My son has Autism Spectrum Disorder. I can tell you what I did that was successful in getting him protective supervision in three and a half months without needing to appeal:

About Protective Supervision

Protective Supervision is part of the IHSS program in California. It is for children and adults with a mental impairment that have self-harming and or dangerous behaviors that they engage in without regard to consequences. These behaviors must be regularly occurring and random. That is why they need someone to supervise them 24 hours a day 7 days a week to minimize injury to themselves.

An example of this behavior would be called eloping or wandering away. Many children with autism engage in this behavior. they will leave a safe space and go somewhere dangerous without realizing they could be seriously injured.

Other examples of behavior that some children exhibit that qualify for protective supervision are climbing up high, banging their head on the floors, walls or people, punching or slapping themselves in the face, scratching themselves until they bleed.

If your child engages in any of the examples I listed above or similar activities without regard to the consequence, you should pursue getting Protective Supervision.

Step One: Applying for IHSS

If you are not already in the IHSS program, please take a look at: How to Apply for IHSS

Step Two: Applying for Medi-Cal

If you are having trouble qualifying for Med-cal, or you are given a high Share of Cost, please take a look at: How to Avoid Share of Cost for Medi-cal and IHSS

Step Three: Applying for Protective Supervision

If you feel your family member might meet the qualifications, then call your social worker and ask for an assessment for protective supervision.

You have to remember these people have lots and lots of cases. At a bare minimum you should be calling every single week and checking in if you have an open case waiting for a decision. This is how my son got Protective Supervision quickly:

- First make a Dangerous Behavior Log which is a list of any self-harming behaviors he has done over the past six to 12 months. (See sample pages below)

- Next Google IHSS SOC 821 protective supervision form. Print form and take it to the
doctor that treats him along with the hazard log.

Do not mail in the form or drop it off. Sit in person with the doctor while he fills out the form and tell him to use your examples of self injurious behavior to write in the form. It’s best if most boxes are marked severe or at least moderate. Some families prepare a sample of a completed form and bring that too as an example.

Next gather his Regional Center Individual Program Plan (IPP). This is a document created by the Regional Center.

Then gather his Client Development Evaluation Report (CDER). This is a document created by the Regional Center. It’s a summary of the client’s abilities and issues.

Then get a copy of his Individualized Education Program (IEP). This document will be created by your child’s school.

Now look through all three documents: IPP, CDER, and IEP. Look through them and see if it mentions any self-harming behavior your child engages in. Look for any self-harming behaviors noted and highlight them.

If there are behaviors he engages in that are not noted, you could call a meeting and have them added to his school and/or Regional Center reports.

Once you have all of the above completed, call your Social Worker and tell them that you are applying for protective supervision.

Tip: Keep track of every contact with IHSS that you have the date the time the person you spoke with and a summary of your conversation.

Meeting the Social Worker

When I met the Social Worker for the home assessment, I handed her the following:

Dangerous Behavior Log

Completed SOC 821 form

IEP with the items highlighted

CDER with the items highlighted

IPP with the items highlighted

Tip: Always make a complete copy of everything that you give to IHSS so you know what information they are looking at.

Appealing a Decision

If your case is denied, and you’re within the time frame to file an appeal, always try to do that first to preserve any back pay.

If you lose your appeal there’s another step beyond that you can try for. Otherwise you can always reapply—basically start a new case.
Generally though you would only want to reapply if you’ve exhausted all your other appeals first because if you reapply, then backpay would only be from your new application date.

Learn More

If someone in your family is on SSI, there are a bunch more things you might find helpful to know: How to Survive on SSI

From Disability Rights California: IHSS Protective Supervision

Connect with other families: Facebook Groups for IHSS and Medicaid Home Care

Sample Dangerous Behaviors Log
DANGEROUS CLIMBING:

MUST HAVE A 1 TO 1 AREA AT PRESC.
DUE TO DANGEROUS CLIMBING,
HEAD BANGING, PUTTING CHOKING HAZARDS
IN MOUTH & WANDERING.

ON A DAILY BASIS AT HOME, HE CLIMBS
UP HBA --- INTO DRESSER, TOP OF
TRIANGLE, KITCHEN COUNTER, TOP OF STOVE,
TOP OF DEEPER.

IN THE EARLY MORNING HOURS WHILE IT
WAS STILL DARK & EVERYONE ELSE SLEEPING,
HE CLIMBED ONTO THE KITCHEN COUNTER,
TURNED ON THE WATER IN THE
KITCHEN SINK, THEN KNOCKED OVER
ONTO THE GROUND, THE DISH DRAY,
WHICH HELD GLASS CONTAINERS, KNIVES
& BOWLS. EVERYTHING SHATTERED
ON IMPACT ON THE TILED FLOOR.
PARENT CAME RUNNING OUT AT SOUND
OF LOUD NOISE & PICKED HIM UP.
DANGEROUS BEHAVIOR
OF PAST 6 MONTHS

WAYNE:

While in grocery store parking lot,
One parent put him in his car seat
But did not buckle him. His
door was open because we were
loading groceries into the car.
He jumped out of his seat & out
of the car & ran into road.
A SUV vehicle was coming towards
him. While they saw him
& parent chasing behind him &
they slammed on their brakes
& avoided running him over.

Front door was open & screen
was not locked. He opened the
doors & ran out to the road.

While riding in red toy wagon
he jumped out & ran down
the road. This has happened
multiple times.