



# NORTH LOS ANGELES COUNTY

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## REGIONAL CENTER

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### **ANNUAL FAMILY PROGRAM FEE**

#### **Frequently Asked Questions**

#### **What is the Annual Family Program Fee (AFPF)?**

The AFPF is a new program that went into effect as of July 1, 2011 as part of Trailer Bill AB 104. The AFPF will assess families with children between the ages of 3 through 17 who receive certain services through regional center to determine if they are required to pay an Annual Family Program Fee of up to \$200 per family.

#### **Who will be assessed an Annual Family Program Fee?**

Parents whose adjusted gross family income is at or above 400 percent of the Federal Poverty Level (FPL) based upon family size, and who have a child who meets all of the following:

- A) The child has a developmental disability or is eligible for services under the California Early Intervention Services Act.
- B) The child is between the ages of 3 through 17 years of age. Children ages 0 to 3 will be added pending approval by the California Department of Education.
- C) The child lives with his or her parent.
- D) The child or family receives services beyond eligibility determination, needs assessment, and service coordination.
- E) The child does not receive services through the Medi-Cal program.

If the parents' adjusted gross income is between 400 and 800 percent of the current year FPL, the regional center shall adjust the annual fee to \$150. If the parents' adjusted gross family income is below 400 percent of the current year FPL, the family shall not be assessed the AFPF.

#### **Will I be assessed an AFPF fee if I am participating under the Family Cost Participation Program (FCPP)?**

If your family meets the criteria listed above, participates in the FCPP, and only receives respite, day care, or camp services, the family will not be assessed the AFPF. If your family meets the criteria listed above, participates in FCPP and receives any services other than respite, day care, or camp, the family will be assessed the AFPF.

#### **When will the assessment take place?**

Everyone who is required to participate in the AFPF will be assessed by June 30, 2012.

A registration form will be mailed in October 2011 to all families who will be assessed the AFPF in Fiscal Year 2011-2012 (July 1, 2011 through June 30, 2012) and whose children had birth dates in the months

of July through October 2011. Thereafter, the assessment will take place during your child's birth month. For example, if your child is born in December, a payment notice will be mailed to you in November. Again, for this fiscal year, only consumers who were born in July through October 2011 will receive the payment notice in October. For those who are in the intake process, you will be notified that this fee may be assessed. For a consumer who has added a service that makes them eligible for the AFPF, you will be assessed the fee at intake, at the IPP, or at the time of review. Payment will be mailed to the California Department of Developmental Services (DDS).

**What if I have more than one child who is a consumer?**

The AFPF is a family fee. You will be assessed for one amount annually regardless of the number of children in the family who are consumers.

**How is the parents' income calculated?**

The total adjusted gross family income is determined by adding the gross income of both parents, regardless of whether they are divorced or legally separated, unless a court order directs otherwise, or unless the custodial parent certifies in writing that the income information from the noncustodial parents cannot be obtained. In this circumstance only the income of the custodial parents shall be used to determine the AFPF.

The total adjusted gross family income means income acquired, earned, or received by parents as payment for labor or services, support, gift or inheritance, or parents' return on investment. It also includes the community property interest of a parent in the gross adjusted income of a stepparent. This is accomplished by including 50 percent of the stepparents' adjusted gross income in the calculation of the natural parents' incomes.

“Parent(s),” for the purpose of assessment of a fee, means the parents, whether natural adoptive, or both, of a child with a developmental disability under 18 years of age.

**What if I disagree with the fee amount assessed by regional center?**

If you disagree with the fee amount assessed, you can provide NLACRC with proof of income documentation that demonstrates that you should pay a lower fee or no fee.

**What if I still disagree even after giving proof of income documentation?**

If after providing proof of income documentation you are assessed a fee that you do not agree with, a fair hearing may be requested. Pending outcome of the hearing, the fee assessment may be resumed. Regional center will notify the DDS when a parent has requested a fair hearing after the account has been referred to DDS for collection, and shall provide DDS with the result of the hearing.

**Are there exemptions for the Annual Family Program Fee?**

To be considered for an exemption, parents must demonstrate the following:

- The exemption is necessary to maintain the child in the family home.
- The existence of an extraordinary event that impacts the parents' ability to pay the fee or the parents' ability to meet the care and supervision needs of the child.
- The existence of a catastrophic loss that temporarily limits the ability of the parents to pay and creates a direct economic impact on the family.

**When do I make the payment?**

You will make the payment when you receive the Annual Family Program Fee Payment Form (DS 6010). Payment is due upon receipt of this notice and should be made in full with a check or money order. The payment will be mailed to the State of California, Department of Developmental Services.

**What happens if I do not pay the AFPF?**

If payment is not received, NLACRC will send out a second notice reminder that payment is due. If payment is not remitted after the second notice, the DDS will begin the collection process to collect the funds from you. Nonpayment of the AFPF will not impact the services that you are receiving from the regional center.

**Will there be an AFPF every year?**

The current law says that the AFPF is in effect until June 30, 2013, unless the program is extended by the legislature.

**Where can I find additional information?**

The DDS web site has information about the AFPF posted on their web site at [www.dds.ca.gov/Budget/Home.cfm](http://www.dds.ca.gov/Budget/Home.cfm).

**Who can I contact if I have additional questions?**

Please speak to your service coordinator if you have any additional questions.