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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 4.5. SERVICES FOR THE DEVELOPMENTALLY DISABLED [4500 - 4885]** ( *Division 4.5 added by Stats. 1977, Ch. 1252.*  )

**CHAPTER 4. Quality Assessments [4571 - 4572]** ( *Heading of Chapter 4 amended by Stats. 2009, 4th Ex. Sess., Ch. 9, Sec. 8.*  )

**4571.** (a) It is the intent of the Legislature to ensure the well-being of consumers, taking into account their informed and expressed choices. It is further the intent of the Legislature to support the satisfaction and success of consumers through the delivery of quality services and supports. Evaluation of the services that consumers receive is a key aspect to the service system. Utilizing the information that consumers and their families provide about those services in a reliable and meaningful way is also critical to enable the department to assess the performance of the state's developmental services system and to improve services for consumers in the future. To that end, the State Department of Developmental Services, on or before January 1, 2010, shall implement an improved, unified quality assessment system, in accordance with this section.

(b) The department, in consultation with stakeholders, shall identify a valid and reliable quality assurance instrument that assesses consumer and family satisfaction, provision of services in a linguistically and culturally competent manner, and personal outcomes. The instrument shall do all of the following:

- (1) Provide nationally validated, benchmarked, consistent, reliable, and measurable data for the department's Quality Management System.
- (2) Enable the department and regional centers to compare the performance of California's developmental services system against other states' developmental services systems and to assess quality and performance among all of the regional centers.
- (3) Include outcome-based measures such as health, safety, well-being, relationships, interactions with people who do not have a disability, employment, quality of life, integration, choice, service, and consumer satisfaction.
- (4) Include outcome-based measures to evaluate the linguistic and cultural competency of regional center services that are provided to consumers across their lifetimes.

(c) To the extent that funding is available, the instrument identified in subdivision (b) may be expanded to collect additional data requested by the State Council on Developmental Disabilities.

(d) (1) The department shall contract with an independent agency or organization to implement, by January 1, 2010, the quality assurance instrument described in subdivision (b). The contractor shall be experienced in all of the following:

- (A) Designing valid quality assurance instruments for developmental service systems.
- (B) Tracking outcome-based measures such as health, safety, well-being, relationships, interactions with people who do not have a disability, employment, quality of life, integration, choice, service, and consumer satisfaction.
- (C) Developing data systems.
- (D) Data analysis and report preparation.
- (E) Assessments of the services received by consumers who are moved from developmental centers to the community, given the Legislature's historic recognition of a special obligation to ensure the well-being of these persons.
- (F) Issues related to linguistic and cultural competency.

(2) Notwithstanding any other law, the contract and any amendments pursuant to this section shall be exempt from all of the following:

(A) The personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(B) The Public Contract Code, the State Contracting Manual, and the State Administration Manual.

(C) The approval of the Department of General Services.

(D) The approval of the Department of Technology.

(3) The exemptions specified in paragraph (2) shall remain in effect until there is more than one available assessment that meets the criteria in subdivision (b) from an organization that also meets the criteria in this subdivision.

(e) The department, in consultation with the contractor described in subdivision (d), shall establish the methodology by which the quality assurance instrument shall be administered, including, but not limited to, how often and to whom the quality assurance will be administered, and the design of a stratified, random sample among the entire population of consumers served by regional centers. The contractor shall provide aggregate information for all regional centers and the state as a whole. At the request of a consumer or the family member of a consumer, the survey shall be conducted in the primary language of the consumer or family member surveyed.

(f) The department shall contract with the state council to collect data for the quality assurance instrument described in subdivision (b). If, during the data collection process, the state council identifies any suspected violation of the legal, civil, or service rights of a consumer, or if it determines that the health and welfare of a consumer is at risk, that information shall be provided immediately to the regional center providing case management services to the consumer. At the request of the consumer or family, when appropriate, a copy of the completed survey shall be provided to the regional center providing case management services to improve the consumer's quality of services through the individual planning process.

(g) The department, in consultation with stakeholders, shall annually review the data collected from and the findings of the quality assurance instrument described in subdivision (b) and accept recommendations regarding additional or different criteria for the quality assurance instrument in order to assess the performance of the state's developmental services system and improve services for consumers.

(h) (1) Each regional center shall annually present data collected from, and the findings of, the quality assurance instrument described in subdivision (b) for that regional center, at a public meeting of its governing board in order to assess the comparative performance of the regional center and identify needed improvements in services for consumers, including, but not limited to, case management services. Notice of this meeting shall also be posted on the regional center's internet website at least 30 days prior to the meeting and shall be sent to regional center consumers and families and individual stakeholders at least 30 days prior to the meeting. The governing board shall provide a sufficient public comment period so members of the public may provide comments. Each regional center, in holding the meeting required by this subdivision, shall ensure that the meeting and meeting materials provide language access, as required by state and federal law.

(2) All regional center-specific reports generated by the department pursuant to this subdivision shall be made publicly available on the regional center's internet website in a machine-readable format, but shall not contain any personal identifying information about any person assessed.

(3) Within 60 days following its annual presentation, each regional center shall submit a report to the department regarding its implementation of the requirements of this section. The report shall include, but shall not be limited to, both of the following:

(A) Copies of the presentation described in paragraph (1), minutes from the meeting, and attendee comments.

(B) The regional center's recommendations and plans to use the information to address regional center priorities, strategic directions to improve specific areas of performance, or both.

(i) All reports generated pursuant to this section shall be made publicly available, but shall not contain any personal identifying information about any person assessed.

(j) All data collected pursuant to subdivision (c) shall be provided to the state council, but shall not contain personal identifying information about the persons being surveyed.

(k) Implementation of this section shall be subject to an annual appropriation of funds in the Budget Act for this purpose.

*(Amended by Stats. 2022, Ch. 49, Sec. 17. (SB 188) Effective June 30, 2022.)*

**4572.** The State Department of Developmental Services shall develop and implement a plan to monitor, evaluate, and improve the quality of community-based services through the use of a performance dashboard. The department shall work with stakeholders,

including, but not limited to, regional centers, consumer advocates, providers, and the Legislature, on the development of the dashboard. The dashboard shall be published annually and in a machine-readable format. Each regional center shall publish its own dashboard and shall post a link to the department's dashboard on its internet website. The dashboard shall include, but not be limited to, all of the following metrics:

(a) Recognized quality and access measures.

(b) Measures to indicate the movement toward compliance with the federal Home and Community-Based Services Waiver rules (CMS 2249-F and CMS 2296-F).

(c) Measures to evaluate the changes in the number of consumers who work in competitive integrated employment.

(d) The number of complaints referred to the department pursuant to subdivision (c) of Section 4731, for every 1,000 consumers served, by each regional center.

(e) The number of administrative fair hearings held pursuant to Article 3 (commencing with Section 4710) of Chapter 7, separated by eligibility and service issues, for individuals ages three and over, for every one thousand consumers served, by each regional center.

*(Amended by Stats. 2019, Ch. 28, Sec. 11. (SB 81) Effective June 27, 2019.)*