



DAVID MAXWELL-JOLLY
Director

State of California—Health and Human Services Agency
Department of Health Care Services



ARNOLD SCHWARZENEGGER
Governor

DELEGATION ORDER

Subject	Date Issued	
Authority to Adopt State Hearing Decisions in Cases Involving the Rights of Developmentally Disabled Persons	08/06/2010	
Supersedes Number	Date	
99 - 173	06/30/1999	
Approved legal Services	Date	Statutory Reference
		Welfare and Institutions Code, Sections 4712.7, 4500 et. seq.
		Originating Unit
		Medi-Cal Benefits, Waivers and Rates

I, David Maxwell-Jolly, Director, Department of Health Care Services, State of California, do hereby delegate to Ron Diedrich, Director of the Office of Administrative Hearings, Department of General Services, the authority to adopt state hearing decisions in all cases involving the rights of developmentally disabled persons to receive services under the Medi-Cal Home and Community-Based Services Waiver insofar as those cases arise under the provisions of the Lanterman Developmental Disabilities Services Act. (Welfare and Institutions Code, Section 4500 et. seq.)

This delegation shall not include the authority to adopt final decisions that are based on constitutional grounds; overrule statutes found in Part 3 of Division 9 (commencing with Section 11000) of the Welfare and Institutions Code; overrule regulations promulgated by the Department of Health Care Services found in Title 22, Division 3 of the California Code of Regulations; or overrule or make exceptions to policies of the Department of Health Care Services.

This delegation of authority is made pursuant to Welfare and Institutions Code, Section 4712.7.

The authority delegated hereby may be exercised personally or by Administrative Law Judges on the staff of the Office of Administrative Hearings or Pro Tem Administrative Law Judges appointed by the Director of the Office of Administrative Hearings. Decisions rendered under the authority of this delegation shall be treated, for all purposes, as the decisions of the Director of Health Care Services. Decisions rendered

pursuant to the provisions of this delegation shall be considered final upon signing and dating.

The Department of Health Care Services reserves the right, at its discretion, to review a sample of decision adopted by the Office of Administrative Hearings, Department of General Services, under this Delegation Order.

/s/

David Maxwell-Jolly, Director
Department of Health Care Services

I, Ron Diedrich, Director, Office of Administrative Hearings, Department of General Services, accept the appointment and delegated authority specified in this document.

/s/

Ron Diedrich, Director
Office of Administrative Hearings, Department of General Services