

XIX. ZERO TOLERANCE POLICY REGARDING ABUSE AND NEGLECT OF THOSE WE SERVE

BACKGROUND

The Regional Center of Orange County (RCOC) recognizes the importance of transparency and accountability to the community it serves. RCOC is committed to reporting information with accuracy and transparency and maintaining full compliance with the laws, rules and regulations that govern RCOC's business, as well as RCOC's contract with the California Department of Developmental Services. This includes annually notifying all its employees, its vendors and licensees of long-term health care facilities* that are serving RCOC persons served that RCOC has a Zero Tolerance Policy regarding abuse and neglect of those we serve.

POLICY

Abuse of individuals we serve committed by RCOC employees, employees of RCOC vendors, or employees of licensees who operate long-term health care facilities will not be tolerated. All such abuse or allegations of such abuse will be thoroughly investigated. Any RCOC employee found to have abused a person served will be subject to severe discipline, up to and including discharge, and will be referred to appropriate authorities. All employees of RCOC vendors and of licensees who operate long-term health care facilities found to have abused a person served will be referred to the appropriate authorities, and the vendor may also be subject to sanctions, up to and including, removal from the list of those authorized to provide services for regional center.

All employees of RCOC, employees of RCOC vendors, and employees of licensees who operate long-term health care facilities who are mandated reporters pursuant to the California Penal Code shall strictly comply with the reporting laws at all times, including, but not limited to, Welfare and Institutions Code Section 15630. A mandated reporter must report all abuse of individuals we serve to the applicable governmental authorities immediately or as soon as practicable after his or her discovery or reasonable belief that abuse has occurred.

RCOC, all RCOC vendors, and all licensees who operate long-term health care facilities serving RCOC persons served shall ensure their employees are fully informed upon hire and annually thereafter regarding RCOC's Zero Tolerance Policy Regarding Abuse and Neglect of Those We Serve and the mandatory abuse and neglect reporting laws. Each employee must be knowledgeable of their responsibility to protect our population from abuse and neglect, the signs of abuse and neglect, the process for reporting suspected abuse or neglect, and the consequences of failing to follow the law and enforcing this policy.

RCOC's Zero Tolerance Policy Regarding Abuse and Neglect of Those We Serve will be incorporated into any new or revised contract, vendorization or other agreement for services.

If RCOC, a RCOC vendor, or a licensee who operates a long-term health care facility becomes aware of abuse of a person served, it shall take immediate action, to the extent

permitted by law, to ensure the health and safety of the affected individual and all other individuals receiving services and supports from RCOC. This obligation is in addition to those obligations required of mandated reporters to report abuse under the reporting laws.

GUIDING PRINCIPLES

- Persons served are in safe and supportive settings that promote a life of independence, acknowledge diverse cultural perspectives and that respect the inherent risks and valuable learning experiences that come from living in the community.
- Service coordinators inform families of their rights and the services and supports available to them.
- RCOC aspires to the highest standards of ethical conduct: doing what we say; reporting information with accuracy and transparency; and maintaining full compliance with the laws, rules and regulations that govern RCOC's business.
- The RCOC Board of Directors will possess the highest personal and professional ethics, integrity and values, and be committed to representing the long-term interests of the Orange County community it serves.

* According to the State of California Health and Safety Code Section 1418,

(a) "Long-term health care facility" means any facility licensed pursuant to Chapter 2 (commencing with Section 1250) that is any of the following:

- (1) Skilled nursing facility.
- (2) Intermediate care facility.
- (3) Intermediate care facility/developmentally disabled.
- (4) Intermediate care facility/developmentally disabled habilitative.
- (5) Intermediate care facility/developmentally disabled-nursing.
- (6) Congregate living health facility.
- (7) Nursing facility.
- (8) Intermediate care facility/developmentally disabled-continuous nursing.

(b) "Long-term health care facility" also includes a pediatric day health and respite care facility licensed pursuant to Chapter 8.6 (commencing with Section 1760).

(c) "Long-term health care facility" does not include a general acute care hospital or an acute psychiatric hospital, except for that distinct part of the hospital that provides skilled nursing facility, intermediate care facility, intermediate care facility/developmentally disabled, or pediatric day health and respite care facility services.

(d) "Licensee" means the holder of a license issued under Chapter 2 (commencing with Section 1250) or Chapter 8.6 (commencing with Section 1760) for a long-term health care facility.

Last Policy Review Date: October 16, 2023

No Revisions Recommended to Board: November 2, 2023

Date of Next Review: on or before November 2, 2024

XX. EMPLOYMENT FIRST POLICY

BACKGROUND

The Regional Center of Orange County (RCOC) recognizes the importance of meaningful employment for the working age adults we serve. Assembly Bill 1041, also known as Employment First Policy, an act to amend Sections 4646.5 and 4868 of the Welfare and Institutions Code (WIC), and to add Section 4869 to WIC, was effective January 1, 2014. These statutory changes, in part, are as follows:

4646.5 (a) (4) When developing an individual program plan for a transition age youth or working age adult, the planning team shall consider the Employment First Policy...

4869. (a) (1) In furtherance of the purposes of this division to make services and supports available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age, to support the integration of persons with developmental disabilities into the mainstream life of the community, and to bring about more independent, productive, and normal lives for the persons served, it is the policy of the state that opportunities for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities. This policy shall be known as the Employment First Policy.

(3) Integrated competitive employment is intended to be the first option considered by planning teams for working age individuals, but individuals may choose goals other than integrated competitive employment.

(c) Regional centers shall provide consumers 16 years of age or older, and, when appropriate, their parents, legal guardians, conservators, or authorized representative with information, in an understandable form, about the Employment First Policy, options for integrated competitive employment, and services and supports, including postsecondary education, that are available to enable the consumer to transition from school to work, and to achieve the outcomes of obtaining and maintaining integrated competitive employment.

4868. (d)(1), “Competitive employment” means work in the competitive labor market that is performed on a full–time or part–time basis in an integrated setting and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

(2) “Integrated employment” means “integrated work” as defined in subdivision (o) of Section 4851.

4851. (o) “Integrated work” means the engagement of an employee with a disability in work in a setting typically found in the community in which individuals interact with individuals without disabilities other than those who are providing services to those individuals, to the same extent that individuals without disabilities in comparable positions interact with other persons.

POLICY

Competitive integrated employment will be the first option considered by planning teams for every working age adult we serve.

GUIDING PRINCIPLES

- Persons served have the opportunity and support to work in integrated employment settings that are meaningful, valued by the community, and in which they are appropriately compensated and respected.
- Persons served make decisions about all aspects of their lives.
- Persons served live, work, learn and socialize in settings that maximize opportunity to be with persons not paid to be with them.

Last Policy Review Date: April 15, 2024

Date Revisions Approved by Board: May 2, 2024

Date of Next Review: on or before May 2, 2026