

84064.3 ADMINISTRATOR RECERTIFICATION REQUIREMENTS (Continued) 84064.3

- (c) Courses approved for continuing education credit shall require the physical presence of the certificate holder in a classroom setting as defined in Section 84001(c)(5) except that up to one-half of the required forty (40) hours of continuing education necessary to renew the certification may be satisfied through interactive online courses as specified in Section 84091(i).
- (1) The Department will not count toward the continuing education requirements more than ten (10) hours of instruction, in-class and/or online, completed in a single day.
 - (2) Home study or correspondence-type courses will not be counted toward completion of continuing education requirements as they are not interactive by design.
 - (3) Completion of an Initial Certification Training Program or component(s) thereof will not be counted toward completion of continuing education requirements as the Program is intended for new administrators.
 - (4) Any specific continuing education course may only be accepted once per renewal period toward completion of the continuing education requirements.
- (d) To apply for recertification prior to the expiration date of the certificate, the certificate holder shall submit to the Department's Administrator Certification Section, post-marked on, or up to ninety (90) days before, the certificate expiration date:
- (1) A completed application for Administrator Certification form LIC 9214.
 - (2) Evidence of completion of forty (40) continuing education hours as specified in Section 84064.3(a) above.
 - (3) Payment of a non-refundable one hundred dollar (\$100) processing fee.

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- (e) To apply for recertification after the expiration date of the certificate, but within four (4) years of the certificate expiration date, the certificate holder shall submit to the Department's Administrator Certification Section:
- (1) A completed application for Administrator Certification form LIC 9214.
 - (2) Evidence of completion of the required continuing education hours as specified in Section 84064.3(a) above. The total number of hours required for recertification shall be determined by computing the number of continuing education hours the certificate holder would have been required to complete if they had remained certified. The date of computation shall be the date the application for renewal is received by the Department's Administrator Certification Section.
 - (3) Payment of a non-refundable delinquency fee equal to three times the one hundred dollar (\$100) renewal fee, or three hundred dollars (\$300).
- (f) Certificates not renewed within four (4) years of their expiration date shall not be renewed, restored, reissued or reinstated.
- (1) Holders of certificates not renewed within four (4) years of their expiration date must begin anew the certification process specified in Section 84064.2(b).
- (g) Certificate holders, as a condition of recertification, shall have a current criminal record clearance or exemption.
- (h) A non-refundable processing fee of twenty-five dollars (\$25) shall be paid for the replacement of a lost certificate.
- (i) A certificate holder shall report any change of mailing address within thirty (30) days to the Department's Administrator Certification Section.
- (j) Whenever a certified administrator assumes or relinquishes responsibility for administering a group home facility, he or she shall provide written notice within ten (10) days to:
- (1) The local licensing office(s) responsible for receiving information regarding personnel changes at the licensed facilities with whom the certificate holder is or was associated, and
 - (2) The Department's Administrator Certification Section.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1522 and 1522.41(a), (f) and (h), Health and Safety Code.

84064.4 ADMINISTRATOR CERTIFICATE DENIAL OR REVOCATION 84064.4

- (a) The Department may deny or revoke any administrator certificate upon any of the grounds specified in Health and Safety Code section 1550 and/or on any of the following grounds:
- (1) The certificate holder or applicant procured or attempted to procure a certificate by fraud, misrepresentation, bribery, or other unlawful behavior.
 - (2) The certificate holder or applicant knowingly made or gave a false statement or information in conjunction with the application for a certificate.
 - (3) The Department has issued an exclusion order against the certificate holder pursuant to Health and Safety Code sections 1558, 1568.092, 1569.58 or 1596.8897 after the Department issued the certificate, and:
 - (A) The certificate holder did not appeal the exclusion order or,
 - (B) After the appeal, the Department issued a decision and order that upheld the exclusion order.
 - (4) The certificate holder or applicant does not have a current criminal record clearance or exemption.
 - (5) The certificate holder fails to comply with certificate renewal requirements.
 - (A) The Department may reinstate a certificate that has been revoked for failure to comply with certificate renewal requirements provided all conditions for recertification have been satisfied, including payment of all appropriate renewal and delinquency fees.
- (b) Any denial or revocation of an administrator certificate may be appealed as provided by Health and Safety Code section 1551.
- (c) Unless otherwise ordered by the Department, any application for an administrator certificate submitted after a denial or revocation action shall be processed in accordance with the provisions of Health and Safety Code section 1520.3.

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Health and Safety Code section 1520.3 in pertinent part provides that:

"(a)(1) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant previously was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.3 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall cease any further review of the application until two years shall have elapsed from the date of the revocation. The cessation of review shall not constitute a denial of the application for purposes of Section 1526 or for any other provision of law....

(3) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant was excluded from a facility licensed by the department or from a certified family home pursuant to Sections 1558, 1568.092, 1569.58, or 1596.8897, the department shall cease any further review of the application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code by the department.

(b) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall cease further review of the application as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall cease review of the application until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall cease further review of the application until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

(3) The department may continue to review the application if it has determined that the reasons for the denial of the applications were due to circumstances and conditions which either have been corrected or are no longer in existence."

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NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1520.3, 1522, 1522.41(f) and (g), 1550 and 1551, Health and Safety Code.

84064.5 ADMINISTRATOR CERTIFICATE FORFEITURE**84064.5**

- (a) Unless otherwise ordered by the Department, the certificate shall be considered forfeited under any of the following conditions:
- (1) The Department has revoked any license held by the certificate holder after the Department issued the certificate.
 - (2) The Department has issued an exclusion order against the certificate holder pursuant to Health and Safety Code sections 1558, 1568.092, 1569.58 or 1596.8897, after the Department issued the certificate, and:
 - (A) The certificate holder did not appeal the exclusion order or,
 - (B) After the appeal, the Department issued a decision and order that upheld the exclusion order.
- (b) Unless otherwise ordered by the Department, any application for an administrator certificate submitted after a certificate has been forfeited shall be processed in accordance with the provisions of Health and Safety Code sections 1520.3, 1558(h) and/or 1558.1.

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Section 1520.3 in pertinent part provides:

"(a)(1) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant previously was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.3 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall cease any further review of the application until two years shall have elapsed from the date of the revocation. The cessation of review shall not constitute a denial of the application for purposes of Section 1526 or for any other provision of law....

(3) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant was excluded from a facility licensed by the department pursuant to Section 1558, 1568.092, 1569.58, or 1596.8897, the department shall cease any further review of the application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code by the department.

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(b) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall cease further review of the application as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall cease further review of the application until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall cease further review of the application until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

(3) The department may continue to review the application if it has determined that the reasons for the denial of the applications were due to circumstances and conditions which either have been corrected or are no longer in existence."

Health and Safety Code section 1558(h) in pertinent part provides:

"(h)(1)(A) In cases where the excluded person appealed the exclusion order, the person shall be prohibited from working in any facility or being licensed to operate any facility licensed by the department or from being a certified foster parent for the remainder of the excluded person's life, unless otherwise ordered by the department.

(B) The excluded individual may petition for reinstatement one year after the effective date of the decision and order of the department upholding the exclusion order pursuant to Section 11522 of the Government Code. The department shall provide the excluded person with a copy of Section 11522 of the Government Code with the decision and order.

(2)(A) In cases where the department informed the excluded person of his or her right to appeal the exclusion order and the excluded person did not appeal the exclusion order, the person shall be prohibited from working in any facility or being licensed to operate any facility licensed by the department or a certified foster parent for the remainder of the excluded person's life, unless otherwise ordered by the department.

(B) The excluded individual may petition for reinstatement after one year has elapsed from the date of the notification of the exclusion order pursuant to Section 11522 of the Government Code. The department shall provide the excluded person with a copy of Section 11522 of the Government Code with the exclusion order."

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Health and Safety Code section 1558.1 in pertinent part provides:

"(a)(1) If the department determines that a person was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.2 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall exclude the person from, and remove the person from the position of a member of the board of directors, an executive director, or an officer of a licensee of, any facility licensed by the department pursuant to this chapter.

(b) If the department determines that the person had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall exclude the person from, and remove the person from the position of a member of the board of directors, an executive director, or an officer of a licensee of, any facility licensed by the department pursuant to this chapter and as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall exclude the person from, and remove the person from the position of a member of the board of directors, an executive director, or an officer of a licensee of, any facility licensed by the department pursuant to this chapter until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall exclude the person from, and remove the person from the position of a member of the board of directors, an executive director, or an officer of a licensee of, any facility licensed by the department pursuant to this chapter until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

(e) The department may determine not to exclude the person from, or remove the person from the position of a member of the board of directors, an executive director, or an officer of a licensee of, any facility licensed by the department pursuant to this chapter if it has determined that the reasons for the denial of the application or revocation of the facility license or certificate of approval were due to circumstances and conditions that either have been corrected or are no longer in existence."

