

**Regional Center of the East Bay  
Purchase of Service Policy #3420  
Revised: 10/2010**

**RESPITE  
( for age 3 years and over)**

**Philosophy:**

Families providing constant care and supervision to family members with specialized care needs benefit from intermittent relief. Whenever possible, families are encouraged to consider community programs which meet the need for respite and also provide additional experiences to consumers. Because of a consumer's specialized care needs, families may have fewer resources available to them in the community and fewer resources through the assistance of other family members, friends and/or paid sitters for relief purposes.

**Service Definition**

Respite is intermittent relief for families from the constant care and supervision of their family member with a developmental disability who resides in the family home. Respite is provided by RCEB when the care needs of the consumer are greater than those of a non-disabled person of the same age. Respite services may be provided in home or outside of the home and are designed to:

- A. Assist family members in maintaining the consumer at home;
- B. Provide appropriate care and supervision to protect the consumer's health, safety and welfare in the absence of family members;
- C. Relieve family members from the constant, demanding responsibilities of caring for a consumer;
- D. Attend to the consumer's basic self-help needs and other activities of daily living, including interaction, socialization, and continuation of daily routines which would otherwise be provided by family members.

Respite may be provided through in-home or out-of-home agencies vendorized through Regional Center. For consumers with medical needs, nursing respite may be required. In-home respite may also be provided through vendorization of a family member (vouchered respite).

**Procedures**

RCEB may purchase respite for families when all of the following are completed by the case manager:

- A. A Consumer / Family Needs Assessment: The case manager reviews the situation to determine that the consumer's needs for care and supervision are greater than those of a non-disabled peer, and confirms that the consumer resides in the family home. RCEB "may only purchase respite services when the care and supervision needs of a consumer exceed that of an individual of the same age without developmental disabilities." Welf. & Inst. Code 4686.5, subd. (a)(3)(A) Children who are wards of the court through Social Services and residing

- with a licensed (or certified) residential care facility or foster family home are not eligible for RCEB respite. “A relative who receives foster care funds shall not be precluded from receiving respite.” Welf. & Inst. Code 4686.5 (a)(3)(B)
- B. A Natural Supports and Generic Resources Evaluation: All sources of relief through natural supports and generic resources (e.g., family, community programs, etc.) will have been fully explored by the case manager, utilized to the fullest extent, and shown to be insufficient to meet the family’s need for intermittent breaks in the form of respite. IHSS (in-home supportive services) shall only be considered a generic resource when the approved in-home supportive services meets the respite need as identified in the consumer’s Individual Program Plan. Persons residing in the family home are considered natural supports.
- C. The IFSP/IPP Planning Process: The Interdisciplinary Team, including the case manager and the family, determine the individual need for respite. RCEB “shall not purchase more than 21 days of out-of-home respite services in a fiscal year nor more than 90 hours of in-home respite services in a quarter, for a consumer” Welf. & Inst. Code section 4686.5, subd. (a)(2). For consumers requiring specialized medical care, the RCEB nurse should be part of the IPP Planning Team.
- D. “The cost of providing services or supports of comparable quality by different providers, if available, shall be reviewed and the least costly available provider of comparable service, , including the cost of transportation, who is able to accomplish all or part of the consumer’s individual program plan, consistent with the particular needs of the consumer and family as identified in the individual program plan, shall be selected. In determining the least costly provider, the availability of federal financial participation shall be considered. The consumer shall not be required to use the least costly provider if it will result in the consumer moving from an existing provider of services or supports to more restrictive or less integrated services or supports.” Welf. & Inst. Code section 4648, subd. (a)(6)(D)

## **Board Policy**

RCEB may provide respite to families when the consumer’s IPP identifies care and supervision needs that are beyond what would be required by parents of a non-disabled person of the same age. Such needs may include, but are not limited to:

- Serious behavior challenges
- Special medical needs
- Extraordinary self-care needs
- Short term support
- Diminished capacity of the parent / primary care giver
- Unexpected event and / or emergency

***RCEB “may grant an exemption to the requirements” referenced under the above Procedures section “if it is demonstrated that the intensity of the consumer’s care and supervision needs are such that additional respite is necessary to maintain the consumer in the family home, or there is an extraordinary event that impacts the***

*family member's ability to meet the care and supervision needs of the consumer. For the purpose of this section, "family member" means as individual who:*

*(i) Has a consumer residing with him or her*

*(ii) Is responsible for the 24-hour care and supervision of the consumer*

*(iii) Is not a licensed or certified residential care facility or foster family home receiving funds from any public agency or regional center for the care and supervision provided. Notwithstanding this provision, a relative who receives foster care funds shall not be precluded from receiving respite."*

All consumers with specialized medical care needs shall be evaluated for level of care needed by the RCEB nurse. In-home respite for consumers with specialized medical care needs shall be provided by an individual possessing the appropriate level of skill for the consumer's medical needs, according to California law.

**Authority:**

Welfare and Institutions Code 4512 (b)