

INTAKE AND ELIGIBILITY POLICY

- I. **Purpose:** It is the intent of San Andreas Regional Center to provide an intake assessment for any person believed to have a developmental disability to determine eligibility for regional center services, in compliance with all state and federal laws, regulations, and court decisions.

- II. **Definitions:**
 - **Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act and mean a person who has been found eligible and receives services from the regional center.**
 - *Intake*¹ is the process of determining a person's eligibility for regional center services.
 - *Applicant* means a person who has applied for regional center services and who has not yet been determined eligible to receive services.
 - *Eligibility* means a determination² that an applicant has a developmental disability³, as defined by California law. Applicants under five years of age shall also be considered for *provisional eligibility*.
 - *Provisional eligibility* requires that the applicant be under five years of age and exhibit significant functional limitations, with or without an eligible condition, in at least two of the following areas of daily living: expressive and receptive communication, learning, mobility, self-care, and self-direction.⁴
 - Children who are provisionally eligible for regional center services are not currently eligible to participate in the Self-Determination Program.

¹ California Welfare & Institutions Code Section 4643

² Title 17, California Code of Regulations §54010

³ W&IC §4512(a)(1) and (l); 17 CCR §§54000 through 54002

⁴ W&IC §4512(a)(2)

- *Developmental disability*⁵ means a substantial disability that is attributable to an eligible condition: intellectual disability, cerebral palsy, epilepsy, autism, or other conditions closely related to intellectual disability or requiring treatment similar to that required for intellectually disabled individuals. The developmental disability shall:
 - Originate before age eighteen.
 - Be likely to continue indefinitely.
 - Constitute a substantial disability for the individual.
 - The developmental disability shall not include disabling conditions that are:
 - Solely psychiatric disorders where there is impaired intellectual or social functioning which originated because of a psychiatric disorder or treatment given for such a disorder. Such psychiatric disorders include psycho-social deprivation and/or psychosis, severe neurosis, or personality disorders, even where social and intellectual functioning have become seriously impaired as an integral manifestation of the disorder.
 - Solely learning disabilities. A learning disability is a condition which manifests as a significant discrepancy between estimated cognitive⁶ potential and actual level of educational performance, and which is not a result of generalized intellectual disability, educational or psycho-social deprivation, psychiatric disorder, or sensory loss.
 - Solely physical disabilities. These conditions include congenital anomalies or conditions acquired through disease, accident, or faulty development which are not associated with a neurological impairment that results in a need for treatment similar to that required for intellectual disability.

⁵ 17 CCR §54000

⁶ 17 CCR §54002

- *Substantial disability*⁷ means a condition which results in major impairment of cognitive and/or social functioning. A substantial disability shall be determined through an assessment which must find significant functional limitations in at least three of the following areas of daily living: expressive and receptive communication, learning, mobility, self-care, self-direction, capacity for independent living, and capacity for economic self-sufficiency.
- *Significant functional limitations* mean an extremely low ability or an inability to perform essential tasks required to fulfill an area of daily living, compared to one's age, requiring extraordinary assistance from others to perform the activities necessary to meet that need. The extremely low ability or inability must be present across multiple environments, be presently occurring, be related to one or more eligible conditions, and must be severe enough to prevent independent, adequate, and consistent performance of the essential tasks.

III. **Policy:** To be eligible for regional center services, an applicant must be determined to have a developmental disability which is a substantially disabling condition. The applicant for services shall have a timely, comprehensive, multi-disciplinary evaluation of his or her needs and level of functioning to determine eligibility for regional center services.

Each applicant must be a resident of California and intend to reside in the San Andreas Regional Center catchment area, which includes Santa Clara, San Benito, Santa Cruz, and Monterey Counties (See Attachment A). An individual who has moved to this catchment area will be eligible for services if the individual was determined to be eligible by another regional center in the state.

Intake services should be provided in the primary language of the applicant/family. San Andreas Regional Center shall provide interpreters, if requested, from within the agency or other community agencies.

