

In-Home Respite FAQ for Families

On July 28, 2009, the CA State Budget was signed, enacting Trailer Bill Language, which modified many services including respite care.

1. What are the changes to in-home respite services?

Under the new statute, regional centers can only pay up to 90 hours/quarter of respite unless certain exemption criteria are met (W&I 4686.5). Children in Early Start may only receive respite under certain conditions (see #8 below).

2. If our family receives 24 hours/mo of respite, will these changes affect us?

No, since you are authorized for 30 hours or less per month; however, you can no longer save up hours and use more than 90 hours/quarter.

3. How many hours of respite can we use per quarter & when do quarters end?

Up to 90 hours of respite can be paid out per quarter. If you use more than 3 months of respite in a quarter, you will have less to use in the next quarters within the same fiscal year (July 1 – June 30). You cannot transfer hours between fiscal years. The three month quarters are based on a fiscal year system that begins July 1, so each quarter ends Sept. 30, Dec. 31, March 31, and June 30. (Please note: Some respite agencies may limit families to three months of authorized respite per quarter unless prior approval is obtained from the agency.)

4. Can my unused hours from the first quarter, be used in the second quarter?

Yes, as long as you do not exceed 90 hours in the second quarter. Hours can be used between quarters in the same fiscal year as long as 90 hours per quarter is not exceeded. If there are any unused hours at the end of the fiscal year (June 30th) they will not transfer into the new fiscal year.

5. What if our family is currently authorized for more than 30 hours/mo of respite (+ 90 hours/quarter)? Will our respite hours be reduced?

TCRC sent written notices to all families in late August about the new state standards. If a family continues to need more than 90 hours/quarter of respite, the family must request a planning team meeting with their Service Coordinator. If the family does not contact their Service Coordinator, hours will be automatically reduced to 30 hours/mo as of 10/1/09.

6. What if our family needs more than 90 hours/quarter of respite?

The family must contact their Service Coordinator to discuss their needs and request an exemption if they meet the new criteria – if the “intensity of the consumer’s care and supervision needs are such that additional respite hours are 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.”

If an exemption is approved, a family cannot exceed three months of respite within that quarter.

7. Can I still use my family voucher respite to pay for other services such as camps, gym programs or equestrian therapy?

No, the new laws state that regional centers cannot pay for camps and recreation programs. Respite funds can still pay for a Respite Caregiver to provide supervision in the community, but the regional center reimbursement cannot directly pay for camp fees or other recreation programs.

8. Can my family continue to receive respite for our child in Early Start?

The new laws specify that regional centers cannot pay for any services for children under age three that are not federally-required as of 9/30/09. [W&I 95020(e)(3)]

The regional center can only pay for respite for a child under age 3 in Early Start if the respite is needed to help a family attend a class related to the child’s developmental delays (for example the Hanen Program, It Takes Two to Talk, More Than Words, Sign Language, or a class on behavioral strategies) or if the child under age 3 has been diagnosed with a qualifying condition and made “status 2 eligible.”