



## AB 1099 - Promoting Regional Center Eligibility for Foster Youth

### SUMMARY

AB 1099 will reduce family removal and placement disruptions, minimize the use of congregate care, and ensure timely receipt of needed services for foster youth with intellectual or developmental disabilities by streamlining the intake and assessment processes used by regional centers to determine eligibility for such services.

### BACKGROUND

Over the past decade, California has reformed its child welfare system with the aim of supporting families, placing children with kin whenever possible if removal is necessary, and reducing reliance on congregate care. A hallmark of these reforms has been the importance of coordinating services for foster youth across the many systems that serve them.

One such sector is California's regional center system, which provides lifelong support to eligible individuals with intellectual and developmental disabilities (I/DD). Children with I/DD have significantly higher odds of experiencing abuse and neglect<sup>1</sup>. Regional center services can be essential in providing families the support and training they need to reduce child maltreatment and family separation and ensuring that potential placements can be sustained. However, foster youth routinely face significant delays in regional centers' two-step intake and assessment process.

The gateway to the regional center system consists of an initial 15-day intake period, where applicants can be screened out. Applications that survive initial intake undergo an assessment process that, by statute, should take no longer than 120 days. But for foster youth, the entire process often takes much longer. The lack of timely access to critical services can lead to unnecessary removals and make it more difficult for youth to be

placed in the community, increasing the likelihood of stays in congregate care and further disruption to their well-being.

### PROBLEM

Regional centers' overly stringent and burdensome intake requirements disproportionately impact foster youth who, due to instability, systemic miscommunication and other factors beyond their control, often do not come to intake with a formal medical diagnosis or other specific records in hand. Although such information is not required by statute, regional centers often will not initiate an assessment until these prerequisites are met.

It is also common for foster youth to experience frequent placement changes across city and county lines; yet youth who are placed in a different regional center's catchment area are often forced to start their entire application over again each time they are moved. As a result, it can take several months to a year or more for youth to receive an eligibility determination. This also leads to intake requests being closed without youth even receiving an assessment.

The resulting gaps disproportionately and negatively impact foster youth with I/DD, who are among the most vulnerable youth in our state.

### SOLUTION

AB 1099 will streamline the eligibility process for child welfare and juvenile justice-involved youth suspected of having I/DD. Key provisions of the bill include:

- For all regional center applicants: a decision not to provide an assessment cannot be based solely on a lack of documentation about the applicant.
- For applicants who are child welfare or juvenile justice system-involved:
  - o If they are not deemed eligible within the initial 15-day intake period, the regional center *must* assess for eligibility; and
  - o The assessment must be performed in 60 days instead of 120 days. This specifically

<sup>1</sup> McDonnell CG, Boan AD, Bradley CC, Seay KD, Charles JM, Carpenter LA. Child maltreatment in autism spectrum disorder and intellectual disability: results from a population-based sample. *J Child Psychol Psychiatry*. 2019 May;

applies an expedited 60-day timeframe in existing law to the target population to reduce placement instability and prevent moves to more restrictive settings, such as congregate care.

- DDS shall track and report specified data related to intake on an annual basis.

Ensuring that foster youth with I/DD can get the regional center supports they need in a timely manner will reduce child maltreatment and trauma, promote placements with family and kin, and increase positive social and community integration outcomes for foster youth.

## **SUPPORT**

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Children's Law Center (Co-sponsor)

Disability Rights California (Co-sponsor)

Public Counsel (Co-sponsor)

## **FOR MORE INFORMATION**

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Amy Ho | Legislative Assistant

Office of Assemblymember Isaac Bryan

(916) 319-2055

[Amy.Ho@asm.ca.gov](mailto:Amy.Ho@asm.ca.gov)