

AMENDED IN SENATE JUNE 27, 2013

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.

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, to consumers ~~with autism spectrum disorders (ASD)~~: *of regional center services*. The bill would require the department to provide technical assistance to regional centers on the use of telehealth and to request those centers to include a consideration of telehealth in individual program plans and

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

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, the regional center shall convene a review to determine alternative, appropriate means for providing the service: *require that the provision of a service through the use of telehealth be voluntary and immediately discontinued at the request of the consumer or his or her parent, legal guardian, or conservator, as appropriate*. 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 services to regional center consumers with ASD; *consumers*, 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~~
- 18 SECTION 1. *It is the intent of the Legislature to do all of the*
- 19 *following:*

1 (1)
2 (a) Improve access to treatments and intervention services,
3 including ~~behavioral and dental health care services, for individuals~~
4 ~~with ASD consumers of regional center services~~ and their families
5 in underserved populations.

6 (2)
7 (b) Provide more cost-effective treatments and intervention
8 services for ~~individuals with ASD consumers of regional center~~
9 ~~services~~ and their families.

10 (3)
11 (c) Maximize the effectiveness of the interpersonal and
12 face-to-face interactions that are utilized for the treatment of
13 ~~individuals with ASD consumers of regional center services.~~

14 (4)
15 (d) Continue maintenance and support of the existing service
16 workforce for ~~individuals with ASD consumers of regional center~~
17 ~~services.~~

18 (5)
19 (e) Utilize telehealth to improve services for ~~individuals with~~
20 ~~ASD consumers of regional center services.~~

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

23 4686.21. (a) The department shall do all of the following:

24 (1) Inform all regional centers that any appropriate health
25 service, ~~including, but not limited to, behavioral health treatment~~
26 ~~service~~ may be provided through the use of telehealth to consumers
27 ~~with autism spectrum disorders (ASD) of regional center services.~~

28 (2) Inform all regional centers that dentistry may be provided
29 through the use of telehealth to ~~consumers with ASD consumers.~~

30 (3) Request regional centers to include a consideration of
31 telehealth in each individual program plan (IPP) and individualized
32 family service plan (IFSP) for ~~consumers with ASD that includes~~
33 ~~a discussion of behavioral health treatment or dental health care,~~
34 ~~or both consumers.~~

35 (4) Request regional centers to consider the use of telehealth
36 services for inclusion in training programs for parents of ~~consumers~~
37 ~~with ASD consumers,~~ including, but not limited to, group training
38 programs as described in clause (i) of subparagraph (B) of
39 paragraph (3) of subdivision (c) of Section 4685.

1 (5) Provide, using existing resources, and in partnership with
2 other organizations, resources, and stakeholders, technical
3 assistance to regional centers regarding the use of telehealth to
4 meet the behavioral health and dental care needs of individuals
5 with ASD: consumers.

6 (b) The department may implement appropriate vendorization
7 subcodes for services provided through telehealth.

8 (e) ~~If, at any time, a consumer with ASD or, as appropriate, the~~
9 ~~consumer's parent, legal guardian, or conservator requests to~~
10 ~~discontinue the provision of a service through the use of telehealth,~~
11 ~~the regional center shall convene a review to determine alternative,~~
12 ~~appropriate means for providing the service.~~

13 (c) *The provision of a service through the use of telehealth shall*
14 *be voluntary and shall be immediately discontinued at the request*
15 *of the consumer or, as appropriate, the consumer's parent, legal*
16 *guardian, or conservator. Any consumer who receives services*
17 *through the use of telehealth pursuant to this section shall have*
18 *an automatic right to immediately return to his or her preexisting*
19 *services, as defined by the consumer's IPP, that were in place*
20 *prior to the implementation of the telehealth service.*

21 (d) On or before December 1, 2017, the department shall forward
22 to the fiscal and appropriate policy committees of the Legislature
23 any information provided by the regional centers to the department
24 to assess the effectiveness and appropriateness of providing
25 telehealth services to regional center consumers with ASD through
26 the IPP and IFSP processes.

27 (e) A provider of telehealth services shall be responsible for all
28 expenses and costs related to the equipment, transmission, storage,
29 infrastructure, and other expenses related to telehealth.

30 (f) For purposes of this section, the following definitions shall
31 apply:

32 (1) ~~“Behavioral health treatment” has the same meaning as set~~
33 ~~forth in paragraph (1) of subdivision (c) of Section 1374.73 of the~~
34 ~~Health and Safety Code.~~

35 (2)

36 (1) “Department” means the State Department of Developmental
37 Services.

38 (3)

39 (2) “Telehealth” has the same meaning as set forth in Section
40 2290.5 of the Business and Professions Code.

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

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