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NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1520.3, 1522.41(g), 1558(h), and 1558.1, Health and Safety Code.

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84065 PERSONNEL REQUIREMENTS**84065**

- (a) In addition to Section 80065, the following shall apply.
- (b) The licensee shall employ those administrative, child care, social work and support staff necessary to perform the assigned duties specified in applicable law and regulation.
- (c) The licensee shall ensure provision of the services specified in Section 84065.2(c)(1) through (4) by social work staff.
- (d) The licensee shall designate at least one facility manager to be present at the facility at all times when children are present:
 - (1) The facility manager shall meet one of the following requirements prior to employment.
 - (2) This requirement does not apply to facilities with a licensed capacity of six or less which were licensed prior to January 1, 1985.
 - (A) One year of full-time experience, or its equivalent, working with the client group to be served.
 - (1) Experience shall be verified as having been performed as a paid or volunteer staff person whose duties required direct supervision and care of the client group served.
 - (B) Two years experience as a member of the social work staff in a group home performing those duties specified in Section 84065.2(c).
 - (C) Completion with a passing grade, from an accredited or approved college or university, of 15 college semester or equivalent quarter units in behavioral science, 9 units of which must be in courses relating to children with behavioral problems which may be the result of abuse, neglect, or emotional trauma. The courses may include, but are not limited to curriculums in Corrections, Psychology, Social Work, or Social Welfare.
 - (3) Prior to assuming the duties and responsibilities of the facility manager, the individual shall complete a minimum of one hour of training as specified in Section 84065(k), in addition to training required in Sections 84065(i) and (j).
 - (A) Facility managers only working in community treatment facilities governed by Title 22, Division 6, Chapter 5, Subchapter 1, who have completed the training required by Section 84165(f), are exempt from the training required in Sections 84065(i) and (j).
 - (B) Facility managers only working in group homes that care for children under the age of six years governed by Title 22, Division 6, Chapter 5, Subchapter 2, who have completed the training required by Section 84265(c) and (h) are exempt from the training required in Sections 84065(i) and (j).

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- (4) Any person willfully making any false representation as being a facility manager is guilty of a misdemeanor.
- (e) In facilities with a licensed capacity of 13 or more children, one employee shall be designated by the administrator to have primary responsibility for planned activities, and shall be given assistance as necessary to ensure that all children participate in accordance with their needs, interests, and abilities.
 - (1) Such employee shall develop, organize, implement, and evaluate the facility activity program, and shall possess the following qualifications:
 - (A) Completion of or enrollment in a related education or training program.
 - (B) Six months' experience in organizing and providing planned activities.
- (f) The licensee of a group home providing care and supervision to children diagnosed by a physician, psychiatrist, psychologist or licensed clinical social worker as mentally disordered shall make provision for at least monthly consultation from a psychiatrist, or clinical psychologist, or licensed clinical social worker regarding the program of services.
 - (1) The licensee shall maintain on file copies of reports signed by any such consultant, noting the types and hours of services provided.

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- (A) The number of hours of consultation may be based on the size of the facility, qualifications of personnel, availability or lack of community resources, type of population, documentation of unmet needs and the number of hours provided by a social worker employed by the facility.

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- (g) The licensee of a group home providing care and supervision to children diagnosed by a physician, psychiatrist or psychologist as developmentally disabled shall make provision for at least monthly consultation from a qualified mental retardation professional regarding the program of services.
 - (1) The licensee shall maintain on file copies of reports signed by any such consultant, noting the types and hours of services provided.

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- (A) The number of hours of consultation may be based on the size of the facility, qualifications of personnel, availability or lack of community resources, type of population, documentation of unmet needs and the number of hours provided by a social worker employed by the facility.

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- (h) The licensee shall develop, maintain, and implement a written plan for the supervision, evaluation, and training of all child care staff.
- (1) The child care staff training plan, as specified in Sections 84065(i) and (j) shall be incorporated in the group home's program statement.
- (2) The training plan shall address the initial 24 hour training for newly hired child care staff.
- (A) When the training plan includes job shadowing activities as described in Section 84065(i)(1), the following shall be included in the training plan:
1. Specific activities;
 2. Job classification of the individual being shadowed;
 3. Time spent on each activity; and
 4. Skill to be developed through each job shadowing activity.
- (3) The training plan shall address the annual training for newly hired and existing child care staff.
- (4) The training plan shall include for each training session the following:
- (A) Course title and subject matter;
- (B) Learning objectives and activities;
- (C) Number of hours per training session;
- (D) Qualifications of the trainer; and
- (E) Training evaluation.
1. Each session shall include an evaluation of the trainer and course content to determine if the training is meeting the needs of child care staff.

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- (5) The training plan shall be appropriate for the client population and the training needs and skill level of child care staff.
 - (A) The licensee shall amend the training plan, when necessary, to meet the needs of child care staff and the client population.
- (6) Amendments to the staff training plan, shall be submitted to the Department within ten days following the occurrence.
- (i) Notwithstanding Sections 80065(f)(1) through (6), new child care staff hired on or after July 1, 1999, shall complete a minimum of 24 hours of initial training comprised of the 8 and 16 hour training as specified in (1) and (2) below:
 - (1) 8-Hour Training
 - (A) Training shall be completed before new child care staff are:
 - i. responsible for supervising children,
 - ii. left alone with children, and
 - iii. counted in the staff to child ratio required in Sections 84065.5 and 84065.7.
 - (B) Until the 8 hours of training is completed, new child care staff shall be visually supervised at all times by child care staff who meet the training requirements specified in this subsection and (2) below.
 - (C) A maximum of 4 hours of the training requirement may be satisfied by successful completion of job shadowing.
 - 1. For the purpose of this regulation, job shadowing means a process whereby new child care staff follow and observe experienced facility personnel performing a specific job. The purpose of job shadowing is to gain information related to a specific job including, materials used, physical demands, necessary skills and knowledge.
 - 2. During shadowing, the experienced facility personnel being shadowed must be performing child care duties and counted in the staff to child ratios, as required in Sections 84065.5 and 84065.7.
 - 3. Job shadowing shall promote the development of specific skills, and shall consist of specific activities for a specific time period.

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4. Successful completion of job shadowing shall be verified by a statement completed by the experienced facility personnel being shadowed affirming: a) specific activity observed; b) dates and times of shadowing; and, c) training topic listed in Section 84065(i)(3)(A) through (R) that is satisfied by the job shadowing activity.
- (D) Within 7 calendar days of completion of the 8 hour training, the administrator or administrator's designee shall assess if each child care staff understands and can apply the training.
1. The assessment may include observation of performance, post-testing or demonstrated hands-on competency.
 2. The assessment shall be documented in each child care staff personnel record.
 3. When the administrator or administrator's designee determines a child care staff does not understand and cannot apply the training, re-training is required.
- (2) Sixteen hours of training shall be completed by new child care staff within 90 days of hire.
- (A) New child care staff who work a maximum of 20 hours per week shall complete the additional minimum 16 hours of training within 180 days of hire.
- (B) Within 30 days of completion of the 16 hour training, the administrator or administrator's designee shall assess if each newly hired child care staff understands and can apply the training.
1. The assessment may include observation of performance, post-testing or demonstrated hands-on competency.
 2. The assessment shall be documented in each child care staff personnel record.
 3. When the administrator or administrator's designee determines a child care staff does not understand and cannot apply the training, re-training is required.
- (3) Training shall include, at a minimum, all of the following topics. The licensee shall determine how much time is spent on each topic, and shall ensure that child care staff have appropriate skills necessary to supervise the children in care.
- (A) Overview of the client population served by the group home;
 - (B) Facility's program and services, including program philosophy, activities and community resources;

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- (C) Facility's policies and procedures, including reporting requirements to the Department and as a mandated child abuse reporter;
- (D) Child care workers' job description, including roles and responsibilities;
- (E) Child care workers' self awareness;
- (F) Role of other facility personnel in service delivery, including case staffing;
- (G) Discipline policies and procedures;
- (H) Disaster response;
- (I) Medical emergency response;
- (J) Teamwork and interpersonal communication among facility personnel and clients and client family members;
- (K) Teamwork and intra-facility communication;
- (L) The role of placement workers;
- (M) Medication procedures, assistance with medication, universal precautions, recognition of early signs of illness and the need for professional assistance, and other health related issues;
- (N) Group home children's adjustment to group care;
- (O) Housekeeping and sanitation principles; principles of nutrition, food preparation and storage and menu planning;
- (P) California Code of Regulations, Title 22;
- (Q) Availability of community services and resources; and
- (R) Recreation activities and resources.
- (S) The child's right to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.

