

AMENDED IN SENATE JUNE 17, 2013

AMENDED IN ASSEMBLY MAY 7, 2013

AMENDED IN ASSEMBLY APRIL 24, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1231

Introduced by Assembly Member V. Manuel Pérez

February 22, 2013

An act to add and repeal Section 4686.21 of the Welfare and Institutions Code, relating to regional center services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1231, as amended, V. Manuel Pérez. Regional centers: ~~telehealth and teledentistry.~~ *telehealth.*

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities, including autism.

This bill would, until January 1, 2019, require the department to inform all regional centers that any appropriate health service, *including behavioral health treatment, and dentistry* may be provided through the use of telehealth, as defined, ~~and that dentistry may be provided through the use of teledentistry, as defined~~ *to consumers with autism spectrum disorders (ASD)*. The bill would require the department to provide technical assistance to regional centers on the use of telehealth ~~and teledentistry~~ and to request those centers to include a consideration of telehealth ~~and teledentistry~~ in individual program plans and

individualized family services plans, as specified, *for consumers with ASD* and to consider the use of telehealth and teledentistry services for inclusion in training programs for parents *of consumers with ASD*.

The bill would provide that *if, at any time, a consumer with ASD, or his or her parent, legal guardian, or conservator, as appropriate, requests to discontinue the provision of a service through the use of telehealth and teledentistry shall be voluntary and may be discontinued at the request of the consumer, as specified, the regional center shall convene a review to determine alternative, appropriate means for providing the service.* The bill would require the department, on or before December 1, 2017, to forward to the fiscal and appropriate policy committees of the Legislature information provided by the regional centers to assess the effectiveness and appropriateness of providing telehealth and teledentistry services to regional center consumers *with ASD*, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) Autism spectrum disorders (ASD) now affect one in every
- 4 88 children of all ethnic, racial, and socioeconomic backgrounds.
- 5 (2) ASD is now the fastest growing developmental disability in
- 6 California and the nation and is more common than childhood
- 7 cancer, juvenile diabetes, and pediatric AIDS combined.
- 8 (3) Approximately two-thirds of all new consumers who are
- 9 entering the regional center system are now diagnosed with ASD.
- 10 (4) Behavioral health treatment (BHT), also known as early
- 11 intervention therapy or applied behavior analysis, is established
- 12 to improve brain function, cognitive abilities, and activities of
- 13 daily living for a significant number of individuals with ASD, but
- 14 may not be accessible or available in underserved communities.
- 15 (5) A significant number of individuals with ASD suffer from
- 16 inadequate dental care.
- 17 (b) It is the intent of the Legislature to do all of the following:
- 18 (1) Improve access to treatments and intervention services,
- 19 *including behavioral and dental health care services, for*

1 individuals with ASD ~~or other developmental disabilities~~ and their
2 families in underserved populations.

3 (2) Provide more cost-effective treatments and intervention
4 services for individuals with ASD ~~or other developmental~~
5 ~~disabilities~~ and their families.

6 (3) Maximize the effectiveness of the interpersonal and
7 face-to-face interactions that are utilized for the treatment of
8 individuals with ASD ~~or other developmental disabilities~~.

9 (4) Continue maintenance and support of the existing service
10 workforce for individuals with ASD ~~or other developmental~~
11 ~~disabilities~~.

12 (5) Utilize telehealth ~~and teledentistry~~ to improve services for
13 individuals with ASD ~~and other developmental disabilities~~.

14 SEC. 2. Section 4686.21 is added to the Welfare and
15 Institutions Code, to read:

16 4686.21. (a) The department shall do all of the following:

17 (1) Inform all regional centers that any appropriate health
18 service, including, but not limited to, behavioral health treatment
19 may be provided through the use of telehealth *to consumers with*
20 *autism spectrum disorders (ASD)*.

21 (2) Inform all regional centers that dentistry may be provided
22 through the use of ~~teledentistry~~ *telehealth to consumers with ASD*.

23 (3) Request regional centers to include a consideration of
24 telehealth ~~and teledentistry~~ in each individual program plan (IPP)
25 and individualized family service plan (IFSP) *for consumers with*
26 *ASD* that includes a discussion of behavioral health treatment or
27 dental health care, *or both*.

28 (4) Request regional centers to consider the use of telehealth
29 ~~and teledentistry~~ services for inclusion in training programs for
30 parents *of consumers with ASD*, including, but not limited to, group
31 training programs as described in clause (i) of subparagraph (B)
32 of paragraph (3) of subdivision (c) of Section 4685.

33 (5) Provide, using existing resources, and in partnership with
34 other organizations, resources, and stakeholders, technical
35 assistance to regional centers regarding the use of telehealth ~~and~~
36 ~~teledentistry~~ *to meet the behavioral health and dental care needs*
37 *of individuals with ASD*.

38 (b) The department may implement appropriate vendorization
39 subcodes for *services provided through telehealth and teledentistry*
40 ~~services and programs~~.

1 (c) ~~The provision of a service through the use of telehealth and~~
 2 ~~teledentistry shall be voluntary and may be discontinued at the~~
 3 ~~request of the consumer or, as appropriate, the consumer’s parent,~~
 4 ~~legal guardian, or conservator. If, at any time, a consumer with~~
 5 ~~ASD or, as appropriate, the consumer’s parent, legal guardian, or~~
 6 ~~conservator requests to discontinue the provision of a service~~
 7 ~~through the use of telehealth or teledentistry, the regional center~~
 8 ~~shall convene a review to determine alternative, appropriate means~~
 9 ~~for providing the service.~~

10 (d) On or before December 1, 2017, the department shall forward
 11 to the fiscal and appropriate policy committees of the Legislature
 12 any information provided by the regional centers to the department
 13 to assess the effectiveness and appropriateness of providing
 14 telehealth and teledentistry services to regional center consumers
 15 with ASD through the IPP and IFSP processes.

16 (e) A provider of telehealth or teledentistry services shall be
 17 responsible for all expenses and costs related to the equipment,
 18 transmission, storage, infrastructure, and other expenses related
 19 to telehealth and teledentistry.

20 (f) For purposes of this section, the following definitions shall
 21 apply:

22 (1) “Behavioral health treatment” has the same meaning as set
 23 forth in paragraph (1) of subdivision (c) of Section 1374.73 of the
 24 Health and Safety Code.

25 (2) “Department” means the State Department of Developmental
 26 Services.

27 ~~(3) “Teledentistry” means telehealth used to deliver dental health~~
 28 ~~care services and public dental health.~~

29 ~~(4)~~

30 (3) “Telehealth” has the same meaning as set forth in paragraph
 31 ~~(6) of subdivision (a) of Section 2290.5 of the Business and~~
 32 Professions Code.

33 (g) This section shall remain in effect only until January 1, 2019,
 34 and as of that date is repealed, unless a later enacted statute, that
 35 is enacted before January 1, 2019, deletes or extends that date.