

DEPARTMENT OF DEVELOPMENTAL SERVICES

1600 NINTH STREET, Room 240, MS 2-13
SACRAMENTO, CA 95814
TDD 654-2054 (For the Hearing Impaired)
(916) 654-1897



October 21, 2010

Dear Residents, Family Members, Employees, Regional Centers and Other Parties
Interested in the Proposed Closure of Lanterman Developmental Center:

As part of our continuing commitment to keep everyone informed regarding the proposed closure of Lanterman Developmental Center (Lanterman), this letter provides updated information now that the 2010-11 budget for California has been enacted.

In January 2010, the Department of Developmental Services (Department) announced the difficult decision to recommend to the Legislature the closure of Lanterman. The announcement was followed by a multi-faceted outreach and planning process to obtain and consider stakeholder input for development of a closure plan. The Plan for the Closure of Lanterman Developmental Center (Plan) was submitted to the Legislature on April 1, 2010, for approval. As part of the Plan, DDS recommended legislation that would: 1) establish a new community care licensing category for Adult Residential Facilities for Persons with Special Health Care Needs for statewide implementation; 2) authorize Lanterman employees to work in the community and provide services for former Lanterman residents transitioning into community living options; and 3) authorize operation of an Outpatient Clinic at Lanterman until closure. The Plan was considered by the Legislature during the 2010-11 budget process, with significant testimony from stakeholders being received.

The Budget Act of 2010 has now been enacted, along with legislation critical to the success of the Plan. Following is a summary of the new laws that authorize important community resource development and further guide the future closure activities. The actual statutes are available on the Department website at <http://www.dds.ca.gov/LantermanNews/>.

The budget trailer bill (SB 853, Chapter 717, Statutes of 2010, Budget Committee) contains the following pertinent provisions:

1. **Extension of Adult Residential Facilities for Persons with Special Health Care Needs.** Health and Safety Code Section 1567.50 and Welfare and Institutions Code Section 4684.50 et seq. were amended to expand the use of licensed Adult Residential Facilities for Persons with Special Health Care Needs for persons who require this level of care and are transitioning from Lanterman into the community. This model was first established for the closure of Agnews Developmental

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Center (Agnews), and was designed to provide a new licensed community care facility option to meet the special health care and intensive support needs for individuals who are medically predictable and stable at the time of admission. The Department had recommended legislation that would have allowed statewide implementation of this model. However, the resulting statute strictly limits approval of the homes to those that are directly associated with the orderly closure of Lanterman, unless a later enacted statute deletes or extends this provision (Welfare and Institutions Code Section 4684.74).

2. **Use of State Staff in the Community.** Welfare and Institutions Code Sections 4474.2 and 4474.3, and Government Code Section 854.1 were amended to authorize Department employees working at Lanterman to work in the community with former residents while remaining state employees for up to two years following the transfer of the last resident from Lanterman, unless a later enacted statute deletes or extends this provision. The original version of this legislation as proposed by the Department did not contain the time limitation. This program is referred to as the "State Staff in the Community Program," and will bring the unique expertise of Lanterman employees into the community-based services system to meet the needs of the consumers, while providing an opportunity for employees to continue to support former residents of Lanterman. The Department will report to the Legislature on the implementation of the Lanterman program, as well as the program established for the Agnews closure, beginning in Fiscal Year 2012-13 and annually thereafter.
3. **Implementation of the Lanterman Outpatient Clinic.** Welfare and Institutions Code Section 4474.8 was modified to authorize the Department to operate the Lanterman Outpatient Clinic. Like the Outpatient Clinic at Agnews, available medical and health services will be provided to individuals who move from the developmental center into the community, ensuring the continuity of medical care and services as individuals transfer to new health care providers. The statute requires the Department to operate the Outpatient Clinic until the Department is no longer responsible for the property.
4. **California Health and Human Services Agency Oversight of Health Care for Transitioning Lanterman Developmental Center Individuals, and Reimbursement of Health Plans for Lanterman Consumers.** Welfare and Institutions Code Sections 4474.4 and 4474.5 were amended to provide access to a system of high-quality health care through local managed care plans, for persons transitioning from Lanterman into the community. Special provisions ensure the development of protocols to identify the roles and responsibilities of key parties

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regarding a comprehensive system of health care, and will address such essential components as referral practices, authorization procedures, coordination of case management, education and training, the management of medical records, and provider reimbursement, among others.

In addition, the Budget Act of 2010, Item 4300-001-0001, Provision 5, requires the Department to provide a comprehensive status update on the Plan to the Legislature no later than January 10 and May 14 of each fiscal year. Similar to the reports prepared for the Agnews closure, the reports will describe progress on all pertinent aspects of Plan implementation.

With passage of the Budget Act of 2010 and direction provided by the Legislature through the above statutes, the Department is proceeding with closure activities. Critical to the success of the closure process will be ongoing and meaningful communication and coordination among key parties.

The foundation of the Plan is to identify each resident's needs and choices through the individual planning process, and ensure community resource development to meet those identified needs. The Department is committed to the tenements of the Lanterman Developmental Disabilities Services Act, and working with stakeholders to achieve a smooth and successful closure of Lanterman. Closure will not occur until appropriate services are available and the last resident has moved to the living option appropriate for his or her needs.

The Department will continue to keep you informed about the closure of Lanterman. If you have any questions, please contact Kathy Kinser, Special Assistant to the Director, Department of Developmental Services, at (916) 654-3357.

Sincerely,

A handwritten signature in cursive script, reading "Terri Delgadillo". The signature is written in black ink and is positioned above the printed name and title.

TERRI DELGADILLO
Director