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- (4) The training requirement shall be satisfied by successful completion of course work conducted in a workshop, seminar, classroom setting, individual or small group setting.
- (A) Proof of successful completion of course work shall be limited to official grade slips or transcripts from colleges or adult education departments; or certificates or signed documentation issued by bona fide educational institutions or organizations, or licensee associations, or courses offered or approved by accredited educational institutions, or qualified individuals who possess the necessary skills, knowledge and experience to train others in a particular subject area.
1. A qualified individual shall possess: a) a master's degree in a behavioral science from an accredited college or university and one year experience as an administrator, social worker, child care staff, or independent contractor providing direct social work activities in a group home; or, b) a master's degree and one year of work experience with the client population or a bachelor's degree and two years of work experience with the client population; or, c) a licensed mental health professional, as defined in California Code of Regulations Title 9, Chapter 12, Section 1901(p) or, d) a certificate or credential from an accredited course of study or educational institution in the subject matter for which the individual will be providing training; e) or, an individual who has provided training to group home child care staff for three years and has at least three years work experience in the subject matter of the training.

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California Code of Regulations, Title 9, Chapter 12, Section 1901(p) reads:

- (p) "Licensed mental health professional" means any of the following:
- (1) A psychiatrist;
 - (2) A clinical psychologist;
 - (3) A licensed marriage, family and child counselor;
 - (4) A licensed clinical social worker;
 - (5) A licensed registered nurse with a masters or doctorate degree in psychiatric nursing.

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- (5) Documentation of successful completion of training shall be maintained in the personnel record for each child care staff.
- (6) The 24 hour initial training is in addition to first aid and CPR training, and other training as required in Sections 84065.1 and 84365.

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- (A) Initial 24 hour training does not apply to child care staff only working in community treatment facilities governed by Title 22, Division 6, Chapter 5, Subchapter 1 who have successfully completed the training required in Section 84165(f), and child care staff only working in group homes that care for children under the age of six years governed by Title 22, Division 6, Chapter 5, Subchapter 2 who have successfully completed training required in Section 84265(h).
- (j) Annual Training
- (1) Notwithstanding Sections 80065(f)(1) through (6), all child care staff shall complete a minimum of 20 hours of annual training, except as specified in (2) below.
- (A) At least 5 hours of the annual training shall consist of course work from an entity other than the group home such as an accredited educational institution, workshops, seminars, or other direct training provided by a qualified individual, who meets the requirements specified in Section 84065(i)(4)(A)1., who is not affiliated with the group home licensee.
- (2) Notwithstanding Sections 80065(f)(1) through (6), newly hired child care staff, hired on or after July 1, 1999, shall complete a minimum of 16 hours of annual training within the first 12 months of employment, for a total of 40 hours of initial and annual training. After the first 12 months of employment, child care staff shall comply with (1) above.
- (A) At least 4 hours of the annual training shall consist of course work from an entity other than the group home such as an accredited educational institution, workshops, seminars, or other direct training provided by a qualified individual who meets the requirements specified in Section 84065(i)(4)(A)1., who is not affiliated with the group home licensee.
- (3) Training may include but is not limited to, the following topics:
- (A) Neglect/abuse issues;
- (B) Attachment issues;
- (C) Behavior problems/psychological disorders;
- (D) Mental health/behavioral interventions;
- (E) Developmental disabilities;
- (F) Substance abuse issues;
- (G) Cultural diversity;

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- (H) Child and adolescent development;
 - (I) Child empowerment;
 - (J) Discharge and emancipation;
 - (K) Importance of sibling and family relationships;
 - (L) Placement agencies and the placement process;
 - (M) Needs and service plan/treatment planning and review;
 - (N) Employee training handbook; and
 - (O) Topics listed in Sections 84065(i)(3)(A) through (S).
- (4) Training topics shall be appropriate for the client population and services provided by the facility.
- (5) The training requirement may be satisfied by successful completion of course work conducted in a workshop, seminar, or classroom setting, individual or small group setting.
- (A) Proof of successful completion of course work shall be limited to official grade slips or transcripts; or, certificates or signed documentation issued by colleges, or adult education departments, bona fide educational institutions or organizations, or licensee associations, or courses offered or approved by accredited educational institutions, or qualified individuals who possess the necessary skills, knowledge and experience to train others in a particular subject area.
1. The qualified individual shall meet the requirements specified in Section 84065(i)(4)(A)1.
- (6) Documentation of successful completion of training shall be maintained in the personnel record for each child care staff.
- (7) Annual training is in addition to first aid and CPR training, and other training as required in Sections 84065.1 and 84365.
- (A) Annual training does not apply to child care staff only working in community treatment facilities governed by Title 22, Division 6, Chapter 5, Subchapter 1 who have successfully completed the training required in Section 84165(f), and child care staff only working in group homes that care for children under the age of six years governed by Title 22, Division 6, Chapter 5, Subchapter 2 who have successfully completed the training required in Section 84265(h).

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- (k) The licensee shall develop, maintain and implement a written plan for the training of facility managers.
- (1) The facility manager training plan shall be incorporated in the group home's program statement.
 - (2) The training plan shall include the following for each training session:
 - (A) Course title and subject matter;
 - (B) Learning objectives and activities;
 - (C) Number of hours per training session;
 - (D) Qualifications of the trainer; and
 - (E) Training evaluation.
 1. Each session shall include an evaluation of the trainer and course content to determine if the training is meeting the needs of facility personnel acting as facility managers.
 - (3) The training plan shall be appropriate for the client population and shall consider the training needs and skill level of staff.
 - (A) The licensee shall amend the training plan, as necessary, to meet the needs of facility personnel acting as facility managers and the client population.
 - (4) Amendments to the staff training plan, shall be submitted to the Department within ten days.
 - (5) Training shall include, but not be limited to, the following. The licensee may determine how much time is spent on each topic:
 - (A) Interaction with the Department, including inspection authority
 - (B) Licensee appeal rights
 - (C) Interaction with placement agencies, neighbors, mental health agencies, law enforcement, medical/emergency personnel, client family members.
 - (6) The training requirement may be satisfied by successful completion of course work conducted in a workshop, seminar, or classroom setting, individual or small group setting.

84065 PERSONNEL REQUIREMENTS (Continued)**84065**

- (A) Proof of successful completion of course work shall be limited to official grade slips or transcripts; or, certificates or signed documentation issued by colleges, or adult education departments, bona fide educational institutions or organizations, or licensee associations, or courses offered or approved by accredited educational institutions, or qualified individuals who possess the necessary skills, knowledge and experience to train others in a particular subject area.
1. The qualified individual shall meet the requirements specified in Section 84065(i)(4)(A)1.
- (7) Documentation of successful completion of training shall be maintained in the personnel record for each staff member.
- (8) Facility manager training is in addition to first aid and CPR training, and other training as required in Sections 84065.1 and 84365.
- (l) All employees shall be given a copy of the job description specified in Section 84066(b)(1) which is relevant to their duties, and shall have access to all other job descriptions.
- (m) The staff assignment information specified in Section 84066(b)(2) shall be provided to all applicants during interviews for employment; to all staff during orientation or when changes are made which affect job assignments; and upon request to placement agencies.
- (n) Upon employment, the group home shall make available for review by all group home personnel, an employee training handbook that shall include the following: facility's program philosophy; facility's policies and procedures; disaster response procedures; lines of authority and communication; Title 22 regulations and reporting requirements.
- (1) The employee training handbook shall be maintained at the facility and updated as needed.
- (o) Upon employment, staff shall receive copies of the removal and/or discharge policies and procedures specified in Section 84068.4(a); of the discipline policies and procedures specified in Section 84072.1(a), and of the complaint procedures specified in Section 84072.2(a).
- (p) Physician reports from general practitioners or specialists may be required after licensure if the licensing agency has reason to believe that a licensee's or staff member's physical and/or mental health is not adequate to carry out responsibilities under these regulations.
- (1) The licensing agency shall provide the licensee with a written explanation of the need for any additional report.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Section 51, Civil Code; Sections 1501, 1522.4, 1531 and 1562, Health and Safety Code; Section 16001.9, Welfare and Institutions Code.

