

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



December 14, 2001

ALL-COUNTY LETTER NO. 01-85

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by
One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL ELIGIBILITY SUPERVISORS
ALL COUNTY LICENSING PROGRAM MANAGERS
ALL COMMUNITY CARE LICENSING CHILDREN'S RESIDENTIAL OFFICES
ALL COUNTY WELFARE SERVICE PROGRAMS MANAGERS
ALL JUVENILE COURT JUDGES
ALL CHIEF PROBATION OFFICERS

SUBJECT: ASSEMBLY BILL (AB) 1695 CLARIFICATION OF THE CONFORMANCE OF
STATE STATUTES TO SAME STANDARDS FOR THE LICENSING OR
APPROVAL OF FOSTER FAMILY HOMES CONSISTENT WITH THE
FEDERAL ADOPTION AND SAFE FAMILIES ACT OF 1997

REFERENCE: ALL COUNTY INFORMATION NOTICE (ACIN) I-11-99
ACIN 1-18-99
ACL 00-85 DATED DECEMBER 20 2000 RE ASFA
ERRATA ACL DATED JANUARY 30, 2001 TO CORRECT
ACL NO. 00-85
ACL NO. 01-33
ACIN NO. I- 91- 85
SENATE BILL 645, CHAPTER 949, STATUTES OF 1998

The purpose of this letter is to implement the provisions of AB 1695, Chapter 653, Statutes of 2001, an urgency measure which clarifies that existing state law has been and is consistent with recent federal regulations relating to the placement of foster children in foster family homes. AB 1695, which outlines and describes the State's conformance with the Adoptions and Safe Families Act (ASFA) of 1997, became effective October 10, 2001, immediately upon the signature of Governor Gray Davis, and ensures continuous Title IV-E funding to the State.

Additionally, this letter provides direction to county placing agencies and juvenile courts regarding the State's policy and procedures for the licensing or approval of relative, nonrelative extended family member, and foster family homes when a child is placed into foster care.

AB 2773, Chapter 1056, Statutes of 1998, revised state statutes to bring California into compliance with the ASFA federal requirements. Subsequently, in January 2000, the Department of Health and Human Services (DHSS) issued federal regulations, with interpretations that had not been communicated or made clear previously.

Thus AB 1695 addresses those interpretations and clarifies that the same standards for approval or licensing have been and are required for all foster family homes.

1. **Same Standards for Approved or Licensed Foster Family Homes**

All foster family homes are required to meet the same health and safety standards in order to become licensed or approved. Both Community Care Licensing (CCL) workers and child welfare workers, who license and approve foster family homes, are required to:

- assess the caregiver's suitability,
- perform a criminal records check,
- check for prior child abuse/neglect allegations, and
- complete an in-home inspection of the home's safety.

AB 1695 clarifies that relative and nonrelative extended family members are approved, and all other foster family homes are licensed. All categories must meet the same standards for either approval or licensure. Welfare and Institutions Code (WIC) Section 309

A. **Federal Bureau of Investigation (FBI) Check for Approvals**

Current standards for licensure or approval of foster family homes require the submission of caregiver fingerprints for California and FBI criminal record clearance requests. AB 1695 clarifies that the approval process is consistent with the licensing process by permitting issuance of approval based on the receipt of a California criminal records clearance and an FBI caregiver affidavit, pending receipt of the FBI clearance. A caregiver affidavit is a written statement by the applicant/caregiver that he/she has never been convicted of a crime in any other state. Further instructions on fingerprint information will be addressed in a subsequent ACL. Health & Safety Code (H&SC) Section 1522, WIC Section 309

B. **Subsequent Arrest Notification**

AB 1695 allows the Department of Justice (DOJ) to provide notice to both licensing and county placing agencies of any subsequent arrests of foster parents. Penal Code Section 11105.2

2. Extends Search for Relatives

Prior law required the parent to disclose to the court the names and locations of all maternal and paternal relatives at the disposition hearing. This law adds that requirement to the detention hearing as well, to expedite the concurrent planning process. WIC Section 319

