

SELF-DETERMINATION PROGRAM

FREQUENTLY ASKED QUESTIONS

Q. What is the Self-Determination Program?

A. The Self-Determination Program allows participants the opportunity to have more control in developing their service plans and selecting service providers to better meet their needs.

Q. When does the Self-Determination Program start; can I enroll now?

The Self-Determination Program waiver was approved by the Centers for Medicare and Medicaid Services (CMS) on June 7, 2018. The initial 2,500 participants were selected October 1, 2018. After June 7, 2021, the program will be available to all eligible consumers.

If you are interested in SDP enrollment, visit www.dds.ca.gov/SDP/sdpEnrollment.cfm.

Q. How can I keep updated on the progress of the Self-Determination Program?

A. Updates will be posted as they become available on the Department of Developmental Services (DDS) Self-Determination website. To sign up for updates, please send an email to sdp@dds.ca.gov and ask to be included on the update notification list.

Q. How can someone learn more about the Self-Determination Program?

A. Interested consumers, families, or others are encouraged to visit [Self-Determination Program website](#) to find out more information about California's Self-Determination Program. Individuals may also contact their regional center to find out the date of the next local volunteer advisory committee meeting.

Q. What is person-centered planning and how does it relate to the individual program plan?

A. Person-centered planning is about the individual's future and reaching their goals. The process should be driven by the individual and reflect what is important to and for that person. Person-centered planning can include other people, such as family or friends, only if the individual chooses to include them in the process. Once the individual has made choices about what he or she wants and needs, an individual program plan (IPP) is written based on the individual's decisions. The IPP lays out the individual's goals and what is needed to reach those goals, including necessary services and supports.

For more information regarding person-centered planning, please see the section in these FAQs titled Person-Centered Planning.

CRIMINAL BACKGROUND CHECKS

Q. Who is required to get a background check? Will parents and family members need one also?

A. A criminal background check is required for anyone receiving payment, including family members, to provide direct personal care (assistance with dressing, grooming, bathing or personal hygiene services) to a consumer in the SDP.

Q. Can a consumer request that a provider obtain a background check?

A. Yes. Consumers or the consumer's financial management service provider may request a background check for any providers of services and supports.

Q. Who is responsible for paying for the background check?

A. The person providing services or their employing agency is responsible for the cost.

Q. Is there a way to get more information regarding criminal background checks?

A. Yes, if there are more questions regarding background checks, an email can be sent to sdpbackground@dds.ca.gov.

FINANCIAL MANAGEMENT SERVICES

Q. What are Financial Management Services?

A. Financial Management Services (FMS) help participants manage their individual budgets by paying bills and managing the payroll for support workers.

Q. Does everyone have to have an FMS provider?

A. Yes. The participant is required to utilize the services of an FMS provider of their choosing. The FMS provider must be vendored by a regional center.

Q. Who can be a Financial Management Services Provider?

A. Any entity or person (except a relative, legal guardian or other legally responsible person) chosen by the participant that meets the required qualifications may be a Financial Management Services provider. For more information regarding requirements for FMS providers, please visit:

www.dds.ca.gov/SDP/docs/FMS.pdf.

Q. As a Self-Determination Program participant, would I pay my providers directly and get reimbursed by the Financial Management Services entity, or would I submit the expenses to the Financial Management Services entity for payment to my providers?

A. The Financial Management Services provider will pay providers directly.

Q. Who pays for the cost of my FMS provider?

A. The cost of the FMS provider will be paid by the participant out of their individual budget.

Q. What are the different types of FMS services and how much does each cost?

A. There are three different models of Financial Management Services: Bill Payer, Sole Employer, and Co-Employer. The range of maximum rates within each model are dependent upon the number of services funded from your individual budget as a part of your individual program plan (IPP). For information regarding how the number of funded services affects the maximum rate of each model, please visit: www.dds.ca.gov/SDP/docs/FMSRates.pdf.

Q. In the co-employer model, is it possible for the person receiving services and their family to be part of the interview process and/or develop the interview questions?

A. Yes. The participant and any person selected and directed by the participant can be as involved as they choose to be.

Q. For individuals needing 24-hour supportive services, is overtime pay applicable whether the co-employment model or fiscal employer agent is selected?

A. Each participant will need to work with their Financial Management Services provider to determine when overtime pay is appropriate and/or required.

Q. Will Financial Management Service providers be expected to verify the use of generic resources?

A. This will continue to be the role of the regional center service coordinator, as it is now in the traditional service delivery system. The Financial Management Services provider will only use the funds in the individual budget to pay for services included in the participant's individual program plan (IPP).