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84065.1 ADDITIONAL PERSONNEL REQUIREMENTS FOR SPECIALIZED GROUP HOMES 84065.1

- (a) Any person who provides specialized in-home health care to a child placed in the group home as of November 1, 1993, shall comply with the following requirements:
- (1) Prior to caring for the child or when the child's needs change, the in-home health care provider shall complete training in specialized in-home health care provided by a health care professional as required by the child's individualized health care plan, except when
 - (A) The in-home health care provider is a licensed health care professional; and
 - (B) The child's individualized health care plan team determines that completion of specialized in-home health care training for the child is unnecessary on the basis of the in-home health care provider's medical qualifications and expertise.
- (b) No person shall provide specialized in-home health care to a child placed in the home after November 1, 1993, unless
- (1) He/she is a licensed health care professional; and
 - (2) The child's individualized health care plan team determines that he/she has the necessary medical qualifications and expertise to meet the child's in-home health care needs.
 - (A) The child's individualized health care plan team shall make a new determination each time the child's in-home health care needs change.
- (c) Volunteers caring for children in a specialized group home shall meet the health screening requirements in Sections 80065(g)(1) and (g)(2).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17731(c) and 17736(a) and (b), Welfare and Institutions Code and Sections 1501, 1531 and 1562, Health and Safety Code.

84065.2 PERSONNEL DUTIES**84065.2**

(a) The facility manager(s) shall:

- (1) Meet the requirements of Health and Safety Code Section 1522.4(a)(1) through (3).

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(A) Health and Safety Code Sections 1522.4(a)(1) through (a)(3) states:

- (1) The facility shall have one or more facility managers. "Facility manager," as used in this section, means a person on the premises with the authority and responsibility necessary to manage and control the day-to-day operation of a community care facility and supervise the clients. The facility manager, licensee, and administrator, or any combination thereof, may be the same person provided he or she meets all applicable requirements. If the administrator is also the facility manager for the same facility this person shall be limited to the administration and management of only one facility.
- (2) The facility manager shall have at least one year of experience working with the client group served, or equivalent education or experience, as determined by the Department.
- (3) A facility manager shall be at the facility at all times when one or more clients are present. To ensure adequate supervision of clients when clients are at the facility outside of their normal schedule, a current telephone number where the facility manager can be reached shall be provided to the clients, licensing agency, school, and any other agency or person as the Department determines is necessary. The facility manager shall instruct these agencies and individuals to notify him or her when clients will be returning to the facility outside of the normal hours.

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(b) Child care staff shall perform the following duties:

- (1) Supervision, protection and care of children individually and in groups at all times.
- (2) Assistance to each child in working with a group and in handling individual problems.
- (3) Administration of discipline and setting of limits for behavior.

84065.2 PERSONNEL DUTIES (Continued)**84065.2**

- (4) Notation of the child's progress; identification of the possible need for professional services; and communication of such findings to professional staff.
 - (5) Until they complete the 8 hours of training as required in Section 84065(i)(1), new child care staff hired on or after July 1, 1999 shall perform the duties as defined in Subsections (1) through (4) above while under visual supervision.
- (c) Social work staff shall complete or assist in the completion of the following for each child:
- (1) An intake study, as specified in Section 84068.1.
 - (2) A needs and services plan, as specified in Sections 84068.2(a) and 84068.3.
 - (3) A discharge plan, as specified in Section 84068.4.
 - (4) Obtaining, developing and recording of the information necessary for the completion of (1) through (3) above, as specified in Section 84070.
- (d) Support staff shall perform the following duties:
- (1) Office work.
 - (2) Cooking.
 - (3) Housecleaning.
 - (4) Laundering.
 - (5) Maintenance of facility buildings, grounds, fixtures, furniture, equipment and supplies.
- (e) Support staff duties shall not be assigned to child care staff unless such assignments are directly related to the care of the children, and do not interfere with the performance of their child care duties.
- (1) Household duties directed towards development of self-help skills may be performed by the children in placement. Participation in these duties shall be voluntary and specified in the needs and services plan.
 - (2) No household duties shall go undone because a child refuses to participate.

NOTE: Authority cited: Sections 1530 and 1530.8, Health and Safety Code. Reference: Sections 1501, 1522.4, 1530.8, and 1531, Health and Safety Code.

84065.5 STAFF/CHILD RATIOS**84065.5**

- (a) From 7 a.m. to 10 p.m., there shall be one on-duty child care staff person to each ten children, or fraction thereof, present.
- (b) From 7 a.m. to 7 p.m., in minor parent programs, there shall be one on-duty child care staff person to each ten children, or fraction thereof, present.
 - (1) In minor parent programs, children shall include all children present in the facility, including minor parents and their child(ren). When the minor parent is not providing direct care and supervision to his or her child(ren), the facility shall provide that care and supervision.
 - (2) At any time the facility provides direct care and supervision of the minor parents' children, there shall be one staff for every four children of minor parents, or fraction thereof.
- (c) If the children require special care and supervision because of age, problem behavior or other factors, the number of on-duty child care staff shall be increased.

NOTE: Authority cited: Sections 1530 and 1530.8, Health and Safety Code. Reference: Section 11465, Welfare and Institutions Code and Sections 1501, 1530.8, and 1531, Health and Safety Code.

84065.6 ADDITIONAL STAFF/CHILD RATIOS FOR SPECIALIZED GROUP HOMES**84065.6**

- (a) The licensee shall ensure that staff providing specialized in-home health care are responsible for the provision of care and supervision to no more than three children, with or without special health care needs.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17732(a) and (b), Welfare and Institutions Code.

84065.7 NIGHT SUPERVISION**84065.7**

- (a) In group homes providing care and supervision to 12 or fewer children, there shall be one child care staff person on duty from 10 p.m. to 7 a.m.; for minor parent programs this requirement shall be from 7 p.m. to 7 a.m.
- (b) In group homes providing care and supervision to 13 to 30 children, there shall be one child care staff person awake and on duty from 10 p.m. to 7 a.m.; for minor parent programs this requirement shall be from 7 p.m. to 7 a.m.
 - (1) Another person shall be on call and capable of arriving at the facility site within 30 minutes.

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- (A) The use of local emergency services does not eliminate the requirement to have an on-call person.

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- (c) In group homes providing care and supervision to 31 or more children, there shall be one child care staff person awake and on duty from 10 p.m. to 7 a.m. for the first 30 children; and one child care staff person awake and on duty for each additional 30 children or fraction of that amount; for minor parent programs this requirement shall be from 7 p.m. to 7 a.m..
- (d) For purposes of determining the appropriate staff to children ratio, children shall include all children present in the facility.
- (e) In facilities required to have a signal system as specified in Sections 84088(d) through (d)(3), at least one staff person shall be responsible for responding to such system.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1530.8, and 1531, Health and Safety Code.

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84066 PERSONNEL RECORDS**84066**

- (a) In addition to Section 80066, the following shall apply.
- (b) The licensee shall maintain the following personnel records:
 - (1) Complete job descriptions on all positions within the facility.
 - (2) A description of all staff assignments, including information regarding lines of authority and staff responsibilities.
 - (3) A dated employee time schedule developed at least monthly; displayed conveniently for employee reference; and containing the following information for each employee:
 - (A) Name.
 - (B) Job title.
 - (C) Hours of work.
 - (D) Days off.
 - (4) Documentation of the completion by each child care staff person and facility manager of the training specified in Sections 84065(h) through (k) inclusive.
 - (5) Documentation that the administrator has met the certification requirements specified in Section 84064.2.
 - (6) A record of each work performance evaluation and any correspondence with the employee.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1501, 1522.41, 1531 and 1562, Health and Safety Code.

84066.1 ADDITIONAL PERSONNEL RECORDS FOR SPECIALIZED GROUP HOMES**84066.1**

- (a) The licensee shall ensure that the personnel records of all persons subject to the requirements of Section 84065.1(a) contain the following:
- (1) For any training or additional training from which the in-home health care provider is exempt:
 - (A) Documentation that the child's individualized health care plan team has determined that it is not necessary for the in-home health care provider to complete the specialized in-home health care training or additional training.
 - 1. Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the training or additional training is unnecessary.
 - (B) A copy of a valid license or certificate indicating that he/she is a licensed health care professional.
 - (2) For any training or additional training from which the in-home health care provider is not exempt:
 - (A) Documentation, by a health care professional providing the training, that he/she has successfully completed the specialized in-home health care training specified in Section 84065.1(a)(1).
- (b) The licensee shall ensure that the personnel records of all persons subject to the requirements of Section 84065.1(b) contain the following:
- (1) Documentation that the child's individualized health care plan team has determined that the in-home health care provider has the necessary medical qualifications and expertise to meet the child's specialized in-home health care needs.
 - (A) Documentation shall be updated each time the child's specialized in-home health care needs change.
 - (B) Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the in-home health care provider has the necessary medical qualifications to meet the child's specialized in-home health care needs.