3. Elimination of Certification Pending Licensure Terminology

Since 1998, (AB 1544, Statutes of 1997, and SB 645, Statutes of 1998), all foster family homes, licensed or approved, have been required to meet the same health and safety standards. AB 1695 is the vehicle used to delete the obsolete language referring to “certified-license pending” homes. WIC Sections 319, 361.2(h) and 16507.5(b)

4. Creates a New Approval Category: Nonrelative Extended Family Member

AB 1695 adds nonrelative extended family members and persons with a pre-existing relationship to the child to those to be included in the approval category. The nonrelative extended family member is defined as “any adult caregiver that has an established familial or mentoring relationship with a child. This prior relationship shall be verified by interviews with the parent and child or with one or more third parties.” Caregivers who meet the criteria of the nonrelative extended family member will be approved by the placing social worker using the same standards as licensed homes. H&SC Sections 1505(l)(2), WIC Sections 362.7, 309(d), 727, and 11400

A. Assures Foster Care Payment for the Nonrelative Extended Family Member

This placement classification is approved according to the same standards as licensed homes, and is thus authorized both for placement, and either state or federal AFDC-FC payments, depending on the child's eligibility. WIC Sections 361.2(e) and 11402. The nonrelative extended family member will be paid the same AFDC-FC rate paid to relatives, guardians and licensed foster parents. WIC Section 11461

B. Permits California Law Enforcement Telecommunication System (CLETS) Access to Counties for Nonrelative Extended Family Member Checks

Current law permits county welfare departments to access CLETS to perform the initial criminal records check on relatives. AB 1695 permits CLETS access for criminal records checks on the nonrelative extended family members being considered for placement. WIC Section 16504.5

5. Licensure/Approval Not an Entitlement for Placement

AB 1695 clarifies that the granting of a license or approved status does not entitle the caregiver to placement of a specific child or children. Placement is based on each individual child's needs and best interests. WIC Section 16507.5

6. **Clarifies the Required Findings Court Must Make at Detention for Title IV-E Funding**

Consistent with ASFA the court is required to make the following three findings at the initial detention hearing in order for the child to be eligible for Title IV-E maintenance funding.

- continuation in the home is contrary to the child's welfare,
- reasonable efforts were made to prevent removal,
- placement and care are vested with the county welfare department/probation department.

The social worker's report must cite evidence to support these findings.
WIC Sections 319,11401

7. **Child Welfare Services Approval**

- A. Manual of Policies and Procedures, Division 31 and 45 regulations are in the process of being amended to clarify that the same standards apply for the licensing or approval of all foster family homes. In the interim, each county shall follow the interim standards attached (Attachment A) and the county's approval process and documents must contain the following elements:
1. That the social worker has assessed the caregiver's ability to provide for the child, and has inspected the physical environment to ensure that the home meets the required health and safety standards.
 2. That the social worker has conducted a criminal records check and a prior child abuse history check on the caregiver and other adults in the home.
 3. That the caregiver has been oriented/trained in the caregiving qualifications as specified in California Code of Regulations (CCR), Title 22, Division 6, Chapter 7.5, Section 87317.
 4. That the caregiver understands his/her responsibility for ensuring that each child is accorded his/her personal rights.
 5. That the social worker's supervisor has signed the approval document and that a copy is on file with the county placing agency.
- B. If an approved caregiver changes residences, the social worker must ensure that the new home and physical environment meet required standards for health and safety.

- C. Whenever a new child is placed in the home, a new approval process must be initiated by the social worker to ensure that (1) the home and physical environment continue to meet the required standards for health and safety, and (2) that the caregiver has been assessed for his or her capacity to meet the needs of all the children in the home.
- D. If a new adult is added to the household, the social worker must ensure that any new adult member of the household complies with the criminal records check and the prior child abuse history check requirement.

8. Interim Foster Family Home Standards

AB 1695 provides statutory authority for regulatory changes to CCR, Title 22, Division 6, California Code of Regulations, and to the MPP Manual of Policies and Procedures, Division 31 and Division 45 regulations, to clarify California’s compliance with ASFA.

