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GAVIN NEWSOM  
GOVERNOR

July 1, 2020

PIN 20-15-CRP

TO: ALL LICENSED CHILDREN'S RESIDENTIAL FACILITIES  
ALL CHILDREN'S RESIDENTIAL PROGRAM STAFF

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

SUBJECT: REGULATIONS FOR OVERSIGHT OF PSYCHOTROPIC MEDICATION USE  
IN CHILDREN'S RESIDENTIAL FACILITIES PUBLISHED ORD #0118-01

**Provider Information Notice (PIN) Summary**

PIN 20-15-CRP notifies providers of new regulations that amend several sections of the California Code of Regulations (CCR), Title 22, Division 6. The amended regulations govern oversight of psychotropic medication usage for children in foster care and became effective on July 1, 2020.

The Department has revised its regulations to incorporate the provisions of [Senate Bill \(SB\) 484 \(Beall\), Chapter 540, Statutes of 2015](#) and [SB 238 \(Mitchell\), Chapter 534, Statutes of 2015](#) by amending the regulatory sections of the Group Home, Foster Family Home, and Small Family Home licensing categories. The statutes enacted through these bills became effective on January 1, 2016, and, since then, licensees have been implementing this legislation via statutory provisions, or through interim licensing standard requirements. This notice is intended to outline and clarify for licensees of Group Homes, Small Family Homes, and Foster Family Homes, the amendments to regulations resulting from chaptered legislation. These same provisions have been or will be amended, as specified below, in the Department's Interim Licensing Standards (ILS) for Short Term Residential Therapeutic Programs (STRTPs) and Foster Family Agencies (FFAs). As this legislation does not affect nonminor

dependents, the provisions detailed in this PIN do not apply to Transitional Housing Placement Provider programs.

**For Group Homes, Foster Family Homes, and Small Family Homes, the published regulations make the following amendments to CCR:**

- Provide a definition for "psychotropic medication" to clarify this term whenever used throughout the regulations and ensure providers have a clear understanding of what constitutes psychotropic medication.
- Require training of an unspecified amount of hours for licensees and staff to receive instruction on specified topics: the authorization, uses, risks, benefits, assistance with self-administration, oversight, and monitoring of psychotropic medications, trauma, and substance use disorder and mental health treatments, including how to access those treatments.
- Clarify that psychotropic medication shall only be used in accordance with the written directions of the physician prescribing the medication and in accordance with authorization requirements; this applies to missed medications as well.
- Require licensees to maintain documentation of approval and authorization for a child's use of psychotropic medication in the child's file. These regulations also specify which documents satisfy this requirement.
- Require a separate log for each psychotropic medication prescribed to the child documenting specified information such as any medication refusals and Licensee or caregiver initials for each time a psychotropic medication is taken by a child.
- Clarify that self-administration of psychotropic medication is permitted without court authorization in an emergency situation, as set forth in California Rule of Court 5.640.
- Clarify specified documentation requirements regarding medication approval and authorization if the child is currently taking psychotropic medications during a child's initial admission to a facility.
- Create parameters regarding a licensee's practices for medication refusals necessary to prohibit caregivers from taking disciplinary action against children who refuse to take their medication.
  - For Small Family Homes and Foster Family Homes, these regulations require that the licensee document a child's medication refusal and within two calendar days contact the child's prescribing physician.

These same provisions have been amended for STRTPs and FFAs in the Department's ILS as well.

**For Group Homes, the published regulations also make the following amendments to CCR:**

- Allow the department to annually inspect facilities that have levels of psychotropic drug utilization warranting additional review.
- Specify that licensees shall receive both initial and annual training on psychotropics.

These same provisions will be amended for STRTPs and FFAs in the Department's ILS as well.

**Resources:**

Regulations:

- [Department of Social Services California Code of Regulations, Title 22](#)

Interim Licensing Standards:

- [Department of Social Services Interim Licensing Standards](#) (scroll down)

Resource Guides:

- [Resource Guide for Medications in Group Homes](#)
- [Resource Guide for Medications in Foster Family Agencies, Certified Family Homes, Resource Families and Licensed Foster Family Homes](#)

Training:

- [University of California Berkeley School of Social Welfare Psychotropic Medication Toolkit](#)

This training that covers important topics related to the administration of psychotropic medication is free and available to all.

If you have any questions or need additional guidance regarding the information in this PIN, please contact Hedvig Marx, Children's Residential Policy Manager at (916) 651-5380 or reach out via [email](mailto:CRPOP@policy@dss.ca.gov) at CRPOP@policy@dss.ca.gov.