84066.1 ADDITIONAL PERSONNEL RECORDS FOR SPECIALIZED GROUP HOMES (Continued) 84066.1

- (2) A copy of a valid license or certificate indicating that he/she is a licensed health care professional.
- (c) For each volunteer caring for children in a specialized group home, the licensee shall have on file the record of a health screening and test for tuberculosis as specified in Section 84065.1(c). The health screening shall be used in place of the volunteer statement specified in Section 80065(g)(3)(A).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17731, Welfare and Institutions Code and Section 1501, 1531 and 1562, Health and Safety Code.

84067 REASONABLE AND PRUDENT PARENT STANDARD 84067

- (a) The administrator or facility manager, or his or her responsible designee, shall apply the "Reasonable and Prudent Parent Standard," as defined in Section 84001(r)(1) and specified in Welfare and Institutions Code sections 362.05 and 727, in determining whether to allow a child to participate in age-appropriate, developmentally-appropriate extracurricular, enrichment, and social activities.
- (b) When applying the "Reasonable and Prudent Parent Standard," the administrator or facility manager, or his or her responsible designee, shall consider:
- (1) The child's age, maturity, and developmental level to ensure the overall health and safety of the child is maintained.
 - (2) The potential risk factors and the appropriateness of the extracurricular, enrichment, and social activity.
 - (3) The best interest of the child based on information known by the administrator or facility manager, or his or her designee.

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The "Reasonable and Prudent Parent Standard" allows every child in placement the opportunity to participate in age-appropriate, developmentally-appropriate extracurricular, enrichment, and social activities. The administrator or facility manager, or his or her responsible designee, is encouraged to consult with social work or treatment staff members who are most familiar with the child.

The administrator or facility manager, or his or her responsible designee, is encouraged to document the type of activity and steps taken to ensure the appropriateness of the activity. Documentation provides evidence that staff took the necessary precautions to make informed, reasonable, and prudent decisions that ensures the health and safety of the child.

HANDBOOK CONTINUES

84067 REASONABLE AND PRUDENT PARENT STANDARD (Continued)**84067****HANDBOOK CONTINUES**

Welfare and Institutions Code section 362.05 provides:

"(a) Every child adjudged a dependent child of the juvenile court shall be entitled to participate in age-appropriate extracurricular, enrichment, and social activities. No state or local regulation or policy may prevent, or create barriers to, participation in those activities. Each state and local entity shall ensure that private agencies that provide foster care services to dependent children have policies consistent with this section and that those agencies promote and protect the ability of dependent children to participate in age-appropriate extracurricular, enrichment, and social activities. A group home administrator, a facility manager, or his or her responsible designee, and a caregiver, as defined in paragraph (1) of subdivision (a) of Section 362.04, shall use a reasonable and prudent parent standard, as defined in paragraph (2) of subdivision (a) of Section 362.04, in determining whether to give permission or a child residing in foster care to participate in extracurricular, enrichment, and social activities. A group home administrator, a facility manager, or his or her responsible designee, and a caregiver shall take reasonable steps to determine the appropriateness of the activity in consideration of the child's age, maturity, and developmental level.

(b) A group home administrator or a facility manager, or his or her responsible designee, is encouraged to consult with social work or treatment staff members who are most familiar with the child at the group home in applying and using the reasonable and prudent parent standard."

Welfare and Institutions Code section 727 provides in part:

"(a)(4)(A) Every child adjudged a ward of the juvenile court who is residing in a placement as defined in paragraphs (1) to (3), inclusive, shall be entitled to participate in age-appropriate extracurricular, enrichment, and social activities. No state or local regulation or policy may prevent, or create barriers to, participation in those activities... .

(B) A group home administrator or a facility manager, or his or her responsible designee, is encouraged to consult with social work or treatment staff members who are most familiar with the child at the group home in applying and using the reasonable and prudent parent standard."

"Reasonable and Prudent Parent Standard" is referenced in the following:

- (1) Section 84001, Definitions.
- (2) Section 84067, Reasonable and Prudent Parent Standard.
- (3) Section 84076, Food Service.

HANDBOOK CONTINUES

84067 REASONABLE AND PRUDENT PARENT STANDARD (Continued)**84067****HANDBOOK CONTINUES**

- (4) Section 84079, Planned Activities.
- (5) Section 84087.2, Outdoor Activity Space.
- (6) Section 84088, Fixtures, Furniture, Equipment, and Supplies.

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- (c) Application of the "Reasonable and Prudent Parent Standard" shall not result in the denial of the rights of a child as specified in Welfare and Institutions Code section 16001.9, or contradict court orders or the needs and services plan of the child.

NOTE: Authority cited: Sections 1501, 1530 and 1531, Health and Safety Code. Reference: Sections 362.04, 362.05, 727, and 16001.9, Welfare and Institutions Code; Assembly Bill 2096 (Chapter 483 Statutes of 2008).

84068.1 INTAKE PROCEDURES**84068.1**

- (a) The licensee shall develop, maintain, and implement intake procedures which meet the requirements specified in this section.
- (b) When a child is being considered for nonemergency placement in a group home, the following requirements shall be met prior to the child's placement in the home.
 - (1) The information specified in Sections 80070(b)(1) through (5), (7), (8) and (10), and Sections 84070(b)(1) through (10) shall be obtained from the placement agency, if any, or from the child's authorized representative(s).
 - (A) If the information is not completed by a placement agency, the licensee shall make telephone and/or written requests for the information to the child's placement agency and/or authorized representative, and shall record and retain the details of those requests.
 - (B) If the information is not received within 15 days of the requests specified in (A) above, the licensee shall obtain the information necessary to complete a standard appraisal form from other sources.
 - (C) When the information is received, social work staff shall complete a standard appraisal for the child on a form approved and/or furnished by the licensing agency.
 - (2) The needs and services plan shall be completed as specified in Section 84068.2.

84068.1 INTAKE PROCEDURES (Continued)**84068.1**

- (3) The information specified in (1) and (2) above shall be reviewed by the social work staff to determine whether the facility can provide the services necessary to meet the child's needs.
 - (A) If it is determined that the facility cannot provide necessary services, applicable discharge procedures specified in Sections 84068.4(b), (c) and (e); and 84070(d) through (d)(3) shall be followed.
- (4) If the child is accepted for placement, the following requirements shall be met:
 - (A) An admission agreement shall be completed and signed as specified in Section 80068.
 - (B) The administrator or his/her designee, and the child and/or his/her authorized representative(s), shall sign copies of the removal and/or discharge policies and procedures specified in Section 84068.4(a); of the discipline policies and procedures specified in Section 84072.1(a); and of the complaint procedures specified in Section 84072.2(a), to verify the receipt of such information.
 - (C) Information specified in Sections 80070 and 84070 necessary to complete the child's file shall be obtained.
 - (D) Needs and services plan requirements specified in Section 84068.2 which were not addressed on the standard appraisal form, if used, shall be met.
- (c) If the child is placed in the facility under emergency circumstances, the licensee shall ensure that the following requirements are met:
 - (1) Placement of the child in the facility shall not result in the facility exceeding its licensed capacity.
 - (2) The admission agreement and other procedures specified in (b)(4)(A) and (B) above shall be completed no later than seven days following the emergency placement.
 - (3) If it is determined, following emergency placement of the child in the facility, that the facility cannot continue to provide necessary services, applicable discharge procedures specified in Sections 84068.4(b), (c) and (e); and 84070(d) through (d)(3) shall be followed.
 - (4) If the child is continued in placement, the following requirements shall be met no later than 30 days following the emergency placement:
 - (A) Information specified in Sections 84070(b) and 84068.2 shall be obtained.