Attached are interim foster family home standards that will be set forth in the CCL regulations at CCR, Title 22, Division 6, Chapter 9.5, Article 3, Caregiver Standards. These are currently existing standards that govern the essential health and safety requirements that ASFA requires for the licensing and approval of all foster family homes, but have been reorganized. These same standards must be used by child welfare workers when approving relative or nonrelative extended family member homes. Pursuant to the statutory authority conferred by AB 1695, counties are instructed to begin using the attached standards when approving relative or nonrelative extended family homes, pending issuance of new Division 31 and Division 45 regulations.

For questions regarding the approval of relative or nonrelative extended family member foster family homes, contact Harriet Hopgood, Kinship Care Policy Unit, at (916) 323-9750.

For questions regarding the licensure of foster family homes contact Sharon Whitted in the Community Care Licensing Policy Development Bureau at (916) 327-4104.

Sincerely,

Original Document '

Signed By

SYLVIA PIZZINI

Deputy Director

Children and Family Services Division

Original Document '

Signed By

MARTHA LOPEZ

Deputy Director

Community Care Licensing Division

c: CWDA

Article 3. CAREGIVER STANDARDS**89317 APPLICANT QUALIFICATIONS****89317**

- (a) Any adult shall be permitted to apply for a license regardless of age, sex, race, religion, color, political affiliation, national origin, handicap, marital status, or sexual orientation.
- (b) An applicant shall have the following qualifications:
- (1) Ability to provide care and supervision appropriate to the type of children to be served including ability to communicate with the children.
 - (2) Knowledge of and ability to comply with the applicable laws and regulations.
 - (3) Ability to maintain, or supervise the maintenance of, financial and other records.
 - (4) Ability to direct the work of others when applicable.
- (c) An applicant for a foster family home license shall:
- (1) Complete an orientation provided by the licensing agency.
 - (2) Be educated, trained, or experienced in areas related to the qualifications specified in (b) above.
 - (A) Applicable education shall be documented through submission, to the licensing agency, of a copy of a certification, transcript or credentials.
 - (B) Applicable training shall be documented through submission, to the licensing agency of a copy of a certificate of training.
 - (C) Applicable experience shall be documented in writing, by a person other than the applicant, and submitted to the licensing agency.

89319 CRIMINAL RECORD CLEARANCE**89319**

All persons subject to criminal record review shall obtain a criminal record clearance from California of Department of Social Services or county as appropriate. Such review will require submission of completed fingerprints pursuant to Health and Safety Code Section 1522. The licensing agency will also conduct a search of the Child Abuse Clearance Index and child abuse records. The licensing agency may conduct a search of the California Law Enforcement Telecommunications System (CLETS).

89323 EMERGENCY PLAN**89323**

(a) Each caregiver shall post emergency telephone numbers, discuss emergency situations with children, practice emergency procedures every six months and at time of new placements.

89361 REPORTING REQUIREMENTS**89361**

(a) Each caregiver shall furnish to the licensing agency and the child's authorized representative such reports as required by the department including but not limited to the following:

1. Death of any child from any cause.
2. Any injury or serious illness to any child which requires medical treatment.
3. Any unusual incident or child absence which threatens the physical or emotional health or safety of any child.
4. Any suspected physical or psychological abuse of any child.
5. Communicable diseases as reported to caregiver by health professional.
6. Poisonings.
7. Catastrophes.
8. Fires or explosions which occur in or on the premises.

