

ID/DD FUNDING CRISIS

BACKGROUND AND TALKING POINTS

FACT: The system of services and supports for 280,000 of the State of California's most vulnerable, persons with intellectual and developmental disabilities, is collapsing!!

- **Ratifying the Lanterman Act**

- **The State of California Supports Persons with Disabilities**

- With the signing of the **Lanterman Act** in 1977, the State of California made a **commitment** to its citizens with developmental disabilities that they and their families have a right to services and supports they need to live like people without disabilities.

Section 4501: "The State of California **accepts** a **responsibility** for persons with developmental disabilities and an **obligation** to them **which it must discharge**.

Section 4620: "In order for the state to carry out many of its responsibilities as established in this division, the state shall contract with appropriate agencies to provide fixed points of contact in the community for persons with developmental disabilities and their families, to the end that such persons **may have access to the facilities and services best suited to them throughout their lifetime**.

- To facilitate this process, the state created 21 regional centers to assess and direct the more than 280,000 people with disabilities and their families to some 65,000 providers who furnish the services and supports necessary for them to live a more independent life.

- **Ignoring the Lanterman Act**

- **The State of California Turns its Back on Persons with Disabilities**

- For most of the last two decades, the State of California has failed to provide the funding and policy guidance necessary to fulfill the Lanterman Act – the first-in-the-nation law extending civil rights to persons with disabilities.
 - This unfathomable neglect has put the lives of 280,000 people with disabilities at risk by jeopardizing the availability of critical programs and services necessary to protect their health, safety, and pursuit of independence.
 - Since 2009, the state has reduced funding to developmental services programs by more than \$1 billion. They have instituted restrictions on payments for many services, applied across-the-board funding reductions to nearly every service, and mandated an ever increasing number of costly and unfunded requirements including additional no-service days, increased, audit requirements, health benefits, sick leave, and minimum wage increases, service suspensions, rate freezes, and other cuts.
 - More than twenty years of gross underfunding has pushed thousands of service providers like Desert Haven Enterprises, and our Regional Centers, to the brink of insolvency and collapse. Rates based on mid-1990's costs simply do not support today's actual cost of doing business. Those costs, as is the case for all households and business, increase annually and are exacerbated by the unfunded mandates referred to above.

- Unlike state agencies where the workers are state employees who enjoy automatic cost of living increases and fully funded legislative mandates, service providers and Regional Center are at the mercy of lawmakers who, according to a published report by the Bureau of State Audits, have caused community services to be "undermined by insufficient state funding and budget cuts."

For years, consumers, families, service providers, Regional Center representatives, and other concerned citizens have cried out for help for the system, stressing to those in Sacramento that if something is not done to support the system, the system would begin to erode and ultimately collapse. Perhaps this year, as no other, we have yelled more loudly, more decisively, and more in one accord...because the "threats" of system collapse are no longer just a threat but a reality.

- **Patronizing the Lanterman Act**

- **The State of California "Listens" but Does Nothing to Provide Relief!!!**

- This past fiscal year, members of the California Legislature were bombarded with thousands of phone calls, letters, emails, faxes, tweets, and personal visits from consumers, families, service providers and others urging that they
 - Keep the Promise of the Lanterman Act by providing immediate relief to service providers and regional centers, and
 - Implement a system of annual increases until a new and sustainable funding system is developed.
- Senator Jim Beall (D-San Jose), the parent of a son with disabilities, wrote an impassioned letter to Governor Brown, urging him to take steps to apply fair budget policies that would support service providers and regional centers as other state agencies, to ratify a 10% across-the-board increase for developmental services, and, thereby, support our crumbling system. His letter was jointly signed by 24 Senators and 41 Assembly Members – a bi-partisan majority in each House.
- Legislators from around the state from both parties said they heard us; they were for us; and they would back us! Many delivered moving speeches that articulated the need to act now! But at the last hour, good intentions became nothing more than political rhetoric - not enough will to bring compromise. Sadly, on September 11, 2015, after much discussion and debate, regular session came to an end, and our legislators left town, without providing any relief for our crumbling system!
- The Governor has called a special session of the Legislature to continue to work on items that could not be resolved in regular session, i.e. stabilizing the costs of Medi-Cal, restoring In-Home Supportive Service, and providing rate increases for providers of services to persons with disabilities. Many proposals have been introduced, but only those related to taxing managed care organizations, tobacco, and hard alcohol have so far moved forward; and all failed to pass!

- **Dismantling the Lanterman Act**

- **The State of California is Responsible for the Demise of Critical Programs and Services**

- There has been a 30% loss of service providers in the ID/DD system of care since 2009, while the community system has grown by more than 30,000 consumers, including more than 1,000

former residents of state developmental centers (Source: *Department of Developmental Services Fact Book, 12th Edition, January 2015*)

- More than 300 vital programs and services in the North Los Angeles County Regional Center catchment area alone have closed, as well as 425 board and care facilities statewide, and thousands of persons with disabilities have been displaced from the services that they had chosen to meet their needs. Some are in less appropriate settings; others are simply going without. It is a tragedy!

In the Antelope Valley, critically needed services to transport persons with severe disabilities to and from programs throughout this vast territory have been severely impacted by the ongoing rate crisis! Today just 25 of 38 routes are being run, leaving many without transportation.

- These current documented problems are indicative of even greater problems and more grave deterioration ahead. It is only a matter of very little time until the entire system lies in ruin and 280,000 of California's most vulnerable citizens with developmental disabilities are absolutely and utterly without service and without hope!

- **Reclaiming the Lanterman Act**

-The officials in the State of California – the Governor, Legislative Leaders and the Legislators themselves - Need to Hear Directly From You What Their Failure to Respond Has Done to You or Your Loved One, How You Feel About It, and What You Expect Them to Do to Right this Injustice!!

Call Governor Jerry Brown today at (916) 445-2841 and tell him!!

Call Assembly Speaker Toni Atkins today at (916) 319-2078 and tell her!!!

Call Senate President Pro Temp Kevin de León today at (916) 651-4024 and tell him!!!

- You and every elected official within the Legislature of the State of California should be ashamed of yourselves for playing political games with the life and well-being of my loved one and that of 280,000 others around the state!
My loved one is not a pawn! He or she is a living, breathing, thinking human being, who has hopes and dreams, and they deserve better!
- Every elected leader in the State has to take responsibility for this! Not just Democrats! Not just Republicans! Not just the Legislature! Not just the Governor! All of you have to do what it takes to make this important decision for people who are desperately waiting for you to do so.
- I am calling on you to get this done now – we can't wait!

Note: Please share your personal stories with the officials in each office contacted, so they hear how this crisis is now directly impacting you and your loved one, i.e. no transportation to program, etc.