84068.1 INTAKE PROCEDURES (Continued)**84068.1**

- (B) The information specified in (A) above, and the needs and services plan specified in Section 84068.2, shall be reviewed by social work staff to determine whether the facility can continue to provide services necessary to meet the child's needs.
- (C) The admission agreement shall be modified as specified in Section 80068(d), if necessary.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84068.2 NEEDS AND SERVICES PLAN**84068.2**

- (a) Social work staff shall obtain the information specified in Section 84070, and shall develop an individual needs and services plan for the child which meets the requirements specified in (b) through (d) below.
 - (1) A needs and services plan is not required for children who are placed in the facility on an emergency basis and who will remain in placement for less than seven days as documented in the child's record.
- (b) The needs and services plan shall identify the child's needs in the following areas:
 - (1) Reason for placement.
 - (2) Education.
 - (A) If the information specified in Section 84070(b)(4) is not available, the plan shall specify a method for determining such needs.
 - (3) Training.
 - (4) Personal care and grooming.
 - (5) Ability to manage his/her own money, including the maximum amount of money the child shall be permitted to have in his/her possession at any one time.
 - (6) Visitation, including the frequency of and any other limitations on visits to the family residence and other visits inside and outside the facility.

84068.2 NEEDS AND SERVICES PLAN
(Continued)**84068.2**

- (7) Other specific services, including necessary services to the child's parent(s) or guardian(s).
- (c) The needs and services plan shall include the following information regarding services necessary to meet the child's needs:
 - (1) Types of services necessary.
 - (2) The facility's ability to provide the necessary services based upon the following information provided in the plan of operation.
 - (A) The facility's purposes, program methods, and goals.
 - (B) The facility's admission policies and procedures.
 - (C) Services to be provided by the facility in cooperation with community resources.
 - (3) Planned length of placement, including the discharge plan specified in Section 84068.4(b).
 - (4) Financial arrangements for provision of services to the child.
- (d) The licensee shall ensure that the child and his/her authorized representative(s) are offered the opportunity to participate in the development of the needs and services plan.
- (e) Unless restricted by the case plan adopted by the court or other court order, the licensee shall permit and facilitate connections between the child and the child's family and non-relative extended family members. Nothing in this section shall be interpreted to require a foster care provider to take any action that would impair the health and safety of children in out-of-home placement.
 - (1) The licensee shall not implement a needs and services plan unless prior written approval of the plan has been obtained from the child's authorized representative(s).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code; Sections 366.1, 366.21, and 16001.9, Welfare and Institutions Code.

84068.3 MODIFICATIONS TO NEEDS AND SERVICES PLAN**84068.3**

- (a) The needs and services plan specified in Section 84068.2 shall be updated at least every six months to determine the following:
 - (1) The child's need for continuing services.
 - (2) The facility's recommendation regarding the feasibility of the child's return to his/her home; placement in another facility; or move to independent living.

84068.3 MODIFICATIONS TO NEEDS AND SERVICES PLAN
(Continued)**84068.3**

- (3) The need for modification in services.
- (b) The licensee shall ensure that the child and his/her authorized representative(s) are offered the opportunity to participate in such modifications.
 - (1) The licensee shall not implement any plan modifications unless prior written approval of such modifications has been obtained from the child's authorized representative(s).
 - (c) In order to determine the need to modify the child's needs and services plan, the licensee shall conduct an analysis of each incident reported pursuant to Sections 80061 and 84061 which occurred in the six months preceding the biannual review of the needs and services plan.
 - (1) The analysis shall consist of the following:
 - (A) If there were multiple incidents:
 - (1) Was it the same situation.
 - (2) Was it a different situation.
 - (3) Did the other incidents involve the same facility personnel.
 - (4) Was it the same resolution.
 - (5) Was it a different resolution.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84068.4 REMOVAL AND/OR DISCHARGE PROCEDURES**84068.4**

- (a) The licensee shall develop, maintain and implement written policies and procedures governing a child's removal and/or discharge from the facility.
 - (1) Children and their authorized representative(s) shall receive copies of such policies and procedures.
 - (2) Signed copies of such policies and procedures shall be maintained in the child's record, as specified in Section 84070(c)(2).

84068.4 REMOVAL AND/OR DISCHARGE PROCEDURES (Continued)**84068.4**

- (b) The licensee shall ensure that the child and his/her authorized representative(s) are offered the opportunity to participate in the development of a discharge plan for the child.

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- (1) Circumstances under which discharge might occur would include the child reaching the age of 18, or meeting needs and services plan goals.

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- (2) The licensee shall not discharge a child unless prior written approval of the discharge has been obtained from the child's authorized representative(s).
- (c) If it is determined that the facility cannot meet the needs of the child, the licensee shall notify the authorized representative(s) of the determination and request that the child be placed elsewhere.

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- (d) Nothing in this section is intended to prevent the child's removal from the facility under emergency circumstances by an authorized person or agency.
- (1) Examples of such circumstances include:
- (A) Removal by law enforcement officers when a child is arrested or when removal is necessary because the health and safety of the child or of other children in the facility is endangered by the child's continued presence in the facility.
 - (B) Removal for emergency medical or psychiatric care.
 - (C) Relocation by the child's authorized representative(s).

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- (e) Social work staff shall develop and maintain a written removal of discharge record containing the information specified in Sections 84070(d) through (d)(3).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84069.1 IMMUNIZATIONS**84069.1**

- (a) A child for whom vaccination against the following diseases cannot be verified shall receive the first doses of the appropriate vaccines within 30 calendar days of placement in the facility and shall receive follow-up doses as recommended by the physician who administered the first doses.
- (1) Poliomyelitis.
 - (2) Diphtheria.
 - (3) Pertussin, i.e., whooping cough.
 - (4) Tetanus.
 - (5) Measles.
 - (6) Rubella, i.e., German measles.
 - (7) Mumps.

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- (1) Verification of immunization can include a copy of the California School Immunization Record (PM 286) or a written immunization record from a physician or clinic. Immunization records must show the date of receipt of each required dose.

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- (b) Notes from parents, guardians, etc., are not acceptable documentation.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

84069.2 INDIVIDUALIZED HEALTH CARE PLANS FOR SPECIALIZED GROUP HOMES**84069.2**

- (a) The licensee shall not accept any child with special health care needs unless the licensee has obtained an individualized health care plan for the child. The plan shall include the following information:
- (1) The name, address, and phone number of the health care professional responsible for monitoring the child's ongoing health care.

84069.2 INDIVIDUALIZED HEALTH CARE PLANS FOR SPECIALIZED GROUP HOMES (Continued) **84069.2**

- (2) The appropriate number of hours of on-site supervision and monitoring, and the appropriate number of hours of off-site supervision and monitoring, needed to be provided by the monitor designated in Section 84069.2(a)(1).
- (3) For children with special health care needs placed as of November 1, 1993:
 - (A) Documentation by the child's individualized health care plan team identifying the specialized in-home health care to be administered by a health care professional or responsible adult trained by a health care professional.
 - (B) Specific responsibilities of staff for the provision of specialized in-home health care.
 - (C) Identification of any available and funded medical services that are to be provided to the child in the home which may include, but is not limited to, assistance from health care professionals.
- (4) For children with special health care needs placed after November 1, 1993:
 - (A) Documentation by the child's individualized health care plan team identifying the specialized in-home health care to be administered by one or more health care professionals.
 - (B) Specific responsibilities of the health care professional(s) for the provision of specialized in-home health care.
 - (C) Identification of any available and funded medical services that are to be provided to the child in the home including the name, address and telephone number of each health care professional or agency that is to provide medical services to the child in the home.
- (5) Arrangements for in-home health support services if required.
- (6) Identification of any psychological, emotional, behavioral, or medical problems that will be identified in the child's needs and services plan or the medical assessment specified in Section 80069.
- (b) The individualized health care plan for each child with special health care needs shall be updated at least every six months or sooner if the needs of the child change.
- (c) For any child with special health care needs the hospital discharge plan may be adopted by the individualized health care plan team as the child's individualized health care plan.

84069.2 INDIVIDUALIZED HEALTH CARE PLANS FOR SPECIALIZED GROUP HOMES (Continued) 84069.2

- (d) The individualized health care plan may be combined with the child's needs and services plan or regional center individual program plan provided that all the information required by each plan is included.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17731(c) and 17710(h), Welfare and Institutions Code.

84070 CHILDREN'S RECORDS 84070

- (a) In addition to Section 80070, the following shall apply.
- (b) The following information regarding the child shall be obtained and maintained in the child's record:
- (1) The name, address, and telephone number of all adults with whom the child was living immediately prior to the current placement.
 - (2) The name, address, and telephone number of the child's parent(s), if known.
 - (3) The name, address, and telephone number of the placement worker and placement agency.
 - (4) Educational records, if available, describing the child's present academic level, including his/her grade or performance level, and any previous school-related problems.
 - (5) Dental and medical history, if available, including immunization records; and physician's orders for any medically necessary diet as specified in section 80076(a)(6).
 - (6) The child's court status, if applicable, including a copy of any custody orders and agreements with parent(s) or person(s) having legal custody.
 - (7) The placement agency's list of persons who should not be allowed to visit.
 - (8) Medical, psychiatric and psychological reports that identify special needs of children diagnosed as mentally disordered or developmentally disabled.
 - (9) Medical and dental insurance coverage information, or information regarding the agency or person responsible for medical and dental costs.
 - (10) Consent forms, completed by the child's authorized representative(s), to permit the facility to authorize medical care.

