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GAVIN NEWSOM  
GOVERNOR

December 19, 2024

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: STATE OF EMERGENCY – AVIAN INFLUENZA A (H5N1)

On December 18, 2024, Governor Gavin Newsom declared a statewide State of Emergency which may affect vendor services for individuals served by your regional center. For additional details of the declared State of Emergency, please visit: [Governor Newsom takes proactive action to strengthen robust state response to Bird Flu](#).

As a result of the State of Emergency, the Department of Developmental Services (Department) is authorizing, pursuant to Title 17 California Code of Regulations (CCR) section 54326(a)(11), regional centers to pay vendors for absences that are the direct result of the State of Emergency. CCR, Title 17 section 54326(a)(11) states:

*“[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.”*

Individuals who receive services, family members or service providers with questions should contact their regional center. Questions from regional centers should be directed to [ratesquestions@dds.ca.gov](mailto:ratesquestions@dds.ca.gov).

Sincerely,

*Original Signed by:*

ERNIE CRUZ  
Deputy Director  
Community Services Division

cc: Regional Center Administrators  
Regional Center Directors of Client Services  
Association of Regional Center Agencies  
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