

Accessing Generic Resources to Maximize Your Self-Determination Budget

Where and How?

What is a “Generic Resource?”

- Resources/services not funded by the Regional Center.
- Available to people regardless of whether they qualify for Regional Center services.

Why Do I Have to Use Generic Resources?

- Both traditional and Self-Determination services are held to the Lanterman Act and the requirements therein.
 - *The Regional Center is the “payer of last resort” and all generic resources (i.e. MediCal, private insurance, school districts, etc.) must be exhausted prior to SCLARC considering funding.*

Statutory Authority

- **Welfare & Instructions Code:**

- **4659(a):** "...the regional center shall identify and pursue all possible sources of funding for consumers receiving regional center services. These sources shall include, but not be limited to, both of the following: 1) Governmental or other entities or programs required to provide or pay the cost of providing services, including MediCal, Medicare, the Civilian Health and Medical Program for Uniform Services, school districts, and federal supplemental security income and the state supplementary program. 2) Private entities, to the maximum extent they are liable for the cost of services, aid, insurance, or medical assistance to the consumer.
- **4659(c):** "...regional centers shall not purchase any service that would otherwise be available from MediCal, Medicare, the Civilian Health and Medical Program for Uniform Services, In-Home Support Services, California Children's Services, private insurance, or a health care service plan when a consumer or family meets the criteria of this coverage but chooses not to pursue that coverage."
- **4659(d):** "...the regional center shall not purchase medical or dental services for a consumer three years of age or older unless the regional center is provided with documentation of a MediCal, private insurance, or a health care service plan denial and the regional center determines that an appeal by the consumer or family of the denial does not have merit..."
- **4648(a)(8):** "Regional center funds shall not be used to supplant the budget of any agency that has a legal responsibility to serve all members of the general public and is receiving public funds for providing those services."

Why Do I WANT To Use Generic Resources?

- To stretch your budget and have more money for other services that *aren't* covered by generic resources
- To receive more services than you would otherwise.
- To receive services Regional Center is not allowed to fund.

Generic Resource Examples

- School districts (for individuals between the age of 3 and 22.)
 - In-Home Supportive Services (IHSS)
 - Department of Rehabilitation (DOR)
 - Medi-Cal/private insurance
 - California Children's Services (CCS)
- Department of Public Social Services (DPSS)
 - CalFresh
 - Social Security Income (SSI)
 - Behavioral/Mental Health Services
 - *And more...*

Services Available from Generic Resources

- *Speech Therapy – School District and MediCal/insurance*
- *Communication devices (i.e. iPad) - School District, MediCal/insurance, and/or the Department of Rehabilitation (DOR)*
 - *Occupational Therapy – School District and MediCal/insurance*
- *Personal Care/Supervision – In-Home Supportive Services (IHSS)*
 - *Applied Behavior Analysis (ABA) – MediCal/insurance for children under 21 (with some exceptions)*

Services Available from Generic Resources

(Continued)

- Mental Health Services – *MediCal/insurance*
- Job Coaching/Placement (including support with college, necessary equipment to work/be successful in post-secondary education, etc.) – *Department of Rehabilitation (DOR)*
- Social Skills Training (SST)/Adaptive Skills Training (AST) – *MediCal/insurance (depending on insurance and diagnosis)*
 - Can include sexuality training.
- Incontinence Supplies – *MediCal/insurance (depending on age)*
 - Nursing Services/Medical Equipment – *MediCal/insurance*

Services Available from Generic Resources

(Continued)

- Transportation – *available to medical appointments via MediCal/insurance; available to the community via ACCESS/public transportation*
 - Driver's Training – *Department of Rehabilitation (DOR) and Department of Motor Vehicles (DMV) resources available.*
- Adult Day Services – *particularly for medically fragile individuals, MediCal may cover day services.*
 - Assistance with Conservatorship
- Medical Equipment – *MediCal/insurance and/or CCS provide funding*

Available ONLY From Generic Resources

- Vision Therapy – *School District only; considered an experimental treatment prohibited under the Lanterman Act*
- Rental Assistance – *Community organizations; not federally reimbursable and prohibited under the Lanterman Act*
 - Food – *Community organizations; not federally reimbursable*
 - Financial Assistance – *Social Security Income; not federally reimbursable*
- Educational Services for children between the ages of 3 and 17 – *available only through the school district; prohibited by the Lanterman Act.*

Private Pay Only

- *Experimental treatments (i.e. holistic supplements)*
- *Vehicles (necessary modifications may be available)*

Frequently Asked Questions: Generic and Regional Center Services

- **Acupuncture**

- Available in Self-Determination (*not traditional services*) for individuals over the age of 21 who have been denied by insurance/MediCal.

- **Chiropractic Services**

- Available in Self-Determination (*not traditional services*) for individuals over the age of 21 who have been denied by insurance/MediCal.

- **Dental Services**

- Available through Regional Center for individuals over the age of 21 *only* for medically necessary services related to the individual's disability when denied by insurance/MediCal.

- *Limited to \$1800 annually or the amount deemed medically necessary.*

- **Lenses and Frames**

- Available through Self-Determination (*not traditional services*) for individuals over the age of 21 *only* when denied by insurance/MediCal.
 - *Must be prescribed by a physician who meets certain qualifications.*

Frequently Asked Questions: Generic and Regional Center Services (Continued)

- **Live-In Caregiver**

- Legal guardian cannot provide the service.
- Available only for participants who receive personal care support **and** live in homes that *they* rent, lease, or own.
- Payment is not made when the participant lives in the *caregiver's* home, or in a residence that is owned or leased by a provider of Medicaid services.