Q. Where do I find more information about Financial Management Services?

A. The Department has released a directive, which contains detailed information regarding the role of the Financial Management Services provider. To view the directive regarding Financial Management Services, please visit: www.dds.ca.gov/SDP/docs/FMS.pdf.

Q. How do I find a Financial Management Services provider?

A. The Financial Management Services provider is the only vendored service that is required in the Self-Determination Program. Regional centers will identify FMS providers available in their area.

INDEPENDENT FACILITATOR

Q. What is an independent facilitator?

A. Participants in the Self-Determination Program may choose a person to help them in the following ways:

- Assisting the individual with making informed decisions regarding their individual budget
- Locating, accessing and coordinating services and supports consistent with the participant's individual program plan (IPP)
- Identifying immediate and long-term needs and developing options to meet those needs
- Leading, participating, and/or advocating on behalf of participants in the person-centered planning process and development of the IPP
- Obtaining identified services and supports

Q. What type of certification or licensure should individuals request from independent facilitators?

A. It is not required that an independent facilitator have a certification or licensure. However, an independent facilitator is required to receive training in the principles of self-determination, the person-centered planning process, and the other responsibilities consistent with coordination of services for consumers' individual program plans.

Q. Where does the independent facilitator obtain the necessary training?

A. Individuals may connect with their local volunteer advisory committee, the regional center and/or other community organizations to explore existing resources or training opportunities for independent facilitators.

To view more information about the requirements for the independent facilitator, please visit:

www.dds.ca.gov/SDP/docs/sdpIndependentFacilitator.pdf.

Q. Who pays the cost of the independent facilitator and how much does it cost?

A. If a participant chooses to hire an independent facilitator, the cost for this service is negotiated between the independent facilitator and the participant, and is paid from the participant's individual budget. Participants may choose to hire one or more independent facilitators.

Q. What if I need help locating services and supports but choose not to work with an independent facilitator?

A. If a participant chooses not to use the services of an independent facilitator, he/she may choose to use a regional center service coordinator to provide the services and functions of the independent facilitator.

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INDIVIDUAL BUDGET

Q. What is an individual budget?

A. It is the amount of money a Self-Determination Program participant has available to purchase needed services and supports.

Q. How does the individual budget amount get determined? Can my budget be adjusted?

A. The individual budget is determined by the individual program planning team, and is based upon the amount of purchase of service funds used by the individual in the most recent 12-months. This amount can be adjusted, up or down, if the individual program planning team determines that the individual's needs, circumstances, or resources have changed. Additionally, the individual program planning team may adjust the budget to support any prior needs or resources that were not addressed in the individual program plan.

To view more information about the development of the individual budget, please visit

www.dds.ca.gov/SDP/docs/IndividualBudget_Jan19.pdf.

Q. What if there is disagreement amongst the planning team regarding an increase in the individual budget?

A. A participant enrolled in the Self-Determination Program will have the same rights established under the traditional service model (e.g. appeals, fair hearing, and all other rights associated with the individual program plan process).

Q. How does the individual budget amount get determined for an individual, who is either new to the regional center, or does not have a 12-month history of purchase of service costs?

A. For these individuals, the individual budget amount is determined by the individual program planning team by identifying the services and supports needed by the individual and available resources. The regional center will calculate the cost of providing services and supports by using the average cost paid by the regional center for each service or support unless the regional center determines that the consumer has a unique need that requires a higher or lower cost.

Q. What is a spending plan?

A. The spending plan details the way a participant has decided to utilize the funds in their individual budget for services and supports. To view more information about the spending plan and its relation to the individual budget, please visit www.dds.ca.gov/SDP/docs/IndividualBudget_Jan19.pdf.

Q. Are there restrictions on what the individual budget can be used for?

A. Yes, a participant can only purchase services and supports that are approved by the federal government and listed in the Self-Determination Program waiver. For the descriptions of the approved services please visit www.dds.ca.gov/SDP/docs/serviceDefinitions.pdf.

Q. Is the Self-Determination Program budget and In-Home Supportive Services [budget] different?

A. Yes. In-Home Supportive Services is a generic resource and is not included or paid for through the Self-Determination Program.

Q. Will enrolling in the Self-Determination Program decrease an individual's budget for services and supports?

A. No, your budget amount is the same as it would be if you were obtaining services through your regional center.

Q. Can I use my budget to pay for recreation activities?

A. In the Self-Determination Program, you are able to purchase services approved in the Self-Determination waiver. For descriptions of approved services, please visit www.dds.ca.gov/SDP/docs/serviceDefinitions.pdf.

RIGHTS

Q. Do I have to enroll in the Self-Determination Program?

A. Enrollment in the Self-Determination Program is completely voluntary. Just like any other program offered under the Lanterman Developmental Disabilities Services Act in California, an individual chooses what is best for them. An individual may choose to leave the Self-Determination Program at any time.