(b) When a written report of such an event is required by the licensing agency, the caregiver shall submit, within 7 days, a written report of such event, which includes the following information:

1. Child's name, age, sex, and date of admission.

89361 REPORTING REQUIREMENTS (Continued)**89361**

2. Date and nature of event.
 3. Attending physician's name, findings, and treatment, if any.
 4. Disposition of the case.
- (c) Any change in the caregiver's residence or mailing address shall be reported to the licensing agency within 10 working days following the occurrence.
- (d) When the caregiver intends to be absent from the home for 48 hours or longer, the caregiver shall notify the licensing agency and the child's authorized representative, in writing or by telephone and include the following information:
1. Dates of intended absence.
 2. Whether the child will accompany the caregiver or remain in the home.
 3. Telephone number where caregiver may be contacted.
 4. Name, address, telephone number of substitute care provider.
- (e) The caregiver shall report all changes in household composition within ten working days. These changes shall include, but not be limited to:
1. Any additions to the caregiver's family, including when the caregiver becomes guardian or conservator for any child or other person.
 2. The arrival or departure of any person residing in the home requires immediate notification and clearance per the requirements of Section 89319.

89370 CHILDREN'S RECORDS**89370**

- (a) The caregiver shall maintain a separate, complete, and current record or file in the home for each child, which includes a current placement agreement and needs and services plan for each child, and the name, birthdate and date of placement in the home.
- (b) The file should also contain a written consent which authorizes the caregiver to obtain other ordinary medical and dental care in an emergency if the authorized representative cannot be reached.

89370 CHILDREN'S RECORDS (Continued)**89370**

- (c) All children's records shall be subject to inspection and reproduction by the licensing agency when requested.
- (d) All information and records obtained from or regarding children shall be confidential except as otherwise authorized by law.

89372 PERSONAL RIGHTS**89372**

- (a) Each child shall have personal rights which include but are not limited to the following:
 - (1) To be accorded dignity in his/her personal relationships with other persons in the home.
 - (2) To be accorded safe, healthful and comfortable accommodations, furnishings and equipment that are appropriate to his/her needs.
 - (3) To be accorded the independence appropriate to the child's age, maturity, and capability as outlined in the child's needs and services plan or Transitional Independent Living Plan (TILP) if applicable.
 - (4) To be free from corporal or unusual punishment, infliction of pain, humiliation, intimidation, ridicule, coercion, threat, mental abuse, or other actions of a punitive nature including but not limited to interference with the daily living functions of eating, sleeping, or toileting , or withholding of shelter, clothing, or aids to physical functioning.
 - (5) To be informed, and to have his/her authorized representative informed, by the caregiver 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 the confidential registration of complaints.
 - (6) 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.
 - (7) Not to be locked in any room, building or family home premises by day or night.
 - (A) The caregiver shall not be prohibited by this provision from locking exterior doors and windows or from establishing house rules for the protection of the children so long as the children can exit from the home.

89372 PERSONAL RIGHTS (Continued)**89372**

- (B) The caregiver shall be permitted to utilize means other than those specified in (A) above for securing exterior doors and windows only with prior approval of the licensing agency.
- (8) 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 (E) 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 child's mobility and independent functioning, or to position rather than restrict movement including, but not limited to, preventing a child 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 have the authority to grant conditional and/or limited approvals to use postural supports.
- (E) Under no circumstances shall postural supports include tying, 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.
- (F) Protective devices including, but not limited to, helmets, elbow guards, and mittens which do not prohibit a child's mobility but rather protect the child 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/ approval agency as specified below.

89372 PERSONAL RIGHTS (Continued)**89372**

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.
- (9) To be free of the administration of medication or chemical substances not authorized by a physician.
 - (10) To be informed of the foster family home's policy concerning family visits and other communication with the child as specified in Section 1512 of the Health and Safety Code.
 - (11) To have visitors as specified below by mutual agreement between the caregiver and the visitors, provided the rights of others are not infringed upon:
 - (A) Relatives, during waking hours, unless prohibited by court order or by the child's authorized representative.
 - (B) Authorized representative.
 - (C) Other visitors unless prohibited by court order or by the child's authorized representative.
 - (12) To wear his/her own clothes.
 - (13) To possess and control his/her own cash resources, unless otherwise agreed to in the needs and services plan and by the child's authorized representative.
 - (14) To possess and use his/her own personal possessions, including toilet articles.
 - (15) To have access to individual storage space for his/her private use.

