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GAVIN NEWSOM
GOVERNOR

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PIN 20-14-CRP

(Superseded by PIN 20-22-CRP; Supersedes PIN 20-11-CRP)

TO: ALL CHILDREN'S RESIDENTIAL LICENSEES
ALL CHILDREN'S RESIDENTIAL PROGRAM STAFF

FROM: *Original signed by Pamela Dickfoss*
PAMELA DICKFOSS
Deputy Director
Community Care Licensing Division

SUBJECT: **UPDATED STATEWIDE WAIVER FOR LICENSURE AND OPERATION
OF AN EMERGENCY TEMPORARY SHELTER CARE FACILITY**

Provider Information Notice (PIN) Summary

PIN 20-14-CRP updates the statewide waiver set forth in [PIN-20-11-CRP](#) dated May 15, 2020, updating the effective date of the statewide waiver. The statewide waiver applies to certain licensing requirements applicable to a Temporary Shelter Care Facility (TSCF) to expedite licensure to operate a TSCF on an emergency basis (E-TSCF). An E-TSCF will care exclusively for children and nonminor dependents who have known exposure to, present symptoms of, or test positive for, the Coronavirus Disease 2019 (COVID-19).

On March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency (Proclamation) in response to a rising number of cases of the Coronavirus Disease 2019 (COVID-19) in California (see [PIN 20-04-CCLD](#)). The Proclamation permits the California Department of Social Services (CDSS) to waive any provisions of the Health and Safety Code (HSC), Welfare and Institutions Code (WIC), accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of licensed facilities.

As the situation during the current state of emergency related to COVID-19 continues to evolve, CDSS is taking major and unprecedented actions to protect the health,

safety, and welfare of the people of California. This PIN provides a statewide waiver for certain licensing requirements applicable to a Temporary Shelter Care Facility (TSCF) as defined in Health and Safety Code section 1530.8(c) to expedite the licensure process and operation of a TSCF on an emergency basis (E-TSCF) to provide care exclusively for children who have known exposure to, present symptoms of, or test positive for, COVID-19. For purposes of this PIN, the term “children” means children in out-of-home placement and includes, but is not limited to, minors in foster care supervised by the probation department and nonminor dependents.

Children’s residential licensees and counties operating an E-TSCF shall follow all COVID-19 guidance or instructions from the [Children's Residential Regional Office](#), all [CDSS PINs](#) applicable to children’s residential facilities, and COVID-19 guidance or instructions from health care providers, the [Centers for Disease Control and Prevention \(CDC\)](#), the [California Coronavirus \(COVID-19\) Response](#), the [Department of Public Health \(CDPH\)](#), and [local health departments](#).

In accordance with the [All County Letters \(ACL\) No. 20-33](#) and [ACL No. 20-74](#), children’s residential facilities and county placing agencies must prioritize placement preservation and emergency planning, including, but not limited to, review for reunification or extended visits with parents, relatives, or nonrelative extended family members, as key strategies to maintain a child’s current placement and promote the child’s well-being. When those efforts have been exhausted, the purpose of an E-TSCF will be to serve as a placement alternative **of last resort** to provide care and supervision for children who have known exposure to, present symptoms of, or test positive for, COVID-19 and for whom a placement change was unavoidable, or a different placement alternative was not available.

E-TSCF licensees should be familiar with public health guidance regarding quarantine, isolation, and cohorting and guidance issued by the department in [PIN 20-12-CRP](#). The developmental impacts of quarantine and isolation for children in out of home placement pose significant risk of trauma; therefore, children should only be placed into quarantine or isolation conditions under medical or public health guidance and in compliance with the Waiver Terms and Conditions set forth in this PIN.

- [Quarantine as defined by CDC](#) is the practice of separating people who were exposed to an infectious agent, and therefore may become infectious, from others who have not been exposed. [Quarantine protocols established by CDC](#) are recommended when an individual has been exposed to COVID-19.
- [Isolation as defined by CDC](#) is the practice of separating sick people from people who are not sick. [Isolation protocols established by CDC](#) are recommended to separate an individual who has symptoms of, or tests positive for, COVID-19.
- [Cohorting as defined by CDC](#) is the practice of grouping people together who are sick with the same illness, or who have been exposed to the same illness but do not have symptoms. Cohorting could involve allowing individuals with COVID-19 to be cared for in the same facility and/or bedroom.

