



NANCY BARGMANN  
DIRECTOR

State of California—Health and Human Services Agency  
**Department of Developmental Services**  
1215 O Street, Sacramento, CA 95814  
[www.dds.ca.gov](http://www.dds.ca.gov)



GAVIN NEWSOM  
GOVERNOR

December 26, 2023

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: SELF-DETERMINATION PROGRAM: BILLING REQUIREMENTS FOR SERVICES

The purpose of this correspondence is to provide guidance to regional centers and their Financial Management Services (FMS) providers regarding the billing requirements for services provided to participants in the Self-Determination Program (SDP), and to distinguish a local business or community resource from an SDP Provider for such purposes. This guidance is issued pursuant to Welfare and Institutions Code section 4685.8(p)(2) which authorizes the Department of Developmental Services (Department) to issue program directives or similar instructions until regulations are adopted.

#### **SDP Services Provided by a Local Business or Community Resource**

For purposes of this correspondence, a local business or community resource is defined as an entity, not vendored by a regional center, providing a service to a participant in the SDP that is also provided to individuals without developmental disabilities.

SDP participants identify the services and supports that best meet their individual needs and their Individual Program Plan (IPP) objectives. This may include purchasing services from or negotiating unique service arrangements with local businesses or community resources. Examples of a local business or community resource could be inclusive services such as swim classes at a local recreation center or dance classes at a local studio.

When a participant chooses to use services from a local business or community resource, the FMS provider will work with the participant on the required documentation. Examples of appropriate documentation include a membership contract at a gym or the agreement and payment terms between a participant and a driver's education company providing driving lessons.

Payments for these services shall be aligned with the typical processes used by local businesses or community resources. For example, if a subscription or access fee is payable at the beginning of the month, the FMS should adjust their payment schedule to purchase these services at the beginning of the month to support service access.

### **SDP Services Provided by SDP Providers**

For purposes of this correspondence, an SDP Provider is defined as either a business entity, including a regional center vendor, or an independent contractor who receives payment by invoicing for services which are provided to a participant in the SDP. SDP Providers do not include entities identified as a local business or community resource, as defined above.

Participants in the SDP and their SDP Provider will agree to the type, cost and frequency of services to be provided. Invoices submitted by an SDP Provider and approved by the participant and their FMS, will reflect this agreement and shall include, at a minimum, the following supporting information (see Enclosure A for sample template):

- Hourly or daily rate charged by the SDP Provider
- SDP [Service Code](#)
- Date each service/task was provided
- Description of specific service/task provided
- Amount of time spent on each service/task
- Total cost of the service/task provided
- A statement that all services specified in the invoice have been provided to the participant

SDP services may be identified within an individual's spending plan as a projected weekly or monthly cost. When an SDP Provider submits an invoice to the FMS, the services must be billed at an hourly or daily rate, consistent with the agreement between the participant and the SDP Provider. For example, independent contractors who provide job coaching and Independent Facilitators are SDP Providers.

When the participant and regional center provider agree to use a vendored service in accordance with the traditional service program design, that SDP Provider may invoice at an hourly, daily or other rate. However, for those vendored providers that are invoicing at a rate or unit different from their traditional services rate, the vendor shall bill in accordance with the more detailed requirements for SDP Providers that are not vendored by a regional center.

Payments for SDP services shall be made directly to the SDP Provider by the FMS and shall not include reimbursement for goods purchased by an SDP Provider on behalf of the participant or payment for services not provided directly by the SDP Provider.

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All SDP Providers shall provide services and supports in alignment with state and federal requirements, which include:

- The services, to the best of the provider's knowledge, were consistent with the participant's IPP, spending plan and the service agreement.
- Payment of SDP claims is from federal and/or state funds and falsification or concealment of a material fact may be prosecuted under federal or state laws.
- The provider agrees to keep, for a minimum of three years from the date of the service, a copy of all records necessary to disclose the full extent of services provided and to provide these records upon request to the Department and other state and federal departments and agencies or their designee identified by the Department.
- Services are offered and provided without discrimination based on race, religion, color, national or ethnic origin, sex, age, physical or mental disability or any other class of individuals protected by state or federal law.

If participants and/or their families have questions regarding this correspondence, they should contact their regional center. Questions from regional centers should be directed to [sdp@dds.ca.gov](mailto:sdp@dds.ca.gov).

Sincerely,

*Original Signed by:*

VICKI L. SMITH, Ph.D.  
Deputy Director  
Policy and Program Development Division

Enclosures

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Association of Regional Center Agencies  
State Council on Developmental Disabilities  
Nancy Bargmann, Department of Developmental Services  
Brian Winfield, Department of Developmental Services  
Carla Castañeda, Department of Developmental Services  
Ernie Cruz, Department of Developmental Services  
Jim Knight, Department of Developmental Services  
Suzy Requarth, Department of Developmental Services  
Kathleen Dempsey, Department of Developmental Services