



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

August 28, 2018

PIN 18-07-ASC

TO: ALL ADULT AND SENIOR CARE PROGRAM LICENSEES

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

SUBJECT: **TEMPORARY MANAGEMENT OF ADULT COMMUNITY CARE FACILITIES AND RESIDENTIAL CARE FACILITIES FOR THE ELDERLY EMERGENCY REGULATIONS PUBLISHED**

Provider Information Notice (PIN) Summary

PIN 18-07-ASC announces the adoption of California Code of Regulations, Title 22, Division 6, Chapter 10 Temporary Management of Adult Community Care Facilities and Residential Care Facilities for the Elderly.

Effective August 22, 2018, California Code of Regulations (CCR), Title 22, Division 6, Chapter 10 Temporary Management of Adult Community Care Facilities and Residential Care Facilities for the Elderly is adopted.

[Senate Bill 855, Chapter 29, Statutes of 2014](#), which added [HSC Section 1546.1](#) and [HSC Section 1569.481](#) to the Health and Safety Code, established the conditions under which the Department may appoint a Temporary Manager (TM) in an adult Community Care Facility (CCF) and a Residential Care Facility for the Elderly (RCFE). CCR, Title 22, Division 6, Chapter 10 sets forth the licensing operational requirements that govern a TM.

TEMPORARY MANAGER DEFINITION

As defined in CCR, Section 89601 Definitions, "Temporary Manager" for adult residential CCFs and RCFEs means the person, corporation, or other entity appointed

temporarily by the Department as a substitute facility licensee or administrator with authority to hire, terminate, reassign staff, obligate facility funds, alter facility procedures, and manage the facility to correct deficiencies identified in the facility's operation. The TM has the final authority to direct the care and supervision activities of any person associated with the facility, including superseding the authority of the licensee and the administrator pursuant to the applicable Health and Safety Code section 1546.1(b) or 1569.481(b).

FACILITY IMPROVEMENT PLAN

The TM is responsible for completing and maintaining a facility improvement plan described in CCR, Section 89637. The facility improvement plan includes, but is not limited, to a comprehensive list of noncompliance items that is organized by the urgency of the health and safety needs of the residents and the necessary action for each listed noncompliance item and the timeframe by which the noncompliance item will be brought into compliance. This plan is reviewed by the Department on a weekly basis or more often as necessary.

TEMPORARY MANAGER SELECTION PROCESS

An overview of the TM selection process described in Title 22, Division 6, Chapter 10, Sections 89632 and 89633 is provided in the table below.

Stage	Description
1	Interested applicants submit a completed LIC 215TM (6/18) form to the Department to apply to be on the TM Candidate list. Note: Information regarding the TM Candidate list is provided in PIN 17-09-CCLD .
2	The applicant(s) approved for placement on the TM Candidate List will be notified. These applicants are considered TM Candidates.
3	Once the Department determines a need to appoint a temporary manager, a notice of this fact will be sent to all TM Candidates.
4	Interested TM Candidates submit a completed LIC 216TM (6/18) to CDSS.
5	CDSS approves the appointment and provides a LIC 200TM (6/18) to the TM.
6	The TM submits a completed LIC 200TM (6/18) to the CDSS.
7	CDSS approves the LIC 200TM (6/18) and issues a provisional license to the TM.
8	CDSS and the TM enter into a contract outlining the TM expected duties and payment.

TEMPORARY MANAGER CONTRACT

Once a temporary license is issued to a TM, the Department must contract in writing with the TM outlining the responsibilities of the parties and the terms and conditions of the temporary management of the facility. The budget for the contract must not exceed the sum of forty-nine thousand, nine hundred ninety-nine dollars (\$49,999) unless

approved by the Department. All expenditures by the TM must be necessary for the standard operation of the facility or necessary to support the facility improvement plan.

The following items must be approved by the Department:

- Any single contract for outside services in excess of five thousand dollars (\$5,000);
- Any single expenditure by the temporary manager in excess of \$5,000;
- Capital improvements to the facility totaling in excess of \$5,000.

Click here to view the [adopted provisions for the temporary management of adult CCFs and Residential Care Facilities for the Elderly.](#)

If you have any questions or need further information, please contact Tanya Bermudez, Adult Care Policy & Systems Unit Manager at (916) 654-1491 or via email at Tanya.Bermudez@dss.ca.gov.