



The KTLP Individual Program Plan (IPP) Rules and Timelines

The attached chart provides a quick reference guide to many important rules and timelines related to the Individual Program Planning (IPP) process. Over the years many of these have been forgotten by (or were never known to) many people with developmental disabilities and their families and friends. Even regional center case managers and their supervisors are often unaware of many Lanterman Act legal procedures.

If your family member with a developmental disability is able to obtain the services he or she needs, using these laws governing the IPP process may not be necessary and therefore you won't want to risk a possible confrontation. For instance, the Lanterman Act allows you to audio record the IPP. If you haven't done this before, and your relationship with your Consumer Program Coordinator is good, you may not choose to do this. However, we have found in our surveys of family members that the outcomes of almost 33% of IPPs are less than satisfactory, and it is good to know the letter of the law when disagreements occur between you and your regional center.

This chart is ideally designed to accompany a training session on the IPP process and may not be as useful without the KTLP training. (Email us to inquire about a family member training in your area.) We have placed it online as a resource because family members having difficulties obtaining services have often told us their situation is time-sensitive and they simply can't wait to attend a training.

We hope you find this resource useful and we would appreciate your feedback.

KTLP.org Presents The IPP Times of Your Life

This chart provides a quick reference of the timelines for IPP related events in the Lanterman Act law.

Issue	Action
Planning Conferences §4646(e)	<ul style="list-style-type: none"> • IPP meeting can be requested by consumer or family at any time. • Written notices, if consumer requests, must be mailed at least 30 days before scheduled IPP planning conference. • IPP meeting not less than once every 3 years. • Home & Community-based Waiver annually
Audio record your IPP meeting §4646.6	<ul style="list-style-type: none"> • Notify regional center of intent to audio record a meeting at least 24 hours prior to the meeting. • Need to do this only the first time. • Can give 24-hour notification for each IPP meeting, or request that it be continuous for current and all future IPP meetings.
Consumer requests an IPP review	<ul style="list-style-type: none"> • Review must be conducted within 30 days after the request is submitted.
Regional center must have a person at IPP meeting who can... §4646(d)	<ul style="list-style-type: none"> • Say “yes” or “no” to your request for services.
If person who can make a decision about your request for a service is not at IPP meeting...	<ul style="list-style-type: none"> • Regional center must set up another meeting within 15 days that a decision maker must attend.
If your regional center says “no” to any of your requests at IPP meeting...	<ul style="list-style-type: none"> • Regional center must send a letter within 5 days telling why they aren’t giving you that service & how to appeal for a hearing.
Regional center cannot...	<ul style="list-style-type: none"> • Make decisions outside your IPP meeting about the services you need.
If you determine that a service or support or professional assessment is deemed necessary and the regional center assigned Service Coordinator on Planning Team does not agree to obtain the service or support...	<ul style="list-style-type: none"> • The RC must provide you with Notice of Proposed Action, and you can file an appeal on the enclosed Fair Hearing Request form.
If the regional center assigned Service Coordinator decides, without consent of the consumer, to reduce, terminate, or change the services, they must send a Notice of Proposed Action.	<ul style="list-style-type: none"> • The regional center must send a Notice of Proposed Action notifying the consumer by certified mail at least 5 days before taking action. • The consumer may request a Fair Hearing using the Fair Hearing Request Form.

Fair Hearing Guidelines	<ul style="list-style-type: none"> • RC sends with the Notice of Proposed Action a copy of the Fair Hearing Brochure advising them of informal meeting, mediation, formal fair hearing rights, if requested and the Fair Hearing Request Form. • If you send a Fair Hearing Request Form, request must be in writing and filed with RC within 30 days of notification of decision or action with which they disagree
Continuing your services during appeal - “Stay Put”	<ul style="list-style-type: none"> • If the appeal is sent no later than 10 days after you receive the notice, then your services will be continued while the Fair Hearing appeal is in process.
If Consumer asks RC for mediation in writing	<ul style="list-style-type: none"> • RC has 5 working days from date of receipt of written request for mediation, to accept or decline.
If RC declines mediation	<ul style="list-style-type: none"> • A notice of that decision shall be sent to the applicant <u>immediately</u>.
Receipt of the request for Fair Hearing by RC	<ul style="list-style-type: none"> • RC shall fax a copy of the request to the Office of Administrative Hearings within <u>5 days</u>.
Office Of Administrative Hearings sends information	<ul style="list-style-type: none"> • Upon receipt of request for a Fair Hearing, sends applicant information regarding Fair Hearing Rights. • Notice of time, place, date of the formal Fair Hearing. • Availability of Advocacy Assistance. • Rights & responsibilities of parties involved in Fair Hearing.
If Consumer asks for, and RC accepts mediation...	<ul style="list-style-type: none"> • Same information sent to applicant as above.
Consumer Rights Complaint under Section §4731 (Pertains to violations of your rights, including non-adherence to any of these timelines, but not to type or scope of services or supports)	<ul style="list-style-type: none"> • Sent to Director of regional center within 20 days of RC Director receiving the complaint, he/she shall investigate & send written proposed resolution to the complainant. • Decision final, unless appealed within 15 days to the Director of DDS. • DDS Director has 45 days to investigate & issue a Final Administrative Decision.