
UNFINISHED BUSINESS

Bill No: SB 471
Author: Menjivar (D)
Amended: 9/4/25 in Assembly
Vote: 27- Urgency

SENATE HUMAN SERVICES COMMITTEE: 5-0, 4/7/25

AYES: Arreguín, Ochoa Bogh, Becker, Limón, Pérez

SENATE JUDICIARY COMMITTEE: 13-0, 4/22/25

AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25

AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab

NO VOTE RECORDED: Dahle

SENATE FLOOR: 39-0, 6/4/25

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Reyes

ASSEMBLY FLOOR: 70-0, 9/9/25 – Roll call not available.

SUBJECT: Office of the Developmental Services Ombudsperson

SOURCE: Disability Voices United
Integrated Community Collaborative

DIGEST: This bill establishes the Office of the Developmental Services Ombudsperson as an independent and autonomous entity within the Department of Developmental Services (DDS). This bill establishes the duties of the Office,

including disseminating information, providing training and technical assistance, and receiving and investigating complaints made by or on behalf of individuals served by a regional center.

Assembly Amendments of 9/4/25 require the Office of the Developmental Services Ombudsperson to enter into a memorandum of understanding with the Office of the State Long-Term Care Ombudsperson; authorize the director of DDS to appoint a Developmental Services Ombudsperson if the appointment committee has not provided input within 90 days; require DDS to update documents, within its ability, workload capacity, and existing resources, after receiving recommendations from the Developmental Services Ombudsperson; amend the definition of “record” for purposes of access authority; and repeal statutory language establishing the current Office of the Self-Determination Program Ombudsperson. Amendments also add an urgency clause.

ANALYSIS:

Existing Law:

- 1) Establishes the Lanterman Developmental Disabilities Services Act (Lanterman Act), which states that California is responsible for providing a range of services and supports to meet the needs and choices of each person with developmental disabilities, regardless of age or degree of disability, and at each stage of life. (Welfare & Institutional Code (WIC) § 4500, et seq.)
- 2) Establishes a system of nonprofit regional centers. (WIC §4620)
- 3) Establishes a statewide Self-Determination Program (SDP) to provide participants and their families, within an individual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their individual program plan. (WIC §4685.8)
- 4) Requires DDS to establish the Office of the SDP Ombudsperson. Requires the Director of DDS (director) to appoint an SDP Ombudsperson who is qualified to perform the duties of the office for a four-year term. Allows the director to reappoint the SDP Ombudsperson for consecutive terms. (WIC §4685.9(a-b))
- 5) Requires the Office of the SDP Ombudsperson to be an independent and autonomous entity within DDS for the purpose of monitoring the implementation of the SDP and to assist regional center clients and SDP consumers and their families to participate fully in the SDP. (WIC §4685.9(c))

- 6) Confers the Office of the SDP Ombudsperson all of the following rights and duties:
 - a) Providing information and assisting regional center consumers and their families in understanding their rights under the SDP.
 - b) Deciding whether to investigate complaints regarding the implementation of the SDP, and recommending to DDS strategies for change and improvement of the SDP. Disclosure of information shall occur only as necessary to carry out the mission of the office and as permitted by law.
 - c) Annually compiling and reporting to the Legislature relevant data.
 - d) Recommending to DDS and the Legislature changes to, including, but not limited to, relevant laws, regulations, policies, and actions that it determines to be appropriate and provide and facilitate public comment on, including, but not limited to, relevant laws, regulations, policies, and actions.
 - e) Establishing a dedicated telephone number at which regional center consumers and other stakeholders may contact the office. (WIC §4685.9(d))
- 7) Establishes the Persons With Developmental Disabilities Bill of Rights. (WIC §4502)
- 8) Requires all advocacy programs and any programs similar in nature to the Long-Term Care Ombudsman Program that receive funding or official designation from the state to cooperate with the Office of the Long-Term Care Ombudsman, where appropriate, as specified. (WIC §9717)

This bill

- 1) Requires the Office of the Developmental Services Ombudsperson to be established as an independent and autonomous entity within DDS for the purpose of monitoring the implementation of services for individuals with intellectual and developmental disabilities, including, but not limited to, the SDP, the California Early Intervention Services Act, and the Lanterman Act, as specified.
- 2) Makes the Office of the Developmental Services Ombudsperson responsible for receiving and resolving complaints, conducting investigations, suggesting systematic changes, and resolving various issues that may include, but are not limited to, inquiries, questions, or requests for information, assistance, or facilitation in navigating service access.