- **Massage Therapy**

- Available in Self-Determination only; funds will not be added for this service.

- **Non-Medical Transportation**

- Transportation for children under age 18 is a typical parental responsibility.
 - Private transportation is only funded if an individual cannot access generic transportation resources (i.e. public transportation/ACCESS)
 - Natural supports must be utilized whenever possible.

Frequently Asked Questions: Generic and Regional Center Services (Continued)

- **Nutritional Consultation**
 - Must be requested from insurance first.
- **Occupational Therapy**
 - Available via Self-Determination for individuals over the age of 21 who have been denied by insurance/MediCal.
 - *Limited to a combination of two services per month from the following services: audiology, acupuncture, chiropractic, psychology, podiatry, and speech therapy, or the amount determined medically necessary.*
- **Optometric/Optician Services**
 - Available via Self-Determination for individuals over the age of 21 who have been denied by insurance/MediCal.
 - *Limited to one eye exam every 24 months unless medically necessary.*
 - Must be completed by a provider who meets certain qualifications.

Frequently Asked Questions: Generic and Regional Center Services (Continued)

- **Physical Therapy**

- Available via Self-Determination for individuals over the age of 21 who have been denied by insurance/MediCal.
 - *Limited to six month treatments to be renewed only if medically necessary*

- **Psychology Services**

- Available via Self-Determination for individuals over the age of 21 who have been denied by insurance/MediCal.
 - *Limited to only medically necessary services.*

- **Skilled Nursing**

- Available via Self-Determination for individuals over the age of 21 who have been denied by insurance/MediCal.

Frequently Asked Questions: Generic and Regional Center Services (Continued)

- **Specialized Medical Equipment and Supplies**
- Limited in Self-Determination to medical equipment and supplies *not available* via MediCal/insurance.
- **Speech, Hearing, and Language Services**
- Available via Self-Determination for individuals over the age of 21 who have been denied by insurance/MediCal.
 - *Limited to two services in any calendar month*
 - *Hearing aid benefits are subject to a \$1,510 maximum cap per beneficiary per fiscal year or the amount deemed medically necessary.*

How Can I Access Generic Resources?

- If you are having difficulty accessing a generic resource, please let your Service Coordinator know!
 - SCLARC may refer you to the **Navigator Program** to assist with accessing generic resources
 - SCLARC Service Coordinators may also refer you to SCLARC's **Insurance Specialist** for assistance
 - If you would like SCLARC to be able to communicate with your insurance company, you will need to sign a Release of Information (ROI); this can be as broad or as limited as you are comfortable with.
- **Independent Facilitators** are also a great resource to assist with accessing generic resources

Institutional Deeming MediCal

- If an individual under the age of 18 does not qualify for MediCal due to their family's income, they *may* qualify for "institutional deeming MediCal" based on their Regional Center eligible diagnosis, deficits, and POS services.
 - This may assist individuals with accessing services (i.e. IHSS) that they might not otherwise be eligible for.
 - *Can also pay co-payments at times; co-payment assistance, funded by the Regional Center, may also be available (based on family income)*
 - This is not available to individuals who qualify for MediCal based on family income.
 - If you are interested, please contact your Service Coordinator.

Challenges with Generic Resources

- Waiting lists
- Distance/travel time
 - Timing/Scheduling
- Services do not meet needs

Exceptions to Generic Resources

- If a generic resource does not meet your needs/is not available to you, please explain why to your Service Coordinator so that they may advocate for an exception on your behalf
 - This *does not* include if the service is available but you choose not to use it (Welfare & Institutions code 4659(C))

Gap Funding

- In certain circumstances, while the individual is seeking services through the generic resource, Regional Center may fund *temporarily*.
 - The individual will need to show that they continue to seek out the generic resource (i.e. show proof of waiting list status, etc.)
 - Contact your Service Coordinator for more information.
 - Services that **may** be gap funded include Applied Behavior Analysis (ABA) and Social Skills Training (SST).

Denials from Generic Resources

- If a service is denied by a generic resource, please provide a copy of the **denial letter** to your Service Coordinator for consideration of Regional Center funding.
 - If you have difficulty obtaining a denial letter, your Service Coordinator may be able to assist.
- The generic resource denying the service does not **necessarily** mean that Regional Center will fund the service.
 - The service still must be necessary (including clinically)
 - The need must be related to the individual's qualifying developmental disability.
 - If an individual has made *too much* progress, they may no longer need the service.
 - If an individual has not made *enough* progress, they may not benefit from it.

Sometimes It Is All About What You Call It

- Does swimming **have** to be called Physical Therapy?
- If someone needs 24 hour care, they don't need **respite**; that's a temporary break from caregiving, not something to handle behaviors. *There are other generic and SCLARC-funded services that can support that person.*
- If someone is learning to advocate for themselves in public, that isn't **speech therapy**; it's "Community Integration Supports" with a provider of your choice.
- Minors can't receive **Independent Living Services, Supported Living Services, or Employment Services**; are you looking for *Adaptive Skills Training* instead? Or *Personal Assistance*?



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SCLARC's Case Management Help Line: 1-833-725-2721

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