84070 CHILDREN'S RECORDS
(Continued)**84070**

- (11) A copy of the standard appraisal form specified in Section 84068.1(b)(1)(C), if used.
- (c) If it is determined that the facility can provide the services necessary to meet the child's needs, the following additional information shall be maintained in the child's record:
- (1) A copy of the child's original needs and services plan; verification, signed by the child and his/her authorized representative(s), that they were offered the opportunity to participate in plan development; and verification that the authorized representative(s) have approved the plan.
 - (2) Signed copies of the facility's policies and procedures regarding the child's removal and/or discharge; discipline; and complaints.
 - (3) Documentation that vaccinations have been obtained as specified in Section 84069.1, if immunization records are not available prior to placement.
 - (4) Records and documentation regarding any fines levied as specified in Sections 84026(c)(1) through (4).
 - (5) Copies of any modifications to the child's needs and services plan; verification, signed by the child and his/her authorized representative(s), that they were offered the opportunity to participate in any such modifications; and verification that the authorized representative(s) have approved such modifications.
- (d) If it is determined that the child is to be removed or discharged from the facility, the following information shall be maintained in the child's record:
- (1) Date the child's authorized representative(s) was notified of the necessity for the child's removal or discharge.
 - (2) The name, address, and relationship to the child of the person to whom the child was released.
 - (3) Reason for the child's removal or discharge.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

**84070.1 ADDITIONAL CHILDREN'S RECORDS FOR SPECIALIZED
GROUP HOMES****84070.1**

- (a) The licensee of a specialized group home shall ensure that records for each child with special health care needs contain the following:
- (1) Documentation that the child has been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code or has not been adjudged a dependent of the court pursuant to Section 300 but is in the custody of the county welfare department, or has a developmental disability and is receiving services and case management from a regional center.
 - (2) A copy of the child's individualized health care plan as specified in Section 84069.2.

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84070.1 ADDITIONAL CHILDREN'S RECORDS FOR SPECIALIZED GROUP HOMES (Continued)**84070.1**

- (3) A copy of the written reassessment of the child's individualized health care plan as specified in Section 84069.2(b).
- (b) The licensee of a group home caring for children with special health care needs placed on or after January 1, 1992, shall ensure that:
 - (1) The needs and services plan for each child in the home documents the determinations required by Section 84010.1(a)(2)(C).
 - (2) For each child with special health care needs placed on or after January 1, 1992, the child's records contain the following:
 - (A) In the child's needs and services plan, a description of the emergency necessitating that the child be placed in the group home and a written plan of relocation specifying the arrangements for subsequent placement in a less restrictive setting as required by Section 84010.1(a)(2)(B); and
 - (B) In the child's admission agreement,
 - 1. If the 120 calendar day limitation period specified in Section 84010.1(a)(2)(A) has not been exceeded, the number of calendar days the child may remain in the group home without exceeding the limitation period; or
 - 2. If the 120 calendar day limitation period has been exceeded, the number of calendar days the child may remain in the group home as stated in the extension approved under Section 84010.1(a)(2)(A)1.
 - a. The child's records shall also contain a copy of the letter from the Director or his/her designee approving the extension.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17710(a), 17731(c) and 17732(d) and (e), Welfare and Institutions Code and Section 1531, Health and Safety Code.

84072 PERSONAL RIGHTS

84072

- (a) Each facility licensed to provide foster care for six or more children shall post a listing of a foster child's rights.
- (b) Each facility shall provide each school age child, who is placed in foster care, and his or her authorized representative with an age and developmentally appropriate orientation that includes an explanation of the rights of the child and addresses the child's questions and concerns.
- (c) At admission, each child, and his/her authorized representative, shall be personally advised of and given a copy of the child's rights as specified below:
 - (1) To visit the facility with his/her relatives and/or authorized representative(s) prior to admission.
 - (2) To file a complaint with the facility, as specified in Section 84072.2.
 - (3) To have the facility inform his/her authorized representative(s) of his/her progress at the facility.
 - (4) To have communications to the facility from his/her relatives and/or authorized representative(s) answered promptly and completely.
 - (5) To have visitors visit privately during waking hours without prior notice, provided that such visitations are not prohibited by the child's needs and services plan; do not infringe upon the rights of other children; do not disrupt planned activities; and are not prohibited by court order or by the child's authorized representative(s).
 - (A) Rules regarding visitation hours, sign-in rules and visiting rooms can be established but shall apply to all visitors.
 - (B) Visits by the child's brothers and sisters can only be prohibited by court order.
 - (6) To wear his/her own clothes.
 - (7) To possess and use his/her own toilet articles.
 - (8) To possess and use his/her own cash resources except as specified in Section 84026, and to maintain an emancipation bank account and manage personal income consistent with the child's age and developmental level, unless prohibited by the case plan.
 - (9) To possess and use his/her own personal items unless prohibited as part of a discipline program.

84072 PERSONAL RIGHTS (Continued)**84072**

- (10) To have access to individual storage space for his/her private use.
- (11) To make and receive confidential telephone calls, unless prohibited by court order.
- (A) Reasonable restrictions to telephone use may be imposed by the licensee. The licensee shall be permitted to:
1. Restrict the making of long distance calls upon documentation that requested reimbursement for previous long distance calls has not been received;
 2. Restrict phone use in accordance with the facility's discipline program;
 3. Impose restrictions to ensure that phone use does not infringe on the rights of others or restrict the availability of the phone during emergencies.
- (B) All restrictions shall be documented in the child's needs and services plan or the facility's discipline policies, and be signed by the child's authorized representative.
- (C) Calls permitted to be restricted by subsections (A)1. and 2. above shall not include calls to the child's authorized representative, placement agency, family members (except by court order), social workers, attorneys, Court Appointed Special Advocates (CASA), probation officers, Community Care Licensing Division of the California Department of Social Services or the State Foster Care Ombudsperson.
- (12) To send and receive unopened correspondence unless prohibited by court order.
- (13) To be accorded dignity in his or her personal relationships with staff and other persons.
- (14) To live in a safe, healthy, and comfortable home where he or she is treated with respect, in accordance with Section 84072(c)(16).
- (15) To be free from physical, sexual, emotional, or other abuse, and corporal punishment.
- (16) To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.
- (17) To receive adequate and healthy food, adequate clothing, and an allowance.
- (A) Clothing and personal items provided shall be in accordance with Section 84072(c)(16).
- (18) To receive medical, dental, vision, and mental health services.
- (19) To be free of the administration of medication or chemical substances, unless authorized by a physician.

84072 PERSONAL RIGHTS (Continued)**84072**

- (20) To contact family members (including brothers and sisters), unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters, Court Appointed Special Advocates (CASA), and probation officers.
- (21) To contact the Community Care Licensing Division of the California Department of Social Services or the State Foster Care Ombudsperson regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.
- (22) To be informed, and to have his/her authorized representative, if any, informed, by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the complaint receiving unit of the licensing agency, and of information regarding confidentiality.
- (23) To be free to attend religious services or activities of his/her choice and to have visits from the spiritual advisor of his/her choice. Attendance at religious services, in or outside of the facility, shall be on a completely voluntary basis.
- (24) To not be locked in any room, building, or facility premises at any time.
 - (A) The licensee shall not be prohibited by this provision from locking exterior doors and windows or from establishing house rules for the protection of clients provided the clients are able to exit the facility.
 - (B) The license shall be permitted to utilize means other than those specified in (A) above for securing exterior doors and windows only provided the clients are able to exit the facility and with the prior approval of the licensing agency.
- (25) To attend school and participate in extracurricular, cultural, and personal enrichment activities consistent with the child's age and developmental level, in accordance with Section 84072(c)(16).
- (26) To work and develop job skills at an age-appropriate level that is consistent with state law.
- (27) To have social contacts with people outside of the foster care system, such as teachers, church members, mentors, and friends, in accordance with Section 84072(c)(16).
- (28) To attend Independent Living Program classes and activities if he or she meets age requirements.
- (29) To attend hearings and speak to the judge.

