



CDCAN REPORT

#037-2010 – FEBRUARY 9, 2010 - TUESDAY

CALIFORNIA DISABILITY COMMUNITY ACTION NETWORK

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California Disability Community Action Network Disability Rights News goes out to over 50,000 people with disabilities, mental health needs, seniors, traumatic brain & other injuries, veterans with disabilities and mental health needs, their families, workers, community organizations, including those in Asian/Pacific Islander, Latino, African American communities, policy makers and others across California.

To reply to this report write: MARTY OMOTO at martyomoto@rcjp.com WEBSITE: www.cdcan.us TWITTER: www.twitter.com - "MartyOmoto

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California Budget Crisis:

Department of Developmental Services to Hold Public Hearing On Proposed Closure of Lanterman Developmental Center

SACRAMENTO, CALIF (CDCAN) [Updated 02/09/2010 4:45 PM (Pacific Time)] - The Department of Developmental Services (DDS) has scheduled a public hearing on the proposed closure of Frank D. Lanterman Developmental Center for February 24, 2010, Wednesday, from 12 noon to 7:00 PM, at the Lanterman Developmental Center Auditorium, 3530 West Pomona Boulevard, Pomona, CA 91769-0100.

The Department of Developmental Services 2 page agenda was released late Tuesday afternoon and is attached to this report as a pdf file, titled "20100209-LantermanDCPublicHearingAgenda.pdf" and also can be downloaded from the CDCAN website at www.cdcan.us :

The agenda for the public hearing itself is brief:

12:00 to 12:15 PM - Introductions

12:15 to 6:45 PM – Public Testimony

The Department of Developmental Services indicates on the agenda that "to assure that each person has an opportunity to speak, each speaker will be limited to a maximum of 5 minutes to present his or her input."

The long public hearing is meant to receive public comment from interested persons and organizations on the proposed closure. The Department of Developmental Services said that the comments received at the public hearing and written comments submitted before or after the hearing, will be summarized in the plan submitted to the Legislature.

For further information about this public hearing persons can contact:
Cindy Coppage at the Department of Developmental Services
Developmental Centers Division
1600 9th Street Room 340 – MS 3-17
Sacramento, CA 95814
Phone: 916-654-1963 email: Cindy.Coppage@dds.ca.gov

Reasonable Accommodation for Persons with Disabilities

The Department of Developmental Services, in its meeting announcement, said that Lanterman Developmental Center is physically accessible to persons with disabilities. Printed materials in alternative formats and requests for sign language interpreters or other disability related accommodations should be made by February 18, 2010 (Thursday) by close of business to Cindy Coppage at the Department of Developmental Services, at (916) 654-1963 or email her at Cindy.Coppage@dds.ca.gov

Written Comments

Deadline is **March 5, 2010** (Friday) by close of business for persons interested in submitting written comments to the Department of Developmental Services:

Department of Developmental Services
Developmental Centers Division
Attention: Cindy Coppage
1600 9th Street – Room 340, MS 3-17
Sacramento, CA 95814

Or email to: Cindy.Coppage@dds.ca.gov

Schwarzenegger Administration Announced Proposed Closure January 29th

The Schwarzenegger Administration announced January 29th that it will propose budget related legislation to close Lanterman Developmental Center which provides 24 hour residential care for just under 400 persons with developmental disabilities.

The state owned and staffed facility, which opened in 1927 at its present location in Pomona, consists of 21 client residences, 1 acute hospital unit; a variety of training and work sites; a Vocational Training Center; and recreation facilities, including a swimming pool, playgrounds, camp, carousel, equestrian center, track, and a ballpark.

The developmental center borders the cities of Pomona, Diamond Bar and Walnut in Los Angeles County.

Proposed Closure Requires Approval from Legislature

The proposed closure requires approval from the Legislature, under a closure process specified under state law, which has specific requirements and time frames for the closure process of a developmental center, including transition of people currently residing at the facility into the community or transfer to another developmental center.

