

MEETING MATERIAL

Disability Terminology Working Group Meeting no. 3

October 6, 2025, 12:00 noon — 1:30 p.m.

Absent unforeseen circumstances, this upcoming meeting may be the last scheduled meeting for this working group. The Law Revision Commission is extremely grateful to each of you for your participation, and for your contribution to the Law Revision Commission's eventual recommendation to the Legislature in this matter.

Please also keep in mind that the Commission's regular study process provides multiple future opportunities for any member of this group to continue to offer public comment to the Commission on this study (or any study). You may do so by sending an email to Commission staff that will thereafter be presented to the Commission, or you may directly offer comment to the Commission by attending—in person or via teleconference—any Commission meeting at which the study of your interest is on that meeting's agenda.

(The next Commission meeting at which this study will be on the agenda is currently scheduled for December 4, 2025. Information as to how to join the meeting via teleconference, as well as how to offer public comment at the meeting, is available on the [meeting page of the Commission's website](#).)

It is also possible that once the Commission considers the input from this group and begins its work on a recommendation to the Legislature, the Commission may have further questions for the group, and will ask Commission staff to reconvene the group to discuss those questions.

So, even after this upcoming meeting, please continue to keep an eye out for future emails!

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A review of the video recording of the last two meetings of the working group indicates that a handful of terms have garnered the most support as suggested substitutions for the terms “dependent person” and “dependent adult” in the California codes. At the same time, the video reveals concerns members have about most if not all of those same terms, suggesting that a consensus recommendation as to a single substitute term may be unlikely.

However, whether that proves to be the case or not, what will likely be *more* helpful to the Commission than a consensus recommendation is for the group to continue to offer the Commission **the “pros and cons” of each of these possible substitute terms**, from the perspective of people who will be defined by these terms, as well as people who advocate for and work with those persons on a daily basis.

And so, at the upcoming meeting, Commission staff hopes to elicit further discussion from the group regarding why terms that have been identified would be either a good or bad substitute for the existing terms. Commission staff will certainly pass on to the Commission a summary of the comparative support for and opposition to particular substitute terms, but the staff does not expect to seek any formal “vote” on the terms at the upcoming meeting.

### *Anticipated Meeting Procedure*

To assist group members in further identifying and expressing rationales either supporting or opposing potential substitute terms at the upcoming meeting, you will find a chart at the end of this document. The chart contains a list of the substitute terms that have most often been suggested or advocated for by members of the group to date, along with shorthand references to offered rationales either supporting or opposing the choice of those terms.

**Please review and thoughtfully consider the suggested terms and rationales in the chart, and perhaps consult with colleagues about the terms, in advance of the upcoming meeting.** And please have a copy of the chart available to you at the meeting, for continued reference.

At the upcoming meeting, Commission staff will once again offer each attending member two opportunities to speak, for about a minute or so each. But this time, Commission staff will be requesting members to primarily address, perhaps with slightly more specificity than in the past, any strongly held view as to why a substitute term listed in the attached chart would be either a good or bad choice.

In addition, before we begin that process, **Commission staff will ask whether any member has any *new* term they would like to offer for the group’s consideration.** If anyone suggests any new term, we will add it to the chart so it can also be the subject of offered supporting and opposing rationales.

### *Possibly Helpful Clarification Relating to Legislative Issues*

Review of the video of the past two meetings also suggests that further explanation of some concepts applicable to this legislative assignment may be helpful. **So, sometime before the meeting, please review and consider the items that follow. And if after reading you have any questions about any item, Commission staff will be happy to answer those questions as best as possible at the start of the upcoming meeting.**

1. Typically, and problematically, the definitions of the terms that are to be replaced in this study do *not* appear in the code sections in which the term is used. Instead, the definitions typically appear in *other* code sections, and the code section in which the term itself appears often does not disclose that the term is statutorily defined at all.

It is therefore possible the Commission may also recommend to the Legislature, in addition to new statutory terms, that a clearer statutory connection be established between each new term, and its statutory definition. One way to create this connection would be to

add after each substituted term the phrase “as defined in Section [XXX],” or language to that effect. By adding this phrase, the definition of the substitute term would effectively be incorporated in the code section.

**The addition of this significantly enhanced connection between a substitute term and its statutory definition may address a frequently expressed concern of some working group members that the meaning of a suggested substitute term is either unclear, or is inconsistent with the term’s statutory definition.**

2. The Legislature has also directed that the substitution of these terms be “undertaken in a consistent and comprehensive manner.”

Interpretation of the phrase “consistent and comprehensive manner” will be a task for the Commission, and likely not an easy one. A conservative interpretation of that direction could be that a single substitute term — distinguished only by reference to either a “person” or an “adult” — be recommended as a replacement for *every* use of the term “dependent person” or “dependent adult,” throughout all codes.

**However, a narrow deviation from that interpretation may be justified, relating to the use of the term “dependent adult” in code sections applicable to Adult Protective Services (APS).** The rationale for this deviation would be that the definition of “dependent adult” in the APS code sections differs in a material way from all other statutory definitions of that term or the term “dependent person,” and that material difference perhaps should be affirmatively identified, through use of a distinct substitute term.

Specifically, while all other code definitions of “dependent adult” or “dependent person” require (other than specified inpatient status) some type of *limitation or impairment* of a person’s ability to engage in normal activities or protect their rights, the definition of “dependent adult” relevant to APS requires (again outside of specified inpatient status) a person’s *inability* to carry out normal activities or protect their own interest.

**Therefore, at the upcoming meeting, if you desire to do so, please feel free to advocate for *one* substitute term to replace “dependent adult” for purposes of *only* the APS code sections, and a *second* substitute term to replace defined uses of “dependent person” or “dependent adult” in all other code sections.**

The Commission may or may not ultimately recommend two different terms, but at minimum your input will help inform its decision on that issue.

3. Finally, as the working group was advised at the beginning of this study, the terms to be replaced throughout the code — “dependent person” and “dependent adult” — currently appear in approximately 140 code sections with a corresponding definition. The Commission’s assignment to recommend replacement of these terms also directs that in doing so the Commission not recommend any substantive change to existing law, **which means the Commission cannot recommend any change to any of these definitions.**

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Suggested Term	Supporting Rationale	Opposing Rationale
<p>p/a with support need</p> <p>(Note: “p/a” is shorthand for “person” or “adult,” both of which are used in different code sections, and would be retained as part of the substituted term.)</p>	<p>fits within definitions</p> <p>covers broad range of needs</p> <p>not stigmatizing to PwDs or suggesting dependence like some of the other suggested terms (e.g., endangered, at risk, vulnerable)</p>	<p>too non-specific for law enforcement, excludes invisible disabilities</p> <p>could refer to financial support</p> <p>we <i>all</i> have “support needs”</p> <p>“need” not clearly required to qualify under definitions</p>
p/a with functional limitation	<p>seems to be key element of the definitions</p> <p>more factual than support need</p> <p>classic definition of disability</p>	
p/a with support accommodation need	<p>more specific than “support need”</p> <p>fits definitions</p>	
p/a at risk	<p>definitions require more than just disability</p>	<p>“at risk” of what?</p> <p>may be stigmatizing</p> <p>PwDs not necessarily “at risk”</p>
p/a experiencing vulnerability		<p>vulnerable to what?</p> <p>stigmatizing</p> <p>used in other areas of law</p> <p>PwDs not necessarily vulnerable</p>
protected p/a		not “people first”
endangered p/a		not “people first”
p/a with disability		<p>already a defined term (IC 927.1, W&I 9653, 19404)</p> <p>insufficient for APS</p>