**STATEWIDE WAIVER OF LICENSING STANDARDS
FOR THE LICENSURE AND OPERATION OF
AN EMERGENCY TEMPORARY SHELTER CARE FACILITY**

Pursuant to the Governor's Proclamation, CDSS is waiving specified licensing requirements applicable to a TSCF to allow for an abbreviated licensure process and short-term operation of a TSCF on an emergency basis as a placement alternative **of last resort** for children who have known exposure to, present symptoms of, or test positive for, COVID-19. Only a county, or an existing Children's Residential licensee in good standing with the Community Care Licensing Division (CCLD) and the recommendation of a county, may be licensed to operate an E-TSCF. This waiver is intended to help ensure there are sufficient numbers of facilities available to provide care and supervision to these children during the COVID-19 emergency. As required by the Proclamation, waivers shall be posted on the Department's website.

A county or a licensee that seeks immediate licensure as an E-TSCF in order to provide emergency care and supervision to children as a result of COVID-19 as described in this PIN, may do so using the waiver process described in this PIN. As a condition of short-term licensure under the waiver, a provider shall meet all TSCF standards that are not waived in this PIN and shall comply with the following requirements, terms and conditions.

General Requirements and Operating Conditions

1. The E-TSCF provider shall be a county or a currently licensed children's residential provider with a recommendation from a county.
2. Except for the standards waived in this PIN, the provider shall meet the applicable standards for licensure set forth in the Community Care Facilities Act (Health & Saf. Code, 1500 et. seq.); [TSCF Interim Licensing Standards \(ILS\)](#); and the applicable Title 22, Division 6 California Code of Regulations as specified by the TSCF ILS, including the Group Home regulations (Chapter 5), General regulations (Chapter 1), and, if serving nonminor dependents, the [AB12 ILS for Group Homes](#).
3. Prior to quarantining, isolating, or cohorting a child or children in an E-TSCF, the provider must consult with the [local public health department](#) in the jurisdiction where the facility will be located, and as needed, consult with [CDPH](#) for additional guidance.
4. Care shall be available exclusively for children who have known exposure to, present symptoms of, or test positive for, COVID-19 and for whom a placement change was unavoidable, or a placement alternative was not available.
5. COVID-19 care decisions, including decisions related to quarantine, isolation, and cohorting, shall be made consistent with medical or public health guidance from the child's health care provider and/or local public health officials.
6. The provider shall adhere to the guidance in [PIN-20-04-CRP](#), [PIN-20-06-CRP](#),

and any subsequent applicable PIN issued by CDSS, and the local public health department's guidelines for providing a healthy and safe residential care environment and incorporate policies and procedures provided by CDSS, in consultation with the California [Department of Public Health](#), to support prevention, containment and mitigation of COVID-19.

7. A provider is responsible for consulting with the local public health department to obtain a child's medical clearance at the earliest time possible to ensure a child does not continue placement in the facility longer than necessary.
8. The provider shall comply with directives of a local health department officer or CDPH.
9. A county provider shall comply with guidance provided to counties related to placement considerations issued by the CDSS.
10. The provider shall not restrict CDSS, CDPH, local health department officials, and healthcare providers, the Ombudsperson, and essential government authorities from entering, conducting inspections or investigations. Providers shall accommodate the use of video conferencing, teleconferencing, or other technology to support oversight that is conducted remotely.
11. Any documentation required by these Waiver Terms and Conditions, or required pursuant to any subsequent guidance, shall be made available to the department upon request to inspect, audit and/or copy.
12. A copy of this waiver shall be posted in a public location in the facility.
13. To seek additional waivers of requirements other than what is authorized under this waiver, the provider shall obtain the approval of the [Regional Office](#) and request an individual waiver in accordance with [PIN 20-04-CCLD](#).

