



NORTH LOS ANGELES COUNTY REGIONAL CENTER

Regional Center Eligibility – Lanterman Act

(Title 17)

§ 54000. Developmental Disability.

- (a) "Developmental Disability" means a disability that is attributable to mental retardation, cerebral palsy, epilepsy, autism, or disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation.
- (b) The Developmental Disability shall:
 - (1) Originate before age eighteen;
 - (2) Be likely to continue indefinitely;
 - (3) Constitute a substantial handicap for the individual as defined in the article.
- (c) Developmental Disability shall not include handicapping conditions that are:
 - (1) Solely psychiatric disorders where there is impaired intellectual or social functioning which originated as a result of the psychiatric disorder or treatment given for such a disorder. Such psychiatric disorders include psycho-social deprivation and/or psychosis, severe neurosis or personality disorders even where social and intellectual functioning have become seriously impaired as an integral manifestation of the disorder.
 - (2) Solely learning disabilities. A learning disability is a condition which manifests as a significant discrepancy between estimated cognitive potential and actual level of educational performance and which is not a result of generalized mental retardation, educational or psycho-social deprivation, psychiatric disorder, or sensory loss.
 - (3) Solely physical in nature. These conditions include congenital anomalies or conditions acquired through disease, accident, or faulty development which are not associated with a neurological impairment that results in a need for treatment similar to that required for mental retardation.

Note: Authority cited: Section 4512, Welfare and Institutions Code. Reference: Sections 4500 et seq., Welfare and Institutions Code.

HISTORY

1. New section filed 6-24-80; effective thirtieth day thereafter (Register 80, No. 26).
2. Editorial redesignation of former Chapter 5 (Subchapter 1, Sections 54000-54010) to Chapter 3, (Subchapter 1, Sections 54000-54010) filed 9-28-83 (Register 83, No. 40).

§ 54001. Substantial Disability.

- (a) "Substantial disability" means:
 - (1) A condition which results in major impairment of cognitive and/or social functioning, representing sufficient impairment to require interdisciplinary planning and coordination of special or generic services to assist the individual in achieving maximum potential; and
 - (2) The existence of significant functional limitations, as determined by the regional center, in three or more of the following areas of major life activity, as appropriate to the person's age:
 - (A) Receptive & expressive language;
 - (B) Learning;
 - (C) Self-care;
 - (D) Mobility;
 - (E) Self-direction;
 - (F) Capacity for independent living;
 - (G) Economic self-sufficiency.
- (b) The assessment of substantial disability shall be made by a group of Regional Center professionals of differing disciplines and shall include consideration of similar qualification appraisals performed by other interdisciplinary bodies of the Department serving the potential client. The group shall include as a minimum a program coordinator, a physician, and a psychologist.
- (c) The Regional Center professional group shall consult the potential client, parents, guardians/conservators, educators, advocates, and other client representatives to the extent that they are willing and available to participate in its deliberations and to the extent that the appropriate consent is obtained.
- (d) Any reassessment of substantial disability for purposes of continuing eligibility shall utilize the same criteria under which the individual was originally made eligible.

Note: Authority cited: Section 4512, Welfare and Institutions Code. Reference: Section 4512, Welfare and Institutions Code.

HISTORY

1. New section filed 6-24-80; effective thirtieth day thereafter (Register 80, No. 26).
 2. Amendment of section heading, section and Note filed 9-25-2003 as an emergency; operative 9-25-2003 (Register 2003, No. 39). A Certificate of Compliance must be transmitted to OAL by 1-23-2004 or emergency language will be repealed by operation of law on the following day.
 3. Amendment of section heading, section and Note refilled 1-23-2004 as an emergency; operative 1-24-2004 (Register 2004, No. 4). A Certificate of Compliance must be transmitted to OAL by 5-24-2004 or emergency language will be repealed by operation of law on the following day.
 4. Certificate of Compliance as to 1-23-2004 order, including amendment of subsection (a)(2)(A), transmitted to OAL 3-3-2004 and filed 4-12-2004 (Register 2004, No. 16).
- Source: California Department of Developmental Services.

§ 54002. Cognitive.

"Cognitive" as used in this chapter means the ability of an individual to solve problems with insight, to adapt to new situations, to think abstractly and to profit from experience.

Note: Authority cited: Section 5412, Welfare and Institutions Code. Reference: Sections 5400 et. seq., Welfare and Institutions Code.

HISTORY

1. New section filed 6-24-80; effective thirtieth day thereafter (Register 80, No. 26).

Article 2. Eligibility

§ 54010. Eligibility for Regional Center Services.

- (a) Any resident of the State of California believed to have a developmental disability, and any resident of the State of California believed to be at high risk of parenting an infant with a developmental disability shall be eligible, upon application to the regional center, for initial intake, diagnostic and counseling services, and a determination regarding the need for assessment.
- (b) Eligibility for ongoing regional center services shall be contingent upon the determination, after intake and assessment, that the person has a developmental disability that constitutes a substantial handicap as defined in Article 1 of this subchapter.
- (c) Any individual deemed ineligible may appeal the decision in accordance with Welfare and Institutions Code, Sections 4700-4716. The Director's decision resulting from a fair hearing appeals process shall be final and binding on all parties.

Note: Authority cited: Sections 4512 and 4640, Welfare and Institutions Code. Reference: Sections 4512, 4640, 4642, 4643, and 4644 Welfare and Institutions Code.

HISTORY

1. New section filed 6-24-80; effective thirtieth day thereafter (Register 80, No. 26).
2. Order of Repeal of subsection (c) and relettering of subsection (d) to subsection (c) filed 8-26-82 by OAL pursuant to Government Code Section 11349.7(j) (Register 82, No. 35).
3. Amendment of subsections (b)-(c) and amendment of Note filed 9-25-2003 as an emergency; operative 9-25-2003, (Register 2003, No. 39). A Certificate of Compliance must be transmitted to OAL by 1-23-2004 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsections (b)-(c) and amendment of Note refilled 1-23-2004 as an emergency; operative 1-24-2004 (Register 2004, No. 4). A Certificate of Compliance must be transmitted to OAL by 5-24-2004 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 1-23-2004 order transmitted to OAL 3-3-2004 and filed 4-12-2004 (Register 2004, No. 16).

Source: California Department of Developmental Services

From the *Lanterman Act and Related Laws, Welfare and Institutions Code, Section 4512*

4512. As used in this division:

(a) "Developmental disability" means a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include mental retardation, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but shall not include other handicapping conditions that are solely physical in nature.

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