



California Association for the Retarded

1220 "S" Street, Suite 100, Sacramento, CA 95811

Phone: (916) 498-1635 Fax: (916) 498-1385

www.carforchoice.org

June 22, 2008

The Honorable Elaine Alquist, Chair
and Members, Senate Human Services Cmte.
Capitol Bldg., #2195
Sacramento, CA 95814

RE: AB2424/Beall

Dear Senator Alquist:

The California Association for the Retarded (CAR) is a statewide organization comprised of parent-based advocacy organizations, service provider organizations and parent groups representing the interests of individuals residing in state developmental centers. CAR advocates for the fullest possible range of services and supports – *both in congregate settings and in the community* – and responsive to the individually assessed needs of regional center consumers and in accordance to their preferences, as mandated by the Lanterman Act. We seek the preservation of current service options and the extension of options to such services as meet needs and choices.

AB2424 is set to be heard by your committee shortly. We want to draw your attention to flaws in this proposal that could damage, not strengthen the Lanterman Act, as detailed in the letter attached.

Section 3 of this bill proposes to amend section 4646.5 of the Welfare and Institutions Code. Paragraph a (3) proposes that the Individual Program Planning (IPP) team, "shall start with the presumption that a consumer with a developmental disability can, and a consumer whose preference is not expressed or ascertainable, that the consumer would prefer to live, work and participate in inclusive, integrated settings..." This would replace a consumer's right to have their preference ascertained with an overgeneralized presumption about preference.

Further, this presumption marginalizes the preferred services chosen by tens of thousands of consumers, mitigating against congregate services by mandating the presentation of information only on selected community-based services. Employment First is a useful policy that has the potential to improve services in community settings – but information sharing would be more effective if offered in response to needs and preferences, not needs and presumptions.

We urge your consideration that the proposed Employment First Policy be amended in its presumption that the state knows an individual's preference (since it cannot) and proceed to direct DDS to ensure that regional centers provide consumers at their IPP meeting, information on all services indicated by assessment of the individual's needs and their preference – without further presumption. This would preserve the strength of the Lanterman Act through support of its respect for preference, is fiscally sound, and is agreeable to the Employment First policy by responding to those who want to work in specific settings of their choice.

Sincerely,

Marion Lieberman
President

President – Marion Lieberman Vice President – Robert Cross Secretary – Mary Burkin
Treasurer – Susan Hauer Immediate Past President – Terri Menter