- 3) Provides that the Office of the Developmental Services Ombudsperson shall be headed by an individual, to be known as the Developmental Services Ombudsperson.
- 4) Defines “individuals served by a regional center” to include all of the following:
 - a) Individuals who receive services through a regional center, as specified.
 - b) Individuals who are participating in the Early Start program, as specified.
 - c) Individuals who are determined to be eligible for regional center services but are not receiving services from a regional center.
- 5) Provides that the Office of the Developmental Services Ombudsperson shall enter into a memorandum of understanding (MOU) with the Office of the State Long-Term Care Ombudsman within the California Department of Aging to coordinate the provision of ombudsperson services for regional center clients residing in long-term care facilities.
- 6) Requires the director, in consultation with, and after receiving a list of possible nominees from, a committee of at least five interested individuals, and after obtaining the committee’s input, to appoint a Developmental Services Ombudsperson for a term of four years.
 - a) Requires the director to select the committee members, the majority of whom must be representatives of advocacy organizations and consumers or family members.
 - b) Allows the director to make the appointment if the committee does not provide input after 90 days. Specifies the 90 days begins after the director seeks input from the committee.
 - c) Allows the director to reappoint the Developmental Services Ombudsperson for consecutive terms.
 - d) Specifies processes for appointment of a successor.
- 7) Requires the Developmental Services Ombudsperson to be independent, and requires the exercise of the Developmental Services Ombudsperson’s discretion related to their duties and powers to not be controlled, supervised, or directed, directly or indirectly, by the director or any other official.

- 8) Requires the Developmental Services Ombudsperson, in consultation with DDS, to hire the necessary personnel to perform the functions of the Office of the Developmental Services Ombudsperson. Specifies all employees within the office must maintain expertise in the SDP, California Early Intervention Services Act, and Lanterman Act, and requires the office to maintain, at minimum, one person with significant expertise in the SDP.
- 9) Requires the Office of the Developmental Services Ombudsperson to do all of the following:
 - a) Disseminate information and provide training and technical assistance. Commencing on January, 1, 2028, at the end of every two-year legislative session, review amendments to laws applicable to individuals served by a regional center and recommend any updates to materials published by DDS. Requires DDS, if workload capacity allows using existing resources, to update those document to the best of its ability.
 - b) Receive complaints made by or on behalf of individuals served by a regional center, related to their care, placement, or services.
 - c) Decide, in its discretion, whether to investigate a complaint, or refer complaints to another agency for investigation. Attempt to resolve complaints under investigation without using a judicial or administrative proceeding. Follow processes related to notification of complaint investigation.
 - d) Compile and make available specified data to the Legislature. The office shall include recommendations consistent with this data for improving the developmental services system. Authorizes the Office of the Developmental Services Ombudsperson to present these data on an annual basis at appropriate events, as specified.
 - e) Have access to copies of any record of a state agency, local agency, or regional center, and contractors or vendors with the state agency, local agencies, and regional centers that is necessary to carry out their responsibilities, and may meet or communicate with any consumer in their placement or elsewhere.
- 10) Specifies that information obtained by the Office of the Developmental Services Ombudsperson from a complaint, regardless of whether it is investigated by the office, referred to another entity for investigation, or

determined not to be the proper subject of an investigation, shall remain confidential under relevant state and federal confidentiality laws.

- 11) Authorizes the ombudsperson to take certain actions as part of the Office of the Developmental Services Ombudsperson's efforts to resolve complaints, including, but not limited to, the following:
 - a) Establish policies and procedures for receiving and processing complaints, conducting investigations, and reporting findings.
 - b) Develop and maintain a page on the department's internet website with information about the office, how to access the office, and links to relevant materials.
 - c) Conduct whatever investigation reasonably related to the complaint and to developmental services that the ombudsperson deems necessary, as specified.
 - d) Attempt to resolve complaints.
 - e) Submit a written plan, as specified, to the relevant state agency, local agency, or regional center, or a contractor or vendor with the state agency, local agency, or regional center, recommending a course of action to resolve the complaint.
 - f) Periodically convene a focus group to advise the Office in the performance of its duties.
 - g) Recommend to DDS any changes to laws, regulations, policies, or communications.
- 12) States the Developmental Services Ombudsperson and staff of the ombudsperson shall not be compelled to testify, and records of the Office of the Developmental Services Ombudsperson shall not be subject to disclosure in a judicial or administrative proceeding, except as may be necessary, as specified.
- 13) Requires the Office of the Developmental Services Ombudsperson to establish a toll-free number. Requires regional center case managers to provide consumers, and, if appropriate, their parents, legal guardians, conservator or authorized representative, with the toll-free telephone number for the office and verbal or written information regarding the existence and purpose of the

office during the annual individualized program plan or individual family service plan meetings.

- 14) Repeals statutory language establishing the Office of the SDP Ombudsperson.
- 15) Finds and declares that this bill imposes a limitation on the public's right of access to the meetings of public bodies or writing of public officials and agencies, and that this is necessary to maintain the confidentiality of individuals served by a regional center.
- 16) Provides that this act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect.

Background

Purpose of this bill. According to the author, “To effectively serve DDS consumers, the Developmental Services Ombudsperson requires statutory authority to access records, negotiate settlements, and connect with key individuals and information. SB 471 will provide the ombudsperson with this authority to help clarify and empower the Ombudspersons’ duties in serving DDS consumers. It is time for us to do better by the IDD community, bring parity to the Developmental Services Ombudsperson, and provide the same statutory authority that exists for other Department Ombudspersons.”

