



**Why California Can and Must preserve its Entitlement to services for people with developmental disabilities and their families.**

Decades ago, the State of California made an important commitment to its children and adults with developmental disabilities. This commitment is commonly referred to as California's "Entitlement" to services for people with developmental disabilities. It resides in California's Welfare and Institutions Code and is part of what is referred to as the "**Lanterman Act.**"

The entitlement is absolutely sacred to the 200,000 people in this State with developmental disabilities and their families. These families fought to assure California's laws would always protect and respect their children. These families work continually to assure that their children, from infancy through adulthood, have a respected place in their community. Most of all, these families are determined to assure that their loved ones are never abandoned by the State.

Unlike other social issues, this cause has never been controversial. The value of accepting people with developmental disabilities in our communities is understood in the minds and hearts of almost everyone. For the past 40 years, people with developmental disabilities in California have had strong bi-partisan support. Today, that bi-partisan support is more important than ever. It is essential because California's communities must find new ways to meet the needs of thousands of individuals with severe and multiple disabilities who are moving out of, or diverted from entering State-run Developmental Centers. It is essential because California's communities must respond to the shocking epidemic of Autism now reaching pandemic proportions in California and the nation.

**But even when the human need is unquestionably clear, as it is here, how can any responsible citizen ask an elected official to preserve an "entitlement" in difficult financial times when the very word "entitlement" has become synonymous with uncontrolled spending and budget deficits?**

**We firmly believe that a closer look at what this entitlement actually does and does not do will demonstrate convincingly that legislators can support the entitlement while restoring California to fiscal stability.**

First, it is important for State decision-makers to know that the entitlement does not guarantee that people with developmental disabilities receive whatever they want. In the Lanterman Act, the State accepts responsibility to assure that these individuals receive what they really need. The process for determining the need has a built-in mandate for cost effectiveness. The cost per person for these services in California is lower than almost all other states. The cost per person of community-based services in California is a fraction of the cost of the State providing the services directly. This expected savings was part of the reason the entitlement legislation was passed in the first place. It was understood that private community based services can be provided at significantly lower cost than

services provided directly by the State. In fact, through the dedicated efforts of thousands of mission-driven local, community-based organizations all across California, the State's promise to people with developmental disabilities has been carried out in one of the largest and most cost-effective privatization efforts in the history of human services in the United States.

What the entitlement does do, what makes it so precious to people with developmental disabilities, is assure that their needs will be met, and that they, as individuals, will have a say about what happens in their lives. Throughout history, and even in some parts of the world today, these people have no legal voice. In some places they have no human rights and no voice at all. California's entitlement legislation for these individuals stands as a shining example of human rights for the other States and for the rest of the world.

- It mandates a process called the individual program plan, the "IPP". The IPP process assures that each person's needs will be considered individually, that the person will be included in the decision-making, and that the people closest to them will participate in the planning process.
- It assures that services will not be prescribed for everyone as a group, as if every person's needs were the same.
- It assures that people will not be placed on waiting lists that in some states can stretch to twenty years or more.
- It assures that individuals will have a method of "due process," a way to appeal decisions that are made about them by others, without their consent or with which they disagree.
- It establishes mechanisms to assure that community services in California are not "one size fits all" and that the system can be responsive to local community needs.
- It reassures people with developmental disabilities that the State accepts a responsibility to meet their needs and that the State will not abandon them.

These essential elements have been, and can continue to be, preserved through good financial times and bad. Those who say we can no longer afford the entitlement are forgetting what its core elements really are. To repeal the entitlement for people with developmental disabilities because we can't "afford" it is as unthinkable as repealing the right of all children to a free public education just because funding for schools is tight.

Given the severity and complexity of the cognitive and physical challenges individuals with developmental disabilities face, California has both a civic and a moral responsibility to uphold the commitment it made to them, and to their families. The alternatives are unacceptable and inhumane. The alternatives are for the State to either re-institutionalize these people or to abandon them to live on the streets like so many of the mentally ill in California.

The State of California has an extremely cost effective community service system in place. It must be preserved. The best way to do this is for California to actively pursue its fair share of federal funds for people with developmental disabilities living in local communities.

We urge all State decision-makers to remember that there are ways to manage the budget while preserving the most essential elements of the entitlement. It is not easy to administer, but it is a noble effort and it must be carried on. We urge all State decision-makers to work closely with community advocacy groups who are committed to fiscal responsibility for the developmental disabilities system and to the preservation of the entitlement. The details are complex, but both priorities can and must be accomplished.