

PROPOSAL 34-RESIDENTIAL

SECTION XX.

Section 4648 of the Welfare and Institutions Code is amended to read:

In order to achieve the stated objectives of a consumer's individual program plan, the regional center shall conduct activities including, but not limited to, all of the following:

(a) Securing needed services and supports.

.....

(3) . . . (E) Effective July 1, 2009, notwithstanding any other provision of law or regulation to the contrary, a regional center shall not newly vendor a Department of Social Services licensed 24 hour residential care facility with a licensed capacity of 16 or more beds unless the facility qualifies for receipt of federal funds under the Medicaid program.

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(9) . . . (B) Effective July 1, 2012, notwithstanding any other provision of law or regulation to the contrary, a regional center shall not purchase residential services from a Department of Social Services licensed 24 hour residential care facility with a licensed capacity of 16 or more beds. This prohibition on regional center purchase of residential services shall not apply to:

(i) A residential facility with a licensed capacity of 16 or more beds that has been approved to participate in the department's Home and Community Based Services Waiver or another existing waiver program or certified to participate in the Medi-Cal program; or

(ii) A residential facility service provider who has a written agreement and specific plan prior to July 1, 2012 with the vendoring regional center to downsize the existing facility by transitioning their residential services to living arrangements of 15 beds or less or restructure the large facility to meet federal Medicaid eligibility requirements on or before June 30 2013.