84072 PERSONAL RIGHTS (Continued)

84072

- (30) To review his or her own case plan if he or she is over 12 years of age and to receive information about his or her out-of-home placement and case plan, including being told of changes to the plan.
- (31) To be free of unreasonable searches of personal belongings.
- (32) To confidentiality of all juvenile court records consistent with existing law.
- (33) Not to be placed in any restraining device. Postural supports may be used if they are approved in advance by the licensing agency as specified in (A) through (F) below.
- (A) Postural supports shall be limited to appliances or devices including braces, spring release trays, or soft ties used to achieve proper body position and balance, to improve a client's mobility and independent functioning, or to position rather than restrict movement including, but not limited to, preventing a client from falling out of bed, a chair, etc.
1. Physician-prescribed orthopedic devices such as braces or casts used for support of a weakened body part or correction of body parts are considered postural supports.
- (B) All requests to use postural supports shall be in writing and include a written order of a physician indicating the need for such supports. The licensing agency shall be authorized to require other additional documentation in order to evaluate the request.
- (C) Approved postural supports shall be fastened or tied in a manner which permits quick release by the child.
- (D) The licensing agency shall approve the use of postural supports only after the appropriate fire clearance, as required by Section 80020(a) or (b), has been secured.
- (E) The licensing agency shall have the authority to grant conditional and/or limited approvals to use postural supports.
- (F) Under no circumstances shall postural supports include tying of, or depriving or limiting the use of, a child's hands or feet.
1. A bed rail that extends from the head half the length of the bed and used only for assistance with mobility shall be allowed with prior licensing approval. Bed rails that extend the entire length of the bed are prohibited.

84072 PERSONAL RIGHTS (Continued)

84072

(G) Protective devices including, but not limited to, helmets, elbow guards, and mittens which do not prohibit a client's mobility but rather protect the client from self-injurious behavior are not to be considered restraining devices for the purpose of this regulation. Protective devices may be used if they are approved in advance by the licensing agency as specified below.

1. All requests to use protective devices shall be in writing and include a written order of a physician indicating the need for such devices. The licensing agency shall be authorized to require additional documentation including, but not limited to, the Individual Program Plan (IPP) as specified in Welfare and Institutions Code Section 4646, and the written consent of the authorized representative, in order to evaluate the request.
2. The licensing agency shall have the authority to grant conditional and/or limited approvals to use protective devices.

(H) Under no circumstances shall postural supports or protective devices be used for disciplinary purposes.

(34) At 16 years or older, to have access to existing information regarding available educational options, including, but not limited to, coursework necessary for vocational and postsecondary educational programs, and financial aid information for these programs.

(d) Nothing in this section shall be interpreted to require a foster care provider to take any action that would impair the health and safety of children in out-of-home placement.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1530.91, and 1531, Health and Safety Code; Section 16001.9, Welfare and Institutions Code.

84072.1 DISCIPLINE POLICIES AND PROCEDURES**84072.1**

- (a) The licensee shall develop, maintain and implement written facility discipline policies and procedures meeting the requirements specified in (b) and (c) below.
 - (1) Staff, children, and authorized representatives shall receive copies of such policies and procedures, as specified in Section 84065(o) and 84068.1(b)(4)(B).
 - (2) Signed copies of such policies and procedures shall be maintained in the child's record, as specified in Section 84070(c)(2).
- (b) Any form of discipline which violates a child's personal rights as specified in Sections 80072 and 84072 shall be prohibited.
- (c) Acceptable forms of discipline shall include the following:
 - (1) Exclusion in an unlocked living, sleeping, or play area.
 - (2) Institution of fines as specified in Section 84026(b).
 - (3) Prohibition against attendance at or participation in planned activities.
 - (4) Prohibition against use of entertainment devices including but not limited to telephones, televisions, radios and phonographs.

84072.1 DISCIPLINE POLICIES AND PROCEDURES
(Continued)**84072.1**

- (5) Performance of additional duties related to training needs identified in the child's needs and services plan.
- (6) Any other form of discipline approved in writing, in advance by the licensing agency.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84072.2 COMPLAINT PROCEDURES**84072.2**

- (a) The licensee of a group home shall develop, maintain and implement written complaint procedures by which children or their authorized representatives are permitted to file complaints, without fear of retaliation, with the facility administrator regarding facility staff or operations.

HANDBOOK BEGINS HERE

Children and/or their authorized representatives may file complaints with the licensing agency.

HANDBOOK ENDS HERE

- (1) Staff, children, and authorized representatives shall receive copies of such procedures, as specified in Sections 84065(o) and 84068.1(b)(4)(B).
- (2) Signed copies of such procedures shall be maintained in each child's record, as specified in Section 84070(c)(2).
- (3) Such procedures shall be posted in a location in the facility which is accessible to children and their authorized representatives.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84072.3 PERSONAL RIGHTS FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS**84072.3**

- (a) Except as specified in this section, Section 80072(a)(8) shall not apply to children with special health care needs.
- (b) A child with special health care needs has the right to be free from any restraining/postural support device imposed for purposes of discipline or convenience, and not required to treat the child's specific medical symptoms.
- (1) Physical restraining devices may be used for the protection of a child with special health care needs during treatment and diagnostic procedures such as, but not limited to, intravenous therapy or catheterization procedures. The restraining device, which shall not have a locking device, shall be applied for no longer than the time required to complete the treatment and shall be applied in conformance with the child's individualized health care plan. The child's individualized health care plan shall include all of the following:
- (A) The specific medical symptom(s) that require use of the restraining device.
- (B) An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices as ineffective.
- (C) A written order by the child's physician. The order must specify the duration and circumstances under which the restraining device is to be used.
- (2) Postural support as specified in Sections 80072(a)(8)(A) and (A)1., half-length bed rails, and protective devices as specified in Section 80072(a)(8)(G), may be used if prescribed in the individualized health care plan. The use of a postural support or protective device and the method of application shall be specified in the child's individualized health care plan and approved in writing by the child's physician.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17730, Welfare and Institutions Code.

84074 TRANSPORTATION**84074**

- (a) In addition to Section 80074, the following shall apply:
- (b) The licensee and his/her staff are prohibited from smoking a tobacco product, or permitting any person from smoking a tobacco product in a motor vehicle that is regularly used to transport children, regardless of when the children are present. This prohibition applies when the motor vehicle is moving or at rest. Smoking has the same meaning as in subdivision (c) of Section 22950.5 of the Business and Professions Code, and tobacco product means a product or device as defined in subdivision (d) of Section 22950.5 of the Business and Professions Code.

84074 TRANSPORTATION
(continued)**84074****HANDBOOK BEGINS HERE**

Business and Professions Code section 22950.5(c) and (d) provide:

(c) "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(d)(1) "Tobacco product" means any of the following:

(A) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.

(B) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.

(C) Any component, part, or accessory of a tobacco product, whether or not sold separately.

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1530.7, 1531, 118948, Health and Safety Code; and 22950.5(c) and (d), Business and Professions Code.

84075 HEALTH-RELATED SERVICES**84075**

(a) In addition to Section 80075, the following shall apply.

(b) The licensee shall ensure that all prescribed medications are centrally stored, as provided in Section 80075(h)(3).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

84076 FOOD SERVICE**84076**

- (a) In addition to Section 80076, the following shall apply.
- (b) Written menus shall be posted weekly in an area accessible to the staff and children.
- (c) The licensee shall meet the following food supply and storage requirements:
 - (1) Supplies of staple nonperishable foods for a minimum of one week and fresh perishable foods for a minimum of two days shall be maintained on the premises.
 - (2) Freezers shall be large enough to accommodate required perishables and shall be maintained at a temperature of zero degrees F (-17.7 degrees C).
 - (3) Refrigerators shall be large enough to accommodate required perishables and shall maintain a maximum temperature of 45 degrees F (7.2 degrees C).
 - (4) Freezers and refrigerators shall be kept clean, and food storage shall permit the air circulation necessary to maintain the temperatures specified in (2) and (3) above.
 - (5) Kitchen appliances and utensils shall be made accessible to a child when he or she is participating in age-appropriate, and developmentally-appropriate activities related to food preparation, cooking, and other related kitchen and dining activities. The administrator or facility manager, or his or her responsible designee, shall:
 - (A) Apply the "Reasonable and Prudent Parent Standard," as specified in Section 84067, when allowing a child to use kitchen appliances and utensils for food preparation and cooking.
 - (B) Ensure that the child is properly trained to safely use the kitchen appliances and utensils.
 - (C) Not require a child to participate in meal preparation.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code; Sections 361.2(j)(2), 727, and 16001.9, Welfare and Institutions Code.

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