granted by the regional center and the licensing agency, pursuant to Title 22, Section 80024.
- 4.20 Title 22, Section 80024(b), Waivers and Exceptions, states that the licensing agency shall have the authority to approve the use of alternate concepts, programs, services, procedures, techniques, equipment, space, personnel qualifications or staffing ratios, or the contact of experimental or demonstration projects under the following circumstances: 1) Such alternatives shall be carried out with provisions for safe and adequate services, and shall in no instance be detrimental to the health and safety of any facility client; and 2) The applicant or licensee shall submit to the licensing agency a written request for a waiver or exception, together with substantiating evidence supporting the request.
- 4.21 Title 22, Section 80078, states that “the licensee shall provide care and supervision as necessary to meet the client’s need.”
- 4.22 Title 22, Section 80068.2(a), states that the licensee shall complete a Needs and Services Plan for each client; and Section 80068.2(b) states that if the client has an existing needs appraisal or IPP completed by a placement agency, or a consultant for the placement agency, the Department may consider the plan to meet the requirements of this section.

5. Guideline

- 5.0 The IPP Planning Team has the responsibility to assess each request for travel arrangements by residential service providers
- 5.1 Each trip or travel arrangement proposed by a consumer and/or their residential service provider shall be planned as part of the IPP process and the following questions shall be addressed during IPP planning:
- 5.1.1 Does the consumer want to travel with the residential provider? What is the service providers plan if some of the consumers in the facility do not want to go on the proposed trip?
- 5.1.2 Is there an outcome related to travel in the consumer’s IPP or addendum to the IPP? Did the consumer’s family participate in the program planning process that

resulted in this outcome, if applicable? (rationale: if there is an IPP outcome, then NLACRC has agreed with the consumer's participation)

- 5.1.3 Is there a cost associated with the proposed travel plans? What is the amount? Does the consumer have sufficient funds to go on the trip?
- 5.1.4 Will the staffing ratio during the proposed period of travel comply with the Residential Provider's Program Design?
- 5.1.5 How will the consumer's individual care and supervision needs be met by the residential provider during the period of travel?
- 5.1.6 Do the consumer's individualized care and supervision needs warrant consideration of a specialized service that specifically coordinates travel and support services during travel in order for the consumer to be successful and safe?
- 5.1.7 Is the period of travel time-limited and sufficiently circumscribed such that the regional center can monitor the residential service delivery?
- 5.1.8 Does the residential service provider have an emergency service plan? What is the service provider's plan to ensure staffing ratios are maintained during the period of travel? Has the residential provider secured background checks for all staff or individuals identified in the emergency plan? What is the service provider's plan to ensure that staff coverage is provided during staff break times? Does the situation appear to be safe for everyone involved?
- 5.1.9 Has the service provider checked with the Employment Development Department (EDD) and/or their legal counsel to verify that their staff will be appropriately compensated while on the trip? Does the provider's plan demonstrate that direct care workers will be provided meals and rest periods? Further does the service provider's plan demonstrate that there will be sufficient number of staff available to support consumers while staff are taking meal and rest periods?
- 5.1.10 Does the service provider have adequate insurance to cover any potential claims or injuries during the trip?
- 5.2 Should the travel arrangements require increased staffing to meet the obligations of appropriate care and supervision, as well as applicable labor laws, the residential service provider shall be responsible for these additional costs.

6. Procedure

- 6.1 All IPPs and IPP addendums for travel shall be approved by both the consumer services director and the deputy director/program services director prior to the completion of the addendum
- 6.2 The service provider shall submit a written plan for the period of travel to the IPP planning team for review and recommendation. The residential service provider plan during the period of travel shall identify the following information:

1. The dates of travel.
 2. The Itinerary for each day of travel.
 3. Staff to consumer ratio during the period of travel.
 4. Emergency plan.
 5. Process to ensure back ground checks of all staff that will be providing care and supervision during the period of travel.
 6. Staffing plan to ensure staff are provided appropriate rest periods and breaks.
 7. Acknowledgment from the residential service provider that the service provider has adequate insurance to cover any potential claims or injuries during the trip.
 8. Plan to ensure that all individualized dietary requirements will be met.
 9. Plan to ensure proper medication administration during the period of travel.
 10. Process utilized to determine the cost of the travel.
 11. Process to determine that consumers have sufficient personal funds to cover the cost of travel.
 12. Process to report Special Incident Reports during the period of travel.
- 6.3 The consumer services supervisor shall ensure that the IPP identifies the following during the period of travel:
1. The IPP shall identify the care and supervision requirements during the period of travel.
 2. IPP shall include a copy of the service provider's plan during the period of travel.
- 6.4 Upon review and approval of the IPP and residential service providers plan by the consumer services director and deputy director/program services director, the IPP addendum shall be finalized by the service coordinator.
- 6.5 If the residential service provider's plan is denied by the IPP planning team, the service coordinator shall provide the service provider a written notice of the regional center's decision and the reasons for the regional center's denial.