Facility Staff Duties

14. The provider shall ensure that staff providing care to children placed in an E-TSCF follow [CDC caregiver guidelines](#) and are trained on the Department's COVID-19 recommendations and guidance for the care and supervision of children in care as specified in [PIN 20-04-CRP](#), [PIN 20-06-CRP](#), and [PIN 20-08-CRP](#), or any subsequent applicable PIN issued by CDSS.
15. The provider shall require direct care staff to self-screen for respiratory infection symptoms as set forth in [PIN 20-04-CRP](#), or any subsequent applicable PIN issued by CDSS, prior to start of each shift and before interacting with children.
16. For purposes of this PIN, a certified administrator for a Group Home (GH) or Short Term Residential Therapeutic Program (STRTP) qualifies as a certified administrator for an E-TSCF.

Physical Plant

17. Face-to-face visits should be consistent with [screening protocols and social distancing guidelines provided by CDC](#) and resources identified in [PIN 20-06-CRP](#).

18. The provider shall enhance [cleaning and sanitation practices consistent with CDC guidance](#) and [PIN 20-08-CRP](#).

Visitation and Educational Services

19. A provider shall ensure each child has access to technology-based visitation and distance learning and that electronic devices used for these purposes are disinfected between each use, as provided in [PIN 20-06-CRP](#).

Sections and Subdivisions Waived

This waiver applies to standards applicable to a TSCF as set forth in the following sections of the HSC; TSCF ILS; Title 22, Division 6 of the California Code of Regulations; and the AB-12 ILS for Group Homes:

Health and Safety Code Sections:

- Definitions – HSC 1530.8(c)
- Licensing Authority – HSC 1530.8(d)
- Conditions of Forfeiture – HSC 1530.8(e)(1), 1524(j) and (k)
- Fire clearance – HSC 1509.5 and 1531.18. This waiver shall only apply to the extent these sections require that the facility secure and maintain a fire clearance prior to obtaining licensure. This waiver shall not apply to the requirement to apply for fire clearance prior to licensure, or additional requirements or procedures applicable to the fire clearance process, or any other requirements of these sections.

TSCF ILS Sections:

- Definitions – 84601(t)(1)
- Licensing Authority – 84604
- Transition Plan – 84613
- Application for License – 84618
- Plan of Operation – 84622
- Conditions for Forfeiture – 84635
- Serious Deficiencies – 84651(b)
- Reporting Requirements – 84661(b), 84661(f)
- Additional Staff Training – 84665.3(b)
- Intake Procedures - 84668.1(c)(2), 84668.1(c)(7)

Title 22, Division 6, Group Home Regulations Sections:

- Application for License – 84018(b)(1), 84018(b)(3), 84018(c)
- Plan of Operation – 84022
- Safeguards for Cash Resources, Personal Property, and Valuables – 84026(b)
- Provisional License – 84030
- Provisional License – 84030.1
- Issuance of a License – 84031
- Issuance of a Provisional License – 84031.1

Issuance of a Permanent License – 84031.2
Denial of Initial License – 84040
Serious Deficiencies – 84051
Personnel Requirements – 84065(k)(4)
Discipline Policy and Procedures - 84072.1(a)
Food Service – 84076(b)
Planned Activities – 84079(a)

Title 22, Division 6, General Licensing Regulations Sections:

Application for Licensure – 80018(b), 80018(d)(13), 80018(d)(16)-(18)
Water Supply Clearance – 80021
Plan of Operation – 80022
Provisional License – 80030
Issuance of a License – 80031
Licensing Fees – 80036

Group Home AB 12 ILS Sections:

Plan of Operation – 84422(b)(2)
Needs and Services Plan – 84468.3
Responsibility for Providing Care and Supervision – 84478(c)

Rescission or Modification

CDSS may rescind or modify a provider's authorization for use of this waiver if it determines the provider does not meet the licensure standards that are not being waived in this PIN as specified in the applicable sections of the Health and Safety Code, TSCF ILS, Group Home or General licensing requirements, the Waiver Terms and Conditions set forth in this PIN, or based upon new federal, state or local directives or guidance. The [Children's Residential Regional Office](#) will be available to provide technical assistance as needed.

Effective Dates of Waiver and Terms and Conditions

The statewide waiver to allow for the temporary licensure and operation of an E-TSCF, as set forth in this PIN, shall expire on September 30, 2020, unless otherwise specified by CDSS.

If you have any questions regarding the information in this PIN, please contact the applicable [Children's Residential Regional Office](#). To access all [CDSS PINs](#) related to COVID-19, please visit the [Community Care Licensing Division home page](#).