

CIVIL PENALTY ASSESSMENT

FACILITY NAME	DATE
FACILITY ADDRESS	
CITY STATE ZIP CODE	
LICENSEE(S)/OPERATOR	FACILITY #:

LICENSED FACILITY

Civil penalties can be assessed against any facility which fails to take corrective action within prescribed time periods, per California Health and Safety Code Sections 1548, 1568.0822, 1569.49, 1596.99, and 1597.58. You are hereby notified that a civil penalty has been assessed.

The above facility has been found in violation of the California Code of Regulations, Title 22, Divisions 6, and/or 12, Section(s) _____ and/or California Health and Safety Code, Division 2, Chapters 3, 3.01, 3.2, 3.4, and 3.5, and 3.6. Section(s) _____

A Licensing Report (LIC 809 or LIC 9099) was issued on _____ giving notice that failure to correct the above violation(s) would result in a civil penalty. DATE

- Because you failed to make the corrections specified on the LIC 809, a civil penalty of \$ _____ is assessed for the period from _____ through _____.
DATE DATE
- A civil penalty of \$50 per violation per day, up to a maximum of \$150 per violation per day will be assessed. This will continue until correction(s) is made to comply with the licensing laws, regulations, and approval of the California Department of Social Services or authorized licensing agency.
- Because you repeated a violation of the same subsection within a 12-month period, an immediate civil penalty of \$ _____ is assessed for the period from _____ through _____.
DATE DATE
- All Facility Types Except Child Care Centers: **Second citation** within a 12 month period; an immediate civil penalty of \$150 per violation; then \$50 per day per violation until corrections are made.
- Child Care Centers Only: **Second citation** within a 12-month period; an immediate civil penalty of \$150 per violation; then \$150 per day per violation until corrections are made.
- Residential Care Facility for the Elderly (RCFE), Residential Care Facility for the Chronically Ill (RCF-CI): **Third citation** within a 12-month period; an immediate civil penalty of \$1,000 per violation; then \$100 per day per violation until corrections are made.
- Family Child Care Home (FCCH), Child Care Center (CCC), Community Care Facility (CCF): **Third citation** within 12-month period; an immediate civil penalty of \$150 per violation; then \$150 per day per violation until corrections are made.
- FCCH and CCC only: Second or subsequent violation for failure to allow parent or guardian to enter and inspect facility or for retaliation/discrimination stemming from a request to enter or lodge a complaint. A civil penalty of \$50 per violation.

Total Penalty Assessed \$ _____

YOU WILL RECEIVE AN INVOICE IN THE MAIL.

DO NOT SEND MONEY UNTIL YOU RECEIVE YOUR INVOICE

NAME OF LICENSING PROGRAM ANALYST	NAME OF FACILITY REPRESENTATIVE/TITLE	
SIGNATURE OF LICENSING PROGRAM ANALYST	SIGNATURE OF FACILITY REPRESENTATIVE	
SUPERVISOR REVIEW/SIGNATURE (FOR INTERNAL USE ONLY)	TITLE	DATE

INSTRUCTIONS FOR COMPLETING THE CIVIL PENALTY ASSESSMENT FORM FOR LICENSED FACILITIES

EXPLANATION TO LICENSEE

A visit was conducted at the above facility by a Licensing Evaluator. During that visit one or more violations of licensing statutes and regulations were identified. A Facility Evaluation Report (LIC 809) was issued establishing the dates by which corrections must have been made.

Since you have failed to make all of the required corrections, you must pay the civil penalty described on the front of this form until you have confirmed to the satisfaction of the California Department of Social Services that each of the violations has been corrected.

IT IS YOUR RESPONSIBILITY to notify the licensing agency in writing or by the telephone when the required corrections have been made.

Payment is due when billed and the check(s) shall be made payable to the "California Department of Social Services". Please write the facility number and invoice number on your check. **DO NOT SEND CASH.**

NOTE: Civil penalties may be imposed in addition to the penalties of suspension or revocation as provided in the California Health and Safety Code Sections 1548, 1568.0822, 1569.49, 1596.99, and 1597.58. In addition to the imposition of civil penalties, the California Health and Safety Code Sections 1550, 1569.50 and 1596.885 also authorizes the suspension or revocation of a license based on licensing violations.

APPEAL RIGHTS

The licensee has a right without prejudice to discuss any disagreement concerning the proper application of licensing laws and regulations with the licensing agency. The licensee may request a formal administrative review of any civil penalty or notice of deficiency, to be conducted by the Regional Manager, following the timelines listed below:

- Within 15 business days of receipt of this form, the licensee may request a formal review of any civil penalty or notice of deficiency. The request must be in writing and should be sent to the Regional Office of jurisdiction over the facility. The licensee must include all available supporting documentation with the request for review.
- Within 30 business days of the request for review, the licensee may submit additional supporting documentation that was unavailable at the time of the initial request.
- Within 30 business days of receiving the initial request from the licensee, the licensing agency may request additional information from the licensee deemed necessary to make its determination.
- Within 30 business days of receiving the licensing agency's request for additional information, the licensee shall provide this additional information.
- Within 60 business days of the date when all necessary information has been provided to the department by the licensee, the licensee shall be notified in writing of the licensing agency's decision.

The licensing agency has a duty to review the facts presented without prejudice. Upon review of the facts and in accordance with applicable statutes or regulations, the licensing agency may amend any portion of the action taken or may dismiss the violation. Within 15 business days of receiving the Regional Manager's decision, the licensee may further appeal the decision to the Program Administrator. The same timelines as above applies. The Program Administrator's decision is considered final and concludes the licensee's administrative appeal rights.