89372 PERSONAL RIGHTS (Continued)**89372**

- (16) To have access to telephones, both to make and receive confidential calls, provided that such calls are not prohibited by court order or by the child's authorized representative, or are not prohibited as a form of discipline. However, such use shall not infringe upon the rights of others, nor tie up the telephone during emergencies.
- (A) The caregiver shall be permitted to require reimbursement for long distance calls from the child or his/her authorized representative.
- (B) The caregiver shall be permitted to prohibit the making of long distance calls upon documentation that requested reimbursement for previous long distance calls has not been received.
- (C) Calls permitted to be prohibited as a form of discipline shall not include calls to the child's authorized representative, placement agency, or parent(s).
- (17) To have access to letter writing material and to send and receive unopened correspondence unless prohibited by court order or by the child's authorized representative.
- (b) The caregiver shall ensure that each child is accorded the personal rights specified in this section.
- (c) Each child, and his/her authorized representative, shall be personally advised and given at admission a copy of the rights specified in (a)(1) through (17) above.

89372.1 DISCIPLINE**89372.1**

Any form of discipline which violates a child's personal rights as specified in Section 89372 shall be prohibited.

89373 TELEPHONES**89373**

All foster family homes shall have telephone service, unless alternative telephone access is approved and documented.

89374 TRANSPORTATION**89374**

The caregiver shall ensure that all transportation provided for children in their care is provided in vehicles that are in safe operating condition and that the drivers comply with all applicable laws.

89376 FOOD SERVICE**89376**

The caregiver shall provide or ensure at least three nutritious meals per day as necessary to meet each child's dietary needs, as documented or identified in the child's needs and services plan. Whenever children in placement eat at the home, they will have their meals with family members in a family setting. Infants under seven months shall be held during bottle-feeding.

89378 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION**89378**

- (a) The caregiver shall provide care and supervision as necessary to meet each child's needs, and shall be available at all times unless documented in the child's needs and services plan, or placement agreement, or agreed to in advance by the licensing agency.
- (b) The caregiver shall provide those services identified in each child's needs and services plan and Transitional Independent Living Plan (TILP) if applicable.
- (c) The caregiver is responsible for ensuring care and supervision of the child(ren) of any minor parent in placement.
 - (1) Direct care and supervision of the child(ren) of a minor parent is to be provided during the hours that the minor parent is unavailable or unable to provide such care and supervision.

89379 ACTIVITIES**89379**

- (a) The caregiver shall provide opportunity for, and encourage participation in, **group sports**, leisure time, family, special school, and daily living skill activities.
- (b) The caregiver shall ensure direct care and supervision is provided to meet the child's needs during participation in those activities that are sponsored by third parties, **except that school-sponsored activities shall be presumed to provide adequate care and supervision.**

HANDBOOK BEGINS HERE

- (c) When a caregiver is determining whether a sponsor, other than a school, is providing adequate care and supervision, the caregiver should consider who the sponsor is and what supervision and safeguards are in place

HANDBOOK ENDS HERE

89387 BUILDINGS AND GROUNDS**89387**

(a) The caregiver shall provide bedrooms in the home which shall meet, at a minimum, the following requirements unless a documented alternative plan is approved:

- (1) No more than two children shall share a bedroom.
- (2) Children of the opposite sex shall not share a bedroom unless each child is under five years of age.
- (3) No room commonly used for other purposes shall be used as a bedroom.

Such rooms shall include but not be limited to halls, stairways, unfinished attics or basements, garages, storage areas and sheds or similar detached buildings.

- (4) No bedroom shall be used as a public or general passageway to another room.
- (5) The caregiver shall provide each child with an individual bed which is equipped with a clean, comfortable mattress, clean linens, blankets, and pillows, as needed, all in good repair.
 - (A) Linen shall be changed at least once per week or more often when necessary to ensure that clean linen is in use by children at all times.
 - (B) Beds shall be arranged to allow easy passage between beds and easy entrance into the room.
- (6) Each bedroom shall have portable or permanent closets and drawer space to accommodate the child's clothing and personal belongings.
- (7) The caregiver shall provide each infant with a safe and sturdy bassinet or crib, appropriate to the child's age and size.
- (8) Except for infants, children shall not share a bedroom with an adult.

