



NORTH LOS ANGELES COUNTY

REGIONAL CENTER

9200 Oakdale Avenue, Suite 100 • Chatsworth, CA 91311-6500
Main Number (818) 778-1900 • Fax (818) 756-6140

Date: September 19, 2016

FREQUENTLY ASKED QUESTIONS (FAQs)

STATUTORY PROCESS TO SEEK A HEALTH & SAFETY WAIVER EXEMPTION TO COMPLY WITH LOCAL MINIMUM WAGE AND PAID SICK TIME ORDINANCES

1. Which service providers are Eligible to request a Health & Safety Waiver Exemption to comply with local minimum wage and/or paid sick time ordinances?

The following types of service providers may be eligible to request a health and safety waiver exemption directly from the vendoring regional center to comply with local minimum wage ordinances:

8, 17, 21, 28, 34, 48, 55, 56, 62, 63, 73, 77, 90, 91, 93, 94, 96, 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 455, 465, 470, 475, 490, 491, 605, 610, 612, 613, 615, 616, 625, 627, 630, 635, 645, 650, 670, 672, 674, 676, 678, 680, 691, 692, 693, 694, 720, 850, 851, 855, 860, 869, 875, 880, 882, 883, 894, 896, 904, 905, 910, 915, 920, 950, 952, 954

2. Which service providers are NOT Eligible to request a Health & Safety Waiver Exemption?

Service providers, as described in Section 1 above, with either (i) a Usual and Customary rate, (ii) a Medi-Cal set rate, (iii) a Schedule of Maximum Allowances set rate, or (iii) for which rates are determined by other entities, including but not limited to, the State Department of Health Care Services, or the State Department of Social Services **are not eligible** for the Health & Safety Waiver Exemption.

3. What are the allowable reasons for a Health & Safety Waiver Exemption?

Welfare and Institutions Code ("WIC"), sections 4648.4(b), 4681.6, 4684.55, 4689.8, 4691.6 and 4691.9 authorizes the Department of Developmental Services ("DDS") to approve exemptions to rate freezes and other budget control measures to mitigate risks to consumer health and safety.



NORTH LOS ANGELES COUNTY

REGIONAL CENTER

9200 Oakdale Avenue, Suite 100 • Chatsworth, CA 91311-6500
Main Number (818) 778-1900 • Fax (818) 756-6140

Due to local minimum wage increases, eligible service providers are eligible to request a Health and Safety Waiver Exemption from the vendoring regional center to comply with local minimum wage increases.

4. Who reviews and makes the decision regarding the Health & Safety Waiver Exemption Request?

Service providers shall submit their request for a health and safety waiver exemption request directly to the vendoring regional. The regional center will review the service provider's health and safety waiver exemption request to verify the service provider's information is complete and that the service provider meets eligibility requirements. The regional center will submit all complete and eligible service provider health and safety waiver exemption requests to DDS for review and approval. Statute provides that DDS is responsible for reviewing and making all decisions on all Health & Safety Waiver Exemption requests received from the regional centers on behalf of service providers.

5. When must a Service Provider submit their Health & Safety Waiver Exemption request to the regional center to comply with local minimum wage and/or paid sick time ordinances?

For the minimum wage increase/paid sick time increase that was effective on July 1, 2016, NLACRC requests that all eligible service providers submit their Health & Safety Waiver Exemption request to NLACRC no later than sixty (60) days of **October 1, 2016** or by **November 29, 2016**. NLACRC will seek approval from DDS of an effective date of July 1st for all health & safety requests submitted by eligible service providers.

For the minimum wage increase scheduled on July 1, 2017 and annually in July thereafter, NLACRC will accept Health & Safety Waiver Exemption requests from service providers up to ninety (90) days prior to the effective date of the local minimum wage. NLACRC requests that all eligible service providers submit their Health & Safety Waiver Exemption request to comply with local minimum wage ordinances no later than **sixty (60) days** from July 1st, the effective date of the City of Los Angeles or County of Los Angeles minimum wage increase, or by **August 29th** of each calendar year.

Please be informed that although NLACRC will accept requests for Health & Safety Waiver Exemptions from eligible service providers after the effective date of the local minimum wage



NORTH LOS ANGELES COUNTY

REGIONAL CENTER

9200 Oakdale Avenue, Suite 100 • Chatsworth, CA 91311-6500

Main Number (818) 778-1900 • Fax (818) 756-6140

and/or paid sick time ordinances, the final decision regarding the effective date of the Health & Safety Waiver Exemption will be determined by DDS.

6. What information must be submitted by eligible Service Providers to the vendoring regional center?

All eligible service providers requesting a health and safety waiver exemption to comply with local minimum wage and/or paid sick time ordinances shall submit the following information to the vendoring regional center:

- A. Vendor Name
- B. Vendor Number
- C. Name and Title of Vendor Contact Person
- D. Vendor Business and Mailing Address
- E. Office telephone number
- F. The specific reason for the rate adjustment request
- G. All supporting documentation and any other information necessary to substantiate and/or justify the request
- H. The completed "NLACRC Health and Safety Tool" located at <https://www.nlacrc.org/modules/showdocument.aspx?documentid=4481>
- I. The name of the vendoring regional center and utilizing regional center(s), if any.

7. Where should Service Providers submit their written request for a Health & Safety Waiver Exemption Requests?

Community Services Department
North Los Angeles County Regional Center
15400 Sherman Way, Suite 170
Van Nuys, CA 91406
RateRequest@nlacrc.org

8. What is the timeline for Regional Center's review and submission to DDS?

Within thirty (30) days upon receipt, NLACRC will review the service provider's submission to verify eligibility for the Health & Safety Waiver Exemption and to verify that the information submitted is complete.



NORTH LOS ANGELES COUNTY REGIONAL CENTER

9200 Oakdale Avenue, Suite 100 • Chatsworth, CA 91311-6500

Main Number (818) 778-1900 • Fax (818) 756-6140

If the service provider is eligible for the Health & Safety Waiver Exemption and the information is complete, NLACRC will submit the Health & Safety Waiver Exemption request to DDS within forty-five (45) days after its review.

If the service provider is not eligible for the Health & Safety Waiver Exemption or the information is incomplete, NLACRC will notify the service provider, in writing, within forty-five (45) days of receipt of the request. For submissions from eligible service providers that are incomplete, no action will be taken by NLACRC until all required information is received from the eligible service provider.

9. What is the timeline for DDS's review and notification to the Regional Center and Service Provider of DDS's Health & Safety Waiver Exemption decision?

There are no statutory or regulatory timelines for the review, notification, and decision of the Health & Safety Waiver Exemption by DDS. However, DDS and NLACRC are committed to providing timely responses to all service provider Health & Safety Waiver Exemption requests related to compliance with local minimum wage requirements.