Q. I was selected as one of the first 2,500 participants, but I do not want to be in the program; what do I do?

A. The SDP is a voluntary program and an individual may choose to leave the Self-Determination Program at any time. To ensure that participants are making an informed decision, participants and their families are encouraged to attend an orientation prior to making the choice not to continue. If an individual decides to not continue in the program, they should communicate that to their regional center.

Q. What kind of responsibility will participants or their family have if they choose to participate in the Self-Determination Program?

A. Participants in the Self-Determination Program have the responsibility to attend an orientation, to have an individual program plan (IPP) that is person-centered, agree to create a spending plan, and to choose a Financial Management Services provider.

Q. If I choose to participate in the Self-Determination Program, will I still have the same rights?

A. Yes, participants enrolled in the Self-Determination Program will have the same rights established under the traditional service model (e.g. appeals, eligibility determinations, and all other rights associated with the individual program plan process).

Q. If a current participant moves to another regional center, can they still participate in the SDP?

A. Yes, the individual will still be able to participate at their new regional center.

SELECTION PROCESS AND PROGRAM ELIGIBILITY

Q. What criteria did DDS use to select initial participants?

A. As required by law [Welfare and Institutions Code, Section 4685.8(b)(1)], the number of participants selected at each regional center was based on the relative percentage of total consumers served by all regional centers. The Department made the selection from amongst those who attended an SDP informational meeting. The informational meeting process was developed in consultation with the

Department's self-determination advisory group, as a way to provide oversight of the selection process based on the following demographic factors within each regional center: ethnicity, diagnosis, gender and age. However, with the relatively small number (approximately 9,100) of individuals from which to choose, it was not possible to control for all these factors when making the selection. Ultimately, the selection was done ensuring that those selected represented the overall ethnic diversity of all consumers within each regional center. Please direct any questions regarding the selection process to sdp@dds.ca.gov.

Q. Are the existing participants of the Self-Determination Pilot program accounted for within the first 2,500 enrollees?

A. There are approximately 95 individuals participating in the Self-Determination Pilot program. These individuals have been automatically included in the 2,500 enrollees.

Q. Who is eligible for the Self-Determination Program?

A. An individual must meet the following eligibility requirements:

- Has a developmental disability and receives services from a regional center;
- Agrees to specific terms and conditions, which include but are not limited to, participation in an orientation for the Self-Determination Program, working with a Financial Management Services entity, and managing the Self-Determination Program services within an individual budget;
- Does not live in a licensed long-term health care facility (i.e., a Skilled Nursing Facility or Intermediate Care Facility). If an individual living in one of these facilities expresses interest in the Self-Determination Program, through the person-centered planning process, he or she can request that the regional center begin making arrangements for their transition to the Self-Determination Program, provided that he or she is reasonably expected to transition to the community within 90 days.

Q. Is someone who resides at a Developmental Center eligible to participate in the SDP?

A. Yes, after the three-year phase-in period, and provided that they are is reasonably expected to transition to the community within 90 days.

Q. Are children who are institutionally deemed eligible to participate in the SDP?

A. Children who are institutionally deemed are eligible to participate in the SDP. The same waiver eligibility criteria is used for determination. An individual may only be enrolled in one waiver at a time, and the waiver choice is dependent on the service delivery model.

SERVICES

Q. Where can an individual find a list of services available in the Self-Determination Program?

A. For a list and description of services that are approved in the Self-Determination Program, please visit www.dds.ca.gov/SDP/docs/serviceDefinitions.pdf.

Q. Can a consumer request services through an organization that is not familiar to the regional center?

A. Other than Financial Management Services, providers of services in the waiver do not have to be vendored through the regional center.

Q. Are there services that cannot be funded with the SDP budget?

A. Yes, the most significant example is for room and board (rent, food, utilities). Individuals will not be able to pay for these items with their individual budget, as they are not federally reimbursable.

Q. What if there is disagreement amongst the planning team regarding services?

A. A participant enrolled in the Self-Determination Program will have the same rights established under the traditional service model (e.g. appeals, fair hearing, and all other rights associated with the individual program plan process).

Q. What is the HCBS Final Rule and how does it affect SDP services? For example, a camp specifically for individuals with developmental disabilities may not be an integrated setting.

A. The HCBS Final Rule, effective March 17, 2014, requires that places where people receive services (settings) meet the new criteria in order to qualify for federal funding under the Medicaid program (called "Medi-Cal" in California). All services selected by an SDP participant will need to be compliant with the Final Rule. Services and supports designed for those with developmental disabilities would not automatically be excluded from the SDP. Guidance regarding the HCBS Final Rule and SDP Services will come from the Department. For more information, please visit: www.dds.ca.gov/HCBS/

Q. Are services available to address a specialized medical need still an option with the SDP?

A. Yes. Services and supports included in the individual program plan (IPP) can be provided through the SDP. As long as generic resources are exhausted first, a service not covered by Medi-Cal or private insurance can be provided through the SDP.

