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## **INFORMAL MEETING DECISION**

**Claimant:** KALEB XIONG

**Date of Birth:** March 13, 2020

**Date of Informal Meeting:** September 24, 2026

**Date of this Decision:** September 25, 2026

### **I. Persons Present at the Informal Meeting (conducted via videoconference)**

Mary Xiong, Kaleb's mother  
Yang Xiong, Kaleb's father  
Amelia Jung, Kaleb's ACRC Service Coordinator  
Sara Marquez, ACRC Client Services Manager  
Robin Black, ACRC Legal Services Specialist and Designee of Executive Director Lori Banales

### **II. Reason for Appeal**

Claimant KALEB XIONG is a six-year-old boy who is eligible for regional center services based upon diagnoses of moderate autism and global developmental delay under the fifth category. (ACRC's clinicians recommended that Kaleb's intellectual functioning be reassessed by around 2030 to see if he qualifies for a diagnosis of intellectual disability]. Kaleb is also completely blind due to a physical condition (PHPV). He resides with his parents and five [OR IS IT SEVEN] siblings in the family home in Elk Grove. Kaleb receives regional center services and supports under a traditional IPP.

### **III. Issues & Supporting Information**

#### **a. Claimant's Position and Supporting Information**

Claimant's appeal request and attachments included substantial information to support the parents' request. Moreover, the family sent multiple emails to ACRC in advance of, and after, the informal meeting, reiterating their position and supporting information. Mr. Xiong asked that I carefully consider all of that written material in addition to information shared at the informal meeting.

At the meeting, Mr. Xiong explained he did not want to escalate the matter, but believes it's the right thing to do. Mr. Xiong explained he did not believe Alta had fully explained the basis for its decision to reduce the hours, and specifically why Kaleb did not meet the criteria for an exception and asked that they do so. He understands that respite services are provided to Kaleb to allow his parents to have a break from their caregiving responsibilities. He'd like more information about how ACRC made its decision, aside from the respite worksheet/tool he was provided. Mr. Xiong explained he'd like the 200 hours of respite to continue for the following reasons:

- 1) The IHSS services Kaleb receives are primarily protective supervision. In order for a child to receive protective supervision, they must meet strict criteria for mental impairment. Kaleb has met these criteria, and in fact has a propensity for putting himself in harm's way.
- 2) Kaleb's care needs are far above those of a typically functioning child. He requires 24-hour care and supervision. Thus, the parents never get to rest.
- 3) They acknowledged that they could hire others to provide IHSS or WPCS hours, but Kaleb is young and his family understands him best and is best equipped to meet all his needs. For example, their respite worker is Kaleb's sister, because she is so familiar with him and his needs. However, Kaleb's sister's available hours are limited, so she can't provide all services. Thus, the parents split the IHSS and WPS hours. Mr. Xiong stated that due to the family dynamics, this is the best they can do.
- 4) Kaleb's school district's actions confirm the severity and intensity of his needs as they have granted him a 1:1 support person for the school setting.
- 5) He further stated the family never before questioned the number of respite hours Kaleb received, and were grateful for whatever was provided, primarily because they were so busy with everything else. At the time of this reassessment, however, he wanted to take a closer look. He believes that Kaleb should have been receiving this number of respite hours all along, since he is completely blind, has autism, and a language disorder, and the parents must work hard to ensure he remains safe.
- 6) He's unaware there is any law requiring parents to "give away" IHSS hours in order to get additional respite.
- 7) Even with 200 hours of respite per quarter, there are still "uncovered hours," and the parents do take parental responsibility to provide that care for Kaleb. But they want to tap into whatever public benefits are available, and believe he meets Alta's exception criteria.

b. Regional Center's Position and Supporting Information

ACRC has not yet issued a Notice of Proposed Action, as the 15-day meeting was just held on September 24. It appears that ACRC did not find any information at that meeting to change its decision and intends to propose a reduction in respite hours from 200 hours to 120 hours per month, and will be issuing a Notice of Action in that regard within the statutory timeline.

At that informal meeting, Client Services Manager (CSM) Marquez explained that to make its determination, ACRC did look at the hours of services Kaleb is receiving by using its assessment tool, and reviewed its respite procedure. She read through the criteria for an exception to the 120-hour per quarter cap on respite, including the need for there to be an “extraordinary event” and illnesses or death of family members or caregivers, primarily. Ms. Marquez explained that ACRC did in December/January find that there was an extraordinary event to merit the exception up to 200 hours per quarter in that Kaleb was not attending school due to a services dispute with the school district. That non-attendance at school was the triggering or qualifying event for the increase to 200 hours per quarter. Ms. Marquez further reviewed from Alta’s respite procedures the criteria needed for a client to receive 120 hours of respite per quarter: they need to require 24-hour care due to a medical problem or need. She explained that this is for clients who are “total care,” or who have severe challenging behaviors, families who have two or more regional center clients, or where the medical needs of the clients interfere with the primary caregiver’s sleep.

