

Developmental Services Trailer Bill Language (TBL)

[SB 138](#) (Committee on Budget)

SB 138 is this year's second round of developmental services "Trailer Bill." A top-level summary of this year's TBL is provided here, with each individual section being addressed sequentially. In general, these changes came into effect as soon as the bill was signed by the Governor (July 10, 2023).

Sections 1 and 2 relate to some Family Code changes that are being done in the adoption service provider universe, and are not directly related to developmental services. This TBL is, more accurately, a "Human Services" Trailer Bill; hence these changes.

3. [Government Code \(GC\) §14670.35](#) – Authority for the Department of Developmental Services (DDS) to develop complex needs homes on the former grounds of Fairview Developmental Center.
4. [Welfare and Institutions Code \(WIC\) §4418.7](#) – For individuals whose community placement is at risk, regional centers and the regional resource development project will have to continue to work together to identify/develop alternative services and supports. Additionally, for acute crisis homes, the use of seclusion/restraint is being limited.
5. [WIC §4418.8](#) – A new section. For safety net plans, the process related to individuals at risk of needing admission to a complex needs home is delineated as are the processes for such a commitment, which cannot exceed 18 months in duration.
6. [WIC §4435](#) – A new section. Legislative intent that regional center services be person-centered, and "more uniform, consistent, and equitable." DDS directives can't interfere with the individual program planning team's discretion, and have to be consistent with the Lanterman Act.
7. [WIC §4435.1](#) – A new section. DDS has to develop data measures to promote service access and equity, as well as standardized respite assessments, IPP processes and templates, vendorization procedures, and intake processes. Concerning intake, new data has to be gathered.
8. [WIC §4435.2](#) – A new section. DDS has to define and examine generic services, and look at ways to help improve access.
9. [WIC §4642](#) – After the initial 15-day intake process, an individual has to be either found eligible, or the regional center has to start the normal assessment process. Notifications are required.
10. [WIC §6500](#) – Admissions to complex needs homes (under this section) automatically expire after six months unless specific actions are taken, which can extend the commitment to no greater than 18 months total.

11. [WIC §6509](#) – For individuals in acute crisis, they can also be admitted to complex needs homes (aside from other existing options).
12. [WIC §7505](#) – Clean-up. For admissions to complex needs homes, the process in this section has to match the (new) requirements of WIC §4418.8 (see item 5., above).

Section 13 relates to workers' compensation insurance in the Business Enterprises Program (under the Department of Rehabilitation).

Sections 14 through 17 are technical things relate to how this TBL is to be implemented and funded, are not new policy changes.