



California's protection & advocacy system
Toll-Free (800) 776-5746

Funding Assistive Technology through the Regional Center

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I. What are regional centers?

Regional centers are responsible for giving or arranging services and supports for individuals with developmental disabilities. To ask for assistive technology through the regional centers, you must first apply for their services and be found eligible. People with disabilities who are found eligible for services from the regional center are called “consumers”. For more information on who is eligible for regional center services and how to apply, visit the Department of Developmental Services (DDS) website’s section on regional center eligibility [here](#). Assistive technology is one of the services the regional centers provide. Other places such as school districts, Medi-Cal and Department of Rehabilitation also provide assistive technology to individuals with disabilities, but this fact sheet will focus on getting assistive technology through the regional centers.

II. What is assistive technology under the Lanterman Act?

The Lanterman Act is the California law that gives people with developmental disabilities the right to the services and supports they need to live a more independent and normal life. The Lanterman Act uses the term “*special adaptive equipment*” to describe assistive technology. Welf. & Inst. §4685(c)(1). The Lanterman Act does not give a complete list of the types of special adaptive equipment/assistive technology you can ask your regional center to provide, but it says that “special adaptive equipment such as wheelchairs, hospital beds, communication devices, and other necessary appliances and supplies” must be available when necessary. Welf. & Inst. §4685(c)(1). The DDS website says, “Assistive Technology (AT) describes devices used by

children and adults with developmental and other disabilities to participate in everyday life experiences.” DDS lists some types of AT and gives examples, including: Communication, Mobility, Audio-Visual, Environmental Control and Physical Adaptations. You can read more about AT on the DDS website [here](#).

III. As a person with a developmental disability, do I have a right to receive assistive technology?

Yes. As a regional center consumer, you have a right to get services and supports, such as assistive technology, in the “least restrictive environment”. Welf. & Inst. §4648(a)(1)-(2). That means that the regional center has to provide assistive technology wherever you live: in your own home, in a foster care home, in a health care facility, licensed community care facility, or a residential care facility. Welf. & Inst. §4648(a)(9)(A).¹ Regional centers must make sure you get the assistive technology that will help you meet your own individual needs. Welf. & Inst. §4648(a)(2).

IV. How do I go about asking the regional center for assistive technology?

After being found eligible as a regional center consumer, the regional center must create an Individualized Program Plan (IPP) for you, which is a written plan to help you reach your goals and objectives, and includes the services and supports you need to meet them. See more about the creation of an IPP and why an IPP is so important at the DDS website [here](#) (See pages S-4, S-7 and S-8). Your IPP should include all necessary

¹ A regional center will first ask you to exhaust any alternative resource such as Medi-Cal, California Children Services, a school district, or private health insurance before it considers providing the service and/or item.

assistive technology.² After your assistive technology is written into your IPP, the regional center must pay for, get, train you on how to use and maintain it for you.

V. What can I do if the regional center denies my request for assistive technology?

If the regional center denies your request for assistive technology and you disagree with their decision, you can “appeal” (send a written notice telling them you disagree). Welf. & Inst. § 4710.5(a). There are time limits for the appeals process that you must follow. First, if the regional center decides that it will not provide a service or support you ask for, it must give you **written notice** by certified mail within **5 working days** (weekends and holidays not included). Welf. & Inst. § 4710(b). Sometimes regional centers do not send written notice when they decide to deny or change a service you want or need. That is illegal. You should ask for written notice when you do not agree with a regional center decision. Then you can decide whether or not you want to appeal. If you want a service or support to stay in place during the appeals process, you need to file a written appeal within **10 days** of being notified by the regional center. Welf. & Inst. § 4715 (a). The continuation of services during the fair hearing process is also known as “aid paid pending.”

You have **30 days** to file an appeal for a fair hearing. Welf. & Inst. § 4710.5 (a). But if you wait that long, the regional center can stop, cut back or change the services or supports during the appeal process. For more information on the fair hearing process, go to the DDS website and read “The Fair Hearing Process for Consumers Age 3 Years and Older” [here](#). If you need fair hearing information on a consumer younger than three years old, please read more on the DDS website [here](#).

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.