That process takes at least two years and sometimes much longer to complete under a general process outlined in current State law. The development of a detailed and specific plan for closure and transition is part of the general closure process.

Department Says Stakeholder Involvement in Closure Process “Essential”

Previously, the Department of Developmental Services said in its January 29th announcement of the proposed closure of the facility that it considers it “essential” that interested stakeholders have an opportunity to participate in planning for the closure, including consumers, their family members, employees, regional centers, advocates, service providers, public officials, representatives from the communities surrounding Lanterman Developmental Center, and other interested parties, including meetings and public hearings.

The Department of Developmental Services in its January 29th announcement of the proposed closure of Lanterman Developmental Center, said it would “...utilize a transition process that enables each resident to live in an environment appropriate for his or her needs consistent with the landmark 1999 US Supreme Court’s Olmstead decision”.

The Department of Developmental Services said it will work closely with the local regional centers in Los Angeles County in defining and developing resources that will support the needs of consumers who are identified through the individualized planning process as appropriate for transition to the community and will work with labor unions and develop strategies to assist employees in finding opportunities for future employment.

Lanterman Developmental Center Once Served More Than 3,000 People

Lanterman Developmental Center at one time served more than 3,000 residents, and as of December 2009, had 380 people with developmental disabilities still living at the facility, with the population declining 10% or more each year. The developmental center employs (as of January 2009) about 1,300 state employees or persons under contract with the State.

Department Oversees Developmental Centers and Community-Based System for Over 240,000 Children and Adults with Developmental Disabilities

The Department of Developmental Services, oversees the operation of the 4 state owned and staffed developmental centers and one smaller facility.

Just under 2,000 people with developmental disabilities reside in the 4 remaining developmental centers (formerly called “state hospitals”) and 1 smaller facility in Cathedral City. As of December 31, 2009 the population of the four remaining developmental centers and 1 smaller facility was:

- Sonoma Developmental Center in Eldridge - 648 persons
- Porterville Developmental Center near Bakersfield - 589 persons
- Fairview Developmental Center in Costa Mesa - 465 people
- **Lanterman Developmental Center in Pomona - 398 people**
- Smaller Facility - Canyon Springs in Cathedral City - 53 persons.

Note: The facility known as Sierra Vista located in Yuba City, slated for complete closure in February 2010, has no persons reportedly still at that facility.

The Department of Developmental Services also oversees the 21 non-profit “regional centers” – which are completely different entities from “developmental centers”. Regional centers, under contract with the Department of Developmental Services, coordinate the services and funding provided by community-based organizations and individuals to over 240,000 children and adults with developmental disabilities.

Who This Impacts

While the closure process could take two years or longer, the impact of the proposed closure will dramatic impact, especially as the closure plan begins to move forward after approval from the Legislature on a wide range of people, agencies and other entities:

- People Who Reside at Lanterman Developmental Center: the 398 people with developmental disabilities residing at Lanterman Developmental Center and their families.
- State Employees: the over 1,300 state workers who work at the facility, including those who belong to employee unions. How these workers are transitioned either into other state employment, or into private employment, early retirement or attrition will have impact on other employees in other developmental centers and state hospitals – and also community-based organizations that provide supports and services.
- Regional Centers: the seven regional centers in Los Angeles County who will need to help to coordinate the movement and transition of people – and other regional centers outside Los Angeles County could be involved.
- Community Providers and Agencies: possibly hundreds of community-based providers such as Easter Seals, UCP and other organizations, who might be needed to help in providing supports and services for those people who transition into the community including housing, and transportation, and any medical supports.
- State, federal and local government agencies – Closure will intensify workload at Department of Developmental Services and other state agencies needed to help with closure – and also involve federal and local government agencies.
- Developmental Centers: the other remaining developmental centers – especially nearby Fairview Developmental Center in Costa Mesa, where some number of people at Lanterman Developmental Center may be transferred to.
- Various advocacy groups and individuals

Budget Impact Not Certain

The Department of Developmental Services said in its January 29th announcement that given the declining population and aging infrastructure, it is no longer economical to operate this facility.

