

Date of Hearing: April 22, 2021

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1417 (Frazier) – As Introduced February 19, 2021

SUBJECT: Community colleges: providers of care for individuals with developmental disabilities: model curriculum for certification program

SUMMARY: Requires the California Community College (CCC) Chancellor's Office (CCCCO) to develop a model curriculum for a certification program for providers of care for individuals with developmental disabilities, designed to be offered at community college campuses where there is sufficient student interest and properly qualified faculty to sustain such a program. Specifically, **this bill:**

- 1) Requires the CCCCCO to develop a model curriculum for a certification program for providers of care for individuals with developmental disabilities, and requires the model curriculum to be designed to be offered at community college campuses where there is sufficient student interest and properly qualified faculty to sustain such a program.
- 2) Requires the CCCCCO, in developing the model curriculum, consult with individuals and organizations with expertise in the provision of care for individuals with developmental disabilities and the training of practitioners for that task.
- 3) Finds and declares that:
 - a) There is a great need in this state for well-trained providers of care for individuals with developmental disabilities.
 - b) Providing care for California's population of individuals with developmental disabilities is a difficult job that requires a practitioner to possess unique and specific skills in order to provide the high-quality care that these individuals deserve.
- 4) Establishes the intent of the Legislature that the CCC system create a certification program to establish a pathway for persons interested in the care for individuals with developmental disabilities to obtain the necessary preparation.

EXISTING LAW:

- 1) Establishes the CCC, under the administration of the Board of Governors (BOG) of the CCC, as one of the segments of public postsecondary education in this state. The BOG appoints the Chancellor of the CCC to serve as the chief executive officer of the segment. The CCC comprises 116 campuses operated by community college districts throughout the state. (Education Code (EDC) Section 66700, et seq.)

FISCAL EFFECT: Unknown

COMMENTS: *Purpose.* According to the author, "Per the Lanterman Act, the state of California has a legal obligation to support people with developmental disabilities to live in community settings and pursue individual goals. Many rely upon direct services staff for care, supervision, training, and support to make community living possible. Today, turnover of direct

service staff is too high due to the low wages they are paid for this critical work. Professionalization of this workforce through opportunities of enhanced training and certification will not only enhance provider retention, but also create a pathway for upward career movement.”

Background. The Department of Developmental Services (DDS) oversees the coordination and delivery of services for Californians with developmental disabilities through a statewide network of 21 community-based, non-profit agencies known as regional centers. Regional centers provide assessments, determine eligibility for services, and offer case management services. Regional centers also develop, purchase, and coordinate the services in each person’s Individual Program Plan.

California’s regional centers support more than 350,000 individuals with developmental disabilities in community settings. Direct services to support individuals in their own or family homes, out-of-home residential settings, and non-residential daytime support and employment settings are provided by contracted service providers. In state-run care, most direct services were provided by licensed staff who have completed mandated courses of study. In community care, most direct care is provided by staff who are paid at or just above the minimum wage and do not complete a robust prescribed course of training. Consequently, the staff turnover rate is high – according to information from the American Network of Community Options and Resources, the turnover rate for direct services professionals (DSP) is 51.3%.

Current law does not recommend a course of training for most unlicensed direct service staff to complete to enhance their effectiveness in supporting people with developmental disabilities. DSS submitted a service provider rate study, completed by Burns and Associates, to the Legislature in 2019 that included a recommendation for pay differentials for direct service workers who completed additional training and certification. The recommendation contained specific criteria to be developed by DDS; using National Alliance for Direct Support Professionals’ DSP Certification program as an example:

- 1) *Level 1.* 100 hours of training, commitment to code of ethics, demonstration of competency in four specified areas, at least one letter of support from a service recipient (or family member/guardian).
- 2) *Level 2.* Level 1 requirements plus another 100 hours of training and demonstration of competency in an additional four areas.
- 3) *Level 3 (Specialist).* Level 2 requirements plus 40 hours of specialized instruction and demonstration of competency in specialty area (inclusion, health support, employment, positive behavior support, aging)

Arguments in support. The State Council on Developmental Disabilities wrote in support of AB 1417, noting that “...by developing this curriculum for direct service providers, AB 1417 will help to ensure people with developmental disabilities living in a community setting are provided services from staff trained in a program that focuses on providing specially designed skills in the area of service delivery; therefore, these individuals can securely live outside of a facility confidently knowing they are receiving similar quality of care.”

Committee comments. As noted in this bill’s legislative intent, the CCCCO would be tasked with creating a model curriculum for a certification program that has not yet been formalized. While

the lack of a formal program will present challenges from a curriculum design standpoint, it does present an opportunity for subject matter experts in academia and DSP services to collaborate and design a model that will undoubtedly benefit one of California's most vulnerable populations.

Committee staff notes that the CCCCCO does not normally design model curriculum in the course of the duties, and that curriculum creation and approval is usually handled at the district level by members of the CCC Academic Senate. *Moving forward, the author may wish to collaborate with stakeholders in the CCC to ensure that the appropriate entities are being tasked and consulted.*

Prior legislation. AB 968 (Christina Garcia, 2019) required the CCCCCO to establish a naturalist workforce model curriculum and related vocational programs on or before July 31, 2022, for the 2022–23 academic year, and required the CCCCCO to consult with specified entities in developing the curriculum, and would require the CCC Academic Senate to approve, modify, or reject the curriculum. AB 968 was held in the Assembly Committee on Appropriations.

SB 462 (Stern, 2019) required the CCCCCO, in collaboration with the CCC Academic Senate, to develop a forest and woodlands restoration workforce model curriculum and related programs to be offered by community college districts beginning July 31, 2021. SB 462 was held in the Assembly Committee on Appropriations.

REGISTERED SUPPORT / OPPOSITION:

Support

State Council on Developmental Disabilities

Opposition

None on file.

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