

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
OF THE STATE OF CALIFORNIA

In the Matter of:

CLAIMANT

vs.

INLAND REGIONAL CENTER,

Service Agency.

OAH No.2013101016

DECISION

Administrative Law Judge Abraham M. Levy, State of California, Office of Administrative Hearings, heard this matter in San Bernardino, California on December 10, 2013.

Claimant's mother represented claimant.

Stephanie Zermeño, Consumer Services Representative, represented the Inland Regional Center (IRC).

ISSUE

Should IRC discontinue funding applied behavioral analysis (ABA) services for claimant?

FACTUAL FINDINGS

1. Claimant, who is five years old, receives regional center services based on a diagnosis of autism. As part of the services IRC provides, IRC funds ABA services. On October 17, 2013, IRC issued a proposed notice of action to discontinue funding claimant's ABA services effective December 31, 2013. In its notice of action, IRC indicated that it would continue funding claimant's ABA services through March 2014 in order to give claimant the ability to obtain coverage through his health care insurer. Claimant timely requested a hearing.

2. After the record was opened and witnesses testified, the parties conferenced and agreed to resolve the matter by means of the following stipulation:

STIPULATION

3. IRC agrees to fund ABA services for claimant through March 2014. Claimant's mother agrees to provide claimant's Consumer Services Coordinator (CSC) and Ms. Zermeño with all information she receives from Anthem (the insurer), the Department of Managed Health Care, and from any provider regarding ABA services. In addition, claimant's mother will make best efforts to document in writing all attempts she has made to secure ABA services from the insurance company, and be prepared to provide this documentation to claimant's CSC and Ms. Zermeño as soon as possible.

ORDER

Pursuant to the parties' December 10, 2013 stipulation, IRC shall continue to fund ABA services for claimant through March 2014. IRC shall, further, provide claimant with written notice of any proposed action it intends to take thereafter regarding claimant's ABA services.

DATED: December 24, 2013.

ABRAHAM M. LEVY
Administrative Law Judge
Office of Administrative Hearings

NOTICE

This is the final administrative decision; both parties are bound by this decision. Either party may appeal this decision to a court of competent jurisdiction within 90 days.