However it is not clear what impact the proposed closure will have on the projected State Budget shortfalls projected in 2010-2011 or in subsequent budget years. Closure of a developmental center will take two years or longer to accomplish depending on the details of a closure plan and how it is implemented.

A clear picture of what money if any the State ultimately saves from the closure of Lanterman Developmental Center will likely not be known until the facility actually shuts its doors and the initial closure and transition process is over.

Department of Developmental Services Total Budget Over \$4.6 Billion

The budget under the Department of Developmental Services for regional center funded community-based services totaled \$4 billion, 2.2 billion of that State general funds.

That figure does not include the cost of other services not provided through that department's budget, including costs related to Medi-Cal, In-Home Supportive Services and in many instances, SSI/SSP. Last year the Governor proposed – and the Legislature approved in February and July 2009, over \$400 million in reductions in State general fund spending including a 3% retroactive cut in payments to most regional center funded providers and regional center operations. When federal funds are added to the figure, the reduction jumps to well over \$500 million.

The budget for developmental centers – also under the Department of Developmental Services, totaled \$603.8 million including federal Medicaid funding, matched by \$261 million in State General funds. That budget also saw reductions from last year, in part due to state mandatory furloughs, drop in caseload and other changes

What Happens Next

- The Department of Developmental Services in identifying Lanterman Developmental Center for closure, sets in motion a process defined in existing state law (Welfare and Institutions Code section 4474.1) for closing developmental centers that will include extensive community outreach, at least one public hearing and a detailed closure plan to the Legislature by April 1, 2010. Except for the announcement of the February 24th public hearing, no details are yet available.
- Legislative approval must be received prior to beginning closure activities in the State Budget year 2010-2011. That is expected either as part of the 2010-2011 State Budget or possibly legislation separate from the budget if a long budget stalemate develops. There will likely be budget hearings on this specific hearing sometime in April where persons and organizations can testify on the closure and the initial closure plan. No hearing dates have yet been announced.

URGENT!!!!

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To continue the CDCAN website, the CDCAN News Reports. sent out and read by over 50,000 people and organizations, policy makers and media across California and to continue the CDCAN Townhall Telemeetings which since December 2003 have connected thousands of people with disabilities, seniors, mental health needs, people with MS and other disorders, people with traumatic brain and other injuries to public policy makers, legislators, and issues.

Please send your contribution/donation (make payable to "CDCAN" or "California Disability Community Action Network):

CDCAN**1225 8th Street Suite 480 - Sacramento, CA 95814**

paypal on the CDCAN site is not yet working – will be soon.

MANY, MANY THANKS TO the Easter Seals, California Association of Adult Day Health Centers, Valley Mountain Regional Center, Toward Maximum Independence, Inc (TMI), Friends of Children with Special Needs, UCP of Los Angeles, Ventura and Santa Barbara Counties, Southside Arts Center, San Francisco Bay Area Autism Society of America, Hope Services in San Jose, FEAT of Sacramento (Families for Early Autism Treatment), RESCoalition, Sacramento Gray Panthers, Easter Seals of Southern California, Tri-Counties Regional Center, Westside Regional Center, Regional Center of the East Bay, UCP of Orange County, Alta California Regional Center, Life Steps, Parents Helping Parents, Work Training, Foothill Autism Alliance, Arc Contra Costa, Pause4Kids, Manteca CAPS, Training Toward Self Reliance, UCP, California NAELA, Californians for Disability Rights, Inc (CDR) including CDR chapters, CHANCE Inc, , Strategies To Empower People (STEP), Harbor Regional Center, Asian American parents groups, Resources for Independent Living and many other Independent Living Centers, several regional centers, People First chapters, IHSS workers, other self advocacy and family support groups, developmental center families, adoption assistance program families and children, and others across California