

# **PROTECTION & ADVOCACY, INC.**

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**TO: People with Developmental Disabilities, Parents, Advocates**  
**RE: Eligibility for PAI Services on the Basis of Developmental Disabilities**

The federal definition of "developmental disability" applicable to Protection & Advocacy, Inc. (PAI) is contained in 42 USCA 6001(5), the Developmental Disabilities Assistance and Bill of Rights Act. (This definition differs from the state definition applicable to, for example, eligibility for regional center services.)

## **6001. Definitions**

(5) The term "developmental disability" means a severe, chronic disability of a person 5 years of age or older

(A) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(B) is manifested before the person attains age twenty-two;

(C) is likely to continue indefinitely;

(D) results in substantial functional limitations in three or more of the following areas of major life activity:

(i) self care,

(ii) receptive and expressive language,

(iii) learning,

(iv) mobility,

(v) self-direction,

(vi) capacity for independent living, and

(vii) economic self sufficiency; and

(E) reflects the person's need for a combination and sequence of special interdisciplinary or general care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; except that such term, when applied to infants and young children means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.

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