Lanterman Act. In 1969, the Lanterman Act established that individuals with developmental disabilities and their families have a right to receive the necessary supports and services required to live independently in the community. The Lanterman Act enumerates the rights of individuals with developmental disabilities, as well as the rights of their families, what services and supports are available to these individuals, and how regional centers and service providers work together to provide these supports and services. The term “developmental disability” is defined as a disability that originates before a person reaches 18 years of age, is expected to continue indefinitely, and is a significant disability for the individual; such disabilities include, among others: epilepsy, autism spectrum disorder, intellectual disability, and cerebral palsy. The Department of Finance estimates that approximately 465,165 individuals will receive developmental services in 2024–25, increasing to 504,905 in 2025–26.

Office of the SDP Ombudsperson. The Office of the SDP Ombudsperson was established in the 2021 Budget Act and the office opened in October 2021. The

SDP Ombudsperson has the following rights and duties: assisting regional center consumers and their families in understanding their rights under the SDP; deciding whether to investigate complaints and recommending to DDS strategies for change and improvement of the SDP; annually reporting relevant data to the Legislature; and recommending changes to relevant laws, regulations, and policies to DDS and the Legislature.

DDS Office of the Ombudsperson. DDS already has an established Office of the Ombudsperson. According to a DDS Directive sent to regional center directors, the department received funding through the 2022 Budget Act to establish the office, which opened in December 2022. The DDS website states that the Ombudsperson assists regional center clients and their families to access their regional center services available under the Lanterman Act. According to the website, the Office of the Ombudsperson can: provide information to regional center clients and their families, facilitate resolution to disagreements and complaints, make recommendations, and compile and report data.

This bill would formally establish in statute the Office of the Ombudsperson as the Office of the Developmental Services Ombudsperson, which would serve all individuals served by a regional center. In addition to codifying the office, this bill would add protections for the office and consumers. Namely, this bill would:

- Grant the Developmental Services Ombudsperson access authority to obtain records from a state agency, local agency, or regional center, and a contractor or vendor of a state agency, local agency, or regional center.
- If the ombudsperson makes a written recommendation, require a state agency, local agency, or regional center, or a contractor or vendor of a state agency, local agency, or regional center to submit a written response to the Developmental Services Ombudsperson within 30 days.
- Grant the Office of the Developmental Services Ombudsperson confidentiality protection, including prohibiting the Developmental Services Ombudsperson and staff of the ombudsperson from being compelled to testify or be deposed in a judicial or administrative proceeding regarding matters related to their official duties, and exempting records of the Developmental Services Ombudsperson and staff of the ombudsperson from disclosure.

Comments

This bill seeks to strengthen protections for individuals served by a regional center by formally establishing an Office of the Developmental Services Ombudsperson. Formally establishing an Office of the Developmental Services Ombudsperson will expand the rights and responsibilities of the current Office of the Ombudsperson at DDS, including authority to obtain records, a confidentiality clause, and the requirement of a written response to be provided to the Developmental Services Ombudsperson within 30 days. This bill would take immediate effect if passed.

Related/Prior Legislation

AB 136 (Committee on Budget, Chapter 76, Statutes of 2021), a budget trailer bill, established the Office of the SDP Ombudsperson.

SB 933 (Thompson, Chapter 311, Statutes of 1998), a budget trailer bill, established the Office of the Foster Care Ombudsperson.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee, “Estimated ongoing costs to DDS in the range of \$700,000 to \$1 million (General Funds, federal funds) annually to support the new Office created by this bill. This includes \$550,000 to \$850,000 (GF, federal funds) annually based on the current budget for the existing uncodified ombudsperson office (Lanterman Ombudsperson), now made permanent by this bill, as well as \$159,000 (\$127,000 General Fund, \$32,000 federal funds) annually, for one permanent position to meet the additional workload created by this bill. New responsibilities include, among others things, developing and disseminating rights-related and other information, receiving, investigating, and resolving complaints, and making recommendations to DDS and the Legislature for improving the developmental services system. Codifying the Office creates an ongoing GF obligation.”

“DDS reports ongoing costs of \$1.7 million (GF, federal funds) to support 11 positions in the operation of its two existing ombudsperson offices, including the office this bill proposes to codify. DDS could not provide an exact breakdown of funding between the two offices. This estimate attributes one-third to one-half of the \$1.7 million to the existing Office.”

SUPPORT: (Verified 9/5/25)

Disability Voices United (Source)

Integrated Community Collaborative (Source)

The Arc and United Cerebral Palsy California Collaboration

University of California Student Association

OPPOSITION: (Verified 9/5/25)

None received

Prepared by: Diana Dominguez / HUMAN S. / (916) 651-1524
9/9/25 14:15:45

**** **END** ****