⁷ 17 CCR §54001

Regional center services are provided without regard to religion, race, ethnicity, gender identity, financial status, or sexual orientation. All information and records obtained during intake, assessment, and determining eligibility shall be confidential.

Children under the age of three who are exiting the Early Start Program⁸ shall receive a documentation review to determine eligibility to receive ongoing services from the regional center no less than 90 days before their third birthday. Children who are provisionally eligible to receive regional center services shall receive a documentation review to determine eligibility to receive ongoing regional center services no less than 90 days before their fifth birthday. These assessments shall include review of program reports; individual education (IEP), family services (IFSP), or program (IPP) plans; the results of recent standardized testing from providers, if available; and appropriate qualitative information from other sources, as necessary.

- IV. **Intake Process:** The intake process includes initial interviews, introduction to the regional center, information gathering, assessment, and determination of eligibility. During this process, the applicant will be provided with information and advice about the nature and availability of services provided by the regional center and by other agencies in the community. An initial intake screening assessment shall be performed within fifteen (15) working days following receipt of the information requested during the initial inquiry. The initial assessment shall include all records received and shall be conducted by one or more licensed psychologists to determine if the applicant may have an eligible condition that poses significant functional limitations in three or more areas of daily living. For applicants under five years of age, possible significant functional limitations in two areas of daily living, with or without an eligible condition, shall also be considered.

⁸ Government Code §95014 *et seq.*

If appropriate, an eligibility determination assessment shall be performed within 120 days following the decision of the initial intake screening assessment. Where any delay would expose the applicant to unnecessary risk to their health and safety, every attempt will be made to complete the process in sixty (60) days following the initial intake screening.

An eligibility determination assessment may include the following:

- Collection and review of available historical and diagnostic data.
- Provision or procurement of necessary tests and evaluations.
- Summarization of developmental levels and service needs.

The assessment for eligibility shall be made by an intake team consisting of a service coordinator and a licensed psychologist, with a physician available for inclusion as determined appropriate by the team; professionals from differing disciplines shall be included as needed. Each eligibility determination shall include an intake social assessment and observation as well as a Lanterman Act eligibility determination report. The applicant shall be present for the intake social assessment and observation. The assessment team shall consult with the applicant, their parents or legal representatives, educators, advocates, and other individuals to the extent they are willing and to the extent of appropriate consent by the applicant or their parent or legal representative.

Additional observations, diagnostic or adaptive measures, or interviews shall be conducted as deemed appropriate by the intake team.

If the applicant is determined to be eligible or provisionally eligible, the applicant shall be assigned a service coordinator, and an Individual Program Plan (IPP) shall be developed by the Interdisciplinary Team (IDT) within 60 days of completion of the eligibility determination assessment.

- V. **Notice of Action:** In the event the applicant is not determined eligible to receive regional center services, the intake team shall promptly inform the applicant and/or their parent/guardian or authorized representative of the determination and offer a meeting with the determining psychologist to explain the regional center's decision.

A written letter shall also be sent to the applicant and their parent/guardian or authorized representative; this letter shall include a completed Notice of Proposed Action form (DS1820), Appeal Request form (DS1821), and written materials explaining the applicant's right to appeal the determination. All documentation provided to the applicant and/or their parent/guardian or representative from the regional center shall be in the language of their choice.

DDS Approved: October 1, 2025

Board Adopted: October 20, 2025

Attachment A

CALIFORNIA GOVERNMENT CODE
SOVEREIGNTY & PEOPLE OF THE
STATE
Title 1

'244. Determination of place of residence

In determining the place of residence, the following rules shall be observed:

- (a) It is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which he or she returns in seasons of repose.
- (b) There can only be one residence.
- (c) A residence cannot be lost until another is gained.
- (d) The residence of the parent with whom an unmarried minor maintains his or her place of abode is the residence of such unmarried minor child.
- (e) The residence of an unmarried minor who has a parent living cannot be changed by his or her own act.
- (f) The residence can be changed only by the union of act and intent.
- (g) A married person shall have the right to retain his or her legal residence in the State of California notwithstanding the legal residence or domicile of his or her spouse.