



State Council on Developmental Disabilities



STATE OF CALIFORNIA

Jerry Brown,
Governor

Los Angeles Office • www.scdd.ca.gov • losangeles@scdd.ca.gov • 411 N. Central Avenue, Suite 620
Glendale, CA 91203

818/543-4631 Voice
818/543-4635 FAX

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Dr. Keith Penman
San Gabriel Pomona Regional Center
75 Rancho Camino Drive
Pomona, CA 91766

Dear Dr. Penman,

The State Council on Developmental Disabilities is a state agency mandated to protect and assert the legal, civil, and service rights of people with developmental disabilities through advocacy, capacity building, and systemic change. We have 12 local offices which cover all regions of California.

In our role for providing technical assistance to individuals with developmental disabilities and their families, we routinely receive requests for information and complaints pertaining to the seven regional centers in Los Angeles County, including San Gabriel Pomona Regional Center (SGPRC). We have received a complaint which may indicate systemic problems and have concerns regarding the planning and practices of SGPRC.

Mr. Carl Argila, among many callers who contacted our office, shared disturbing, troubling, and possibly problematic information. Mr. Argila has alleged that his sons, Cavan and Gerardo, are deaf and have regional center cases with SGPRC. They formerly received services through Support Services for the Deaf (SSD), a parent vendored provider who provided support services for Cavan, Gerardo, and others. Mr. Argila has informed us that SSD staff communicated with those they served in American Sign Language (ASL).

Mr. Argila indicated that services through SSD were terminated in February 2015. Since that time, Mr. Argila alleges both of his sons' lives have significantly worsened. Over the last year, Cavan has become homeless, unemployed, and consequently his health is jeopardized because of his

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."

homelessness. Gerardo has become socially isolated, his diabetes has worsened (though it is presently being addressed), and he is provided inadequate support services. These alleged outcomes, as contrasted to his sons' stability of living independently or with support for 14 years, speak for themselves. Presuming all of the information conveyed to us is largely accurate, it is not unreasonable to believe that the health and safety of one or both of Mr. Argila's sons are in grave jeopardy.

Moreover, Mr. Argila has informed us that the road to these health endangering, life-altering outcomes has been paved with numerous barriers. He has alleged that the regional center funded providers for his sons are unable to communicate with them using their native language, ASL. Mr. Argila notes that Gerardo receives services from staff he has received services from in the past and does not wish to do so – and yet, that staff member continues to work with Gerardo. Additionally, Cavan has recently expressed his preference not to work with the agency presently supporting him.

While the Los Angeles Office of SCDD has not investigated the veracity of the facts Mr. Argila has conveyed to us, we believe that the cases of Mr. Argila's sons are symptomatic of systemic problems. Specifically, these allegations demonstrate a failure to:

- take into account and ensure that the goals of the IPP the preferences, needs, and choices of the consumer [pursuant to WIC §4646(a)];
- implement the right to social interaction and participation in community activities [pursuant to WIC §4502(b)(6)];
- implement and respect the right for consumers to make choices in their own lives, including, but not limited to, where and with whom they live, their relationships with people in their community, and the way they spend their time, including education, employment, and leisure, the pursuit of their personal future, and program planning and implementation [pursuant to WIC §§4502(b)(10) & 4502.1];
- develop and expand culturally appropriate services, provide and ensure the regional center is providing services and supports that are linguistically and culturally competent, and demonstrate sensitivity to the cultural background of consumers [pursuant to WIC §§4519.5(g)(1)(C), 4622(j)(2), 4648.11(b), & 4646.5(a)(1)]; and,
- develop needed services and supports [pursuant to WIC §4629(c)(1)(A)(iii)].

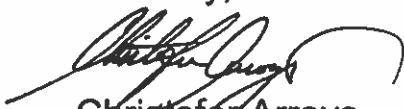
Furthermore, the cases of Mr. Argila's sons seem to demonstrate the significant disparity in the provision of SGPRC services by language. According to SGPRC 2015 Disparity Data, it appears that those who use ASL as their primary language have greater than average per capita expenditures. However, we also know there can be great variation for individuals and this data does not capture the degree to which services are provided competently, linguistically, and culturally nor the degree to which services reflect the needs and preferences of the consumer and/or their family.

Due to the crisis at hand facing Mr. Argila and his sons in the form of homelessness, isolation, and endangered health and safety, we are gravely concerned about their plight and the thousands of consumers served by SGPRC. And while the policies and procedures of SGPRC may meet the requirements set forth in statute, there seems to be a breakdown in the way in which they are implemented as evidenced by the referenced cases.

Because these suspected breakdowns may jeopardize the health and safety of consumers, the Los Angeles Office of SCDD respectfully requests you inform us of the ways in which these issues are addressed and if any changes will be made in the future to do so. We hope this letter is the beginning of a dialog with us to assist in ensuring SGPRC is able to adequately address the needs of all consumers, including those with complex cultural, linguistic, and programmatic needs. We are ready and willing to work collaboratively with you in reviewing policies, procedures, and practices and other methods you may suggest in order to ensure SGPRC possesses the ability to successfully address such issues in the future both systemically and individually.

Thank you for your attention in this matter and we eagerly await your response. Given the immediate jeopardy to the health and safety of those mentioned in this letter, we request a response within days as opposed to weeks or more.

Cordially,



Christopher Arroyo
Advocate

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cc: Cindy Chiu, Regional Manager, Los Angeles Regional Office
Penne Fode, San Gabriel Pomona Regional Center Board President
Denise Thornquest, Regional Center Liaison, Department of
Developmental Services
Mr. Carl Argila