PERSON-CENTERED PLANNING

Q. What is person-centered planning?

A. Person-centered planning is about the individual's future and reaching their goals. The process should be driven by the individual and reflect what is important to and for that person. Person-centered planning can include other people, such as family or friends, only if the individual chooses to include them in the process. The individual choices decided through person-centered planning about what the participant wants and needs and what services and supports will help them reach their goals is used to inform their individual program plan (IPP) with their regional center.

Background

For Self-Determination Program (SDP) participants, the individual program plan (IPP) must be developed utilizing a person-centered-planning process. Per the [February 11, 2019 correspondence](#) from the Department of Developmental Services, participants can request initial person-centered-planning services to assist them as they transition into the SDP.

Person-centered planning is an approach to determining, planning for and working toward the preferred future of a person with developmental disabilities and her or his family. The preferred future is what the person and family want to do in the future based on their strengths, capabilities, preferences, lifestyle and cultural background. Person-centered planning is a framework for planning and making decisions. It is not a collection of methods or procedures. Person-centered planning is based on an awareness of, and sensitivity to, the lifestyle and cultural background of the consumer and family. [Welfare & Institutions Code Section 4646.5(a)(1)].

Additionally, according to the federal Centers for Medicare & Medicaid Services (CMS) regulations (or rules) for Home and Community-Based Services (HCBS,) person-centered planning is a process directed by the person with services and supports needs. It may include a representative who the person has freely chosen, and/or who is authorized to make personal or health decisions for the person. The planning process should also involve others the person or their representative wishes to include, such as family members, legal guardians, friends or others. The person-centered planning process should provide the supports necessary to ensure the person directs the process to the maximum extent possible. Ultimately, the person-centered planning process leads to a written plan that is consistent with the person's needs and desired outcomes and includes the person's goals and preferences in areas such as recreation, transportation, friendships, therapies, home, employment, and family relationships.

Q. What should the participant expect from the individual or organization providing person-centered planning services?

A. "One of the functions of the person-centered planning process is to help the person and the support team to develop innovative and non-traditional ways to meet the goals in the plan. The goals must not be restricted due to a lack of easily identified services or supports." (Centers for Medicare and Medicaid Services Home and Community Based Waiver).

The individual or organization providing person-centered planning services should be knowledgeable in person-centered planning and embrace the following concepts:

- Presuming competence
- Reframing behavior as communication
- Respecting cultural diversity
- Providing critical supports for health and safety across the lifespan so people may live in the community where and with whom they want (Sally Burton-Hoyle, Ed. D, Eastern Michigan University)

The individual or organization providing person-centered planning services are expected to demonstrate they have received training or certification in the person-centered facilitation process. If the selected individual or organization has been trained in any specific approaches (Planned Facilitation, Liberty Plans, MAPs, etc) the participant has the option to request and receive proof of such training.

The participant and their support team should determine how much time the planning process will take based on the needs of the participant, their own scheduling needs, as well as the recommendations of the individual or organization providing person-centered planning. Person-centered planning can range from one short and focused intensive meeting to several meetings, depending on the needs of the participant.

At the end of the planning process, the individual or organization providing person-centered planning services should ensure that there is a written document with clearly stated outcomes provided to the participant that captures the strengths, hopes and dreams of the participant, along with their vision for their future and the supports needed to have a meaningful life in the community.

Q. What should the individual or organization providing person-centered planning services be paid?

A. In advance of the Department establishing rates for these services, here are some parameters that may assist you in discussing appropriate costs. Individuals or organizations providing person-centered planning services might charge between \$25 - \$75 per hour or more depending on experience. Individuals or organizations providing this service would likely include preparation and documentation time in addition to the time spent facilitating the meeting(s). The individual or organization may also charge a flat rate that

might be as much as \$2,500; however, there should be documentation from the provider indicating how many hours of service is being funded. Prior to the provision of service, the regional center must contact the Department at sdp@dds.ca.gov regarding any estimate that exceeds \$2,500.

- **Non-vendored providers**

- The participant and individual or organization providing the service should come to an agreement regarding payment terms and then, prior to beginning planning services, provide that information to the Regional Center so that payment arrangements to the provider can be made under service code 024.

- **Vendorization**

- If the individual or organization is seeking vendorization from the Regional Center, they should contact the Community Services Department of the Regional Center in their community regarding the process for obtaining vendorization.