89387 BUILDINGS AND GROUNDS (Continued)**89387**

- (a) In bedrooms shared by adults and infants, no more than two infant(s) and no more than two adults shall share the room
- (9) Sections 89387(a)(1) through (a)(6) apply to all bedrooms used by all children residing in the home, including children who are members of the caregiver's family, guardianship children, and children in placement.
- (10) Sections 89387(a)(3) and (a)(4) apply to all bedrooms used by the caregiver and all other adults residing in the home.
- (b) The home shall be clean, safe, sanitary and in good repair at all times for the safety and well being of the children.
- (c) All outdoor and indoor passageways, and stairways, inclines, ramps, open porches and other areas or potential hazard shall be kept free of obstruction.
- (d) All homes that accept children under 10 years of age or a child that has a condition including one that makes the child developmentally disabled, or mentally handicapped, and for whom special care and supervision is required as a result of his/her condition, shall ensure the inaccessibility of pools, including swimming pools (in-ground and above-ground), fixed-in-place wading pools, hot tubs, spas, fish ponds, and similar bodies of water through a pool cover or by surrounding the pool with a fence.
 - (1) Fences shall be at least five feet high and shall be constructed so that the fence does not obscure the pool from view. The bottom and sides of the fence shall comply with Division 1, Appendix Chapter 4 of the 1994 Uniform Building Code. In addition to meeting all of the aforementioned requirements for fences, gates shall swing away from the pool, self-close and have a self-latching device located no more than six inches from the top of the gate. Pool covers shall be strong enough to completely support the weight of an adult and shall be placed on the pool and locked while the pool is not in use.
 - (A) If licensed prior to June 1, 1995, facilities with existing pool fencing shall be exempt from the fence requirements specified in Section 89387(d)(1) until such fence is replaced or structurally altered. When the caregiver replaces or alters the fence, it shall be required to meet the fence requirements specified in Section 89387(d)(1).

89387 BUILDINGS AND GROUNDS (Continued)**89387**

- (1) Where an above-ground pool structure is used as the fence or where the fence is mounted on top of the pool structure, the pool shall be made inaccessible when not in use by removing or making the ladder inaccessible or erecting a barricade to prevent access to decking. If a barricade is used, the barricade shall meet the requirements of Section 89387(d)(1).
- (e) All in-ground pools, and above-ground pools which cannot be emptied after each use, shall have an operative pump and filtering system.
- (f) An adult who has the ability to swim shall provide supervision at all times when children are using a pool or a body of water from which rescue requires the rescuer's ability to swim.
- (g) The caregiver who accepts a child with a disability shall make necessary specific provisions including but not limited to changes to the buildings and grounds as required to protect and assist the child and maximize the child's potential for self-help.
- (h) The caregiver shall maintain at least one toilet, sink, and tub or shower, maintained in safe, clean operating condition.
- (i) Bunk beds of more than two tiers shall not be used.
- (1) Bunk beds shall have railings on the upper tier to prevent falling.
- (2) Children under five years of age or those who are unable to climb into or out of the upper tier unassisted shall not be permitted to use the upper tier.
- (j) The caregiver shall maintain a comfortable temperature for children at all times.
- (k) Caregiver shall ensure the safety of the child in homes with fireplaces and open faced heaters and woodstoves.
- (l) The caregiver shall provide lamps or light as necessary in all rooms and other areas to ensure the comfort and safety of all persons in the home.
- (m) Faucets used by clients for personal care and grooming shall deliver hot water at a safe temperature.

89387 BUILDINGS AND GROUNDS (Continued)**89387**

- (n) Waste shall be stored, located and disposed of in a manner that will not permit the transmission of communicable disease or of odors, create a nuisance, provide a breeding place or food source for insects or rodents.
- (o) All foster family homes, except homes with sprinkling systems, shall have an approved commercially manufactured and functioning smoