

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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January 6, 2023

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: STATE OF EMERGENCY – STATEWIDE

On January 4, 2023, Governor Gavin Newsom declared a statewide State of Emergency because of severe winter storms related to a series of atmospheric river systems hitting California beginning December 27, 2022. These storms brought high winds and substantial precipitation which resulted in river and urban flooding.

These storms threaten critical infrastructure and have forced the closure of, and caused damage to, highways and roads. The storms have also caused levee and culvert failures, causing mandatory evacuations in severely impacted counties.

It is forecasted that additional and continuing storms will threaten California, bringing heavy rainfall, expected flooding, strong winds and wind gusts, falling debris, downed trees, and widespread power outages.

As a result of the State of Emergency declared for the State of California, the Department of Developmental Services (Department) is authorizing, pursuant to Title 17 California Code of Regulations section 54326(a)(11), regional centers to pay vendors for absences that are the direct result of this emergency. The applicable regulation section reads as follows:

*“[All vendors shall...] Not bill for consumer absences for nonresidential services. The Department shall authorize payment for absences which are the direct result of situations and/or occurrences for which a State of Emergency has been declared by the Governor. If payment for absences due to a State of Emergency is authorized by the Department, the vendor shall bill only for absences in excess of the average number of absences experienced by the vendor during the 12-month period prior to the month in which the disaster occurred.”*

**“Building Partnerships, Supporting Choices”**

Regional Center Executive Directors  
January 6, 2023  
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If you have questions about this correspondence, please contact me at (916) 838-8960,  
or by email, at [ernie.cruz@dds.ca.gov](mailto:ernie.cruz@dds.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ernie Cruz", with a long horizontal flourish extending to the right.

ERNIE CRUZ  
Deputy Director  
Community Services Division

cc: Regional Center Chief Counselors  
Regional Center Administrators  
Association of Regional Center Agencies