

Regional Center Services Beyond Age 3 Years
Transition from Early Start Program to Lanterman Eligibility

Shortly before your child turns three years of age, your Regional Center caseworker should coordinate an assessment of your child in order to make a determination as to whether your child meets the criteria, as established in the Lanterman Act, to continue to receive services provided by the state of California through the Regional Center system.

There are four specified diagnoses written into the Lanterman Act law that are eligible to receive services from the State of California through the Regional Center system: Cerebral Palsy, Epilepsy, Autism, and Intellectual Disability. A “Fifth Category” for eligibility includes “disabling conditions found to be closely related to intellectual disabilities or to require treatment similar to that required for individuals with intellectual disabilities, but shall not include other handicapping conditions that are solely physical in nature.” Many children with PWS will meet the criteria for Intellectual Disability, a few will meet the criteria for Epilepsy, some will be dually diagnosed with Autism, and the remainder of individuals with PWS can successfully be argued to meet the Fifth Category of eligibility.

Many Regional Centers mistakenly inform parents that Regional Center services terminate when the child turns three years old and the “school system takes over,” or that the child has “graduated” out of the Regional Center system. While it is true that the *Early Start Program* ends at age three years when the school district takes over responsibility for providing services that relate to the child’s *educational* needs, individuals with PWS may absolutely be made eligible to continue to receive Regional Center services.

Maintaining your child’s Regional Center eligibility becomes critical especially after your child leaves the educational system at age 18 or 22 years. The Regional Center system can assist with job placement, vocational work support, day program services, and residential services for the remainder of your child’s life.

If your Regional Center determines that your child does qualify for eligibility, you will be notified and your case will be transferred from the Early Start Program and you will be assigned to a new case coordinator in the Lanterman Services Program. Your current services should continue uninterrupted through the process.

If your Regional Center determines that your child does not qualify for eligibility, you should be notified in writing and given the opportunity to appeal the decision by completing an appeal form that should be

included with the letter. Write on your appeal form the words, “Aid Paid Pending” so that your early intervention service will continue during the appeal process. You have ten (10) days from the date you receive your Regional Center’s letter to submit your written appeal of this decision. If you submit your appeal form within the ten (10) day time limit, your services will continue uninterrupted throughout the eligibility appeal process. If you fail to submit your letter of appeal within the ten (10) day time limit and/or did not write “Aid Paid Pending on the form, all of the services your Regional Center has been providing will be terminated and will begin again only if you are successful in your appeal. No matter how well your child is currently doing, **Prader-Willi California Foundation strongly advises all families to appeal a Regional Center decision to deny eligibility to a child with Prader-Willi syndrome because it can be successfully argued that *all individuals with PWS qualify for Regional Center eligibility under current law.*** You may never utilize the services offered by the state of California’s Department of Disabilities or the Regional Center system, but it is far easier to maintain eligibility and initiate services if they are ever needed than it is to re-enter the Regional Center system.

For assistance with eligibility issues or with any issues regarding services, contact Disability Rights Advocates, or a private attorney who is knowledgeable about the Regional Center System (and preferably one who is knowledgeable about the school district legal system as well), or contact the Prader-Willi California Foundation.

Resources

Rights Under the Lanterman Act, Protection and Advocacy, Inc.

A Consumer’s Guide to the Lanterman Act, click to access via [DDS](#) website

Department of Developmental Services (DDS) website www.dds.ca.gov

Association of Regional Center Agencies (ARCA) website www.arcanet.org

California Council on Developmental Disabilities (SCDD) website www.scdd.ca.gov

Organization of Area Boards on Developmental Disabilities website www.scdd.ca.gov

Disability Rights Advocates website www.dralegal.org

Office of Clients Rights Advocacy (OCRA) 1-800-390-7032