Ms. Marquez gave an example of a qualifying event that could merit an increase in respite above the cap as situations where a parent was having medical treatment for cancer, or there was a health issue, illness or death of an extended family member who had been providing the client a lot of care and support. Kaleb’s ongoing care needs do not meet the definition of an extraordinary event for purposes of a respite exception, she explained.

Ms. Marquez asked whether the family had considered hiring another person or persons to provide some of the IHSS hours, suggesting that perhaps their respite worker might be able to do so. This would give the parents an additional break, she explained. Alta believes that Kaleb does not require the additional respite hours.

#### **IV. Designee’s Decision**

Based upon my review of all of the available information and records, and applicable law, regulations and agency policies and procedures, I SUSTAIN ACRC’s proposed reduction in in-home respite hours from 200 hours per quarter to 120 hours per quarter for the following reasons:

Kaleb does not qualify for an exception to ACRC’s procedural cap of 120 hours per quarter because there is no time-limited, extraordinary event that has occurred that has impacted the family’s ability to care for Kaleb, and it has not been demonstrated that Kaleb needs the additional respite hours in order to remain in the home. Indeed, his parents acknowledge that they are choosing to provide the IHSS and WPCS hours for Kaleb rather than hire others. And they are essentially being paid to provide care and

supervision for Kaleb 320 hours per month. Kaleb also receives care and supervision from his school and from a social recreation coach. There are only approximately 3 hours a day where someone is not being paid to provide, or outright providing Kaleb's care (this figure includes 120 hours per month of respite). If both parents are too tired to provide the remaining 3 hours a day of care to Kaleb, the solution sits within their own control; that is to hire someone else or more than one person to provide all or some of the IHSS or WPCS hours. For example, if they hired someone to take over just 27 hours per month from those 320 hours of IHSS and WPCS hours, they would receive an increased break equivalent to the 200 hours per quarter of in-home respite, with no increase in cost to the taxpayers. Regional centers are not required to provide services to protect the family's maximum employment income at the expense of public funds, which is what Alta would be doing if it funded 200 hours of in-home respite for Kaleb on an ongoing basis, as requested.

Now, I acknowledge that Kaleb's care needs are great due to his developmental disabilities and blindness, and that they are far greater than the needs of a typical child. However, Kaleb is fortunate in that along with all of the services he is already receiving, he has two loving parents available to meet his care needs. His parents also receive a substantial break from his caregiving needs during school hours, and during social recreation coaching. His father is employed, and does not have caregiving responsibilities during that time period. I have seen no information to suggest that Kaleb *requires* the additional respite in order to remain in his home.

### **Applicable Law, Regulations, and Policy:**

Welfare and Institutions Code section 4646(a), which requires regional centers ensure the cost-effective use of public funds.

Welfare and Institutions Code section 4646.4(a)(4), which requires regional centers to consider the parents' responsibility to meet the needs of a typical child, and also to consider any disability-related needs that are in excess of the needs of a typical child.

Welfare and Institutions Code section 4659, which requires regional center to ensure that all generic resources are exhausted before considering purchasing a client service or support.

ACRC's In Home Respite Procedure, which provides the amounts of in-home respite Alta clients can qualify for, as well as the grounds for an exemption from the 120-hour a quarter cap.

### **V. Appeal Rights**

This Decision is not binding.

- a) If you are satisfied with this Decision and wish to withdraw your appeal at this time, OR are NOT satisfied but do not want to proceed any further in the appeals process, please

complete and sign the attached *Notification of Resolution* form and return it to me at your earliest convenience for my signature and filing with the court to have the appeal request dismissed. Please ensure that you complete the section of the form on page 1 providing the reason why you believe the matter was resolved or you are withdrawing without resolution.

- b) If you are NOT satisfied with the Decision, and wish to proceed with the appeal, the parties shall proceed to the mediation in this matter, which has not yet been scheduled by the court.

It was a pleasure meeting and speaking with you, and I thank you both for your willingness to participate in this informal resolution process on Kaleb's behalf. Please feel free to contact me at (916) 978-6269 with any questions regarding this Decision.

September 25, 2026



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Date

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Robin M. Black, M.A.  
Legal Services Specialist  
and Designee of ACRC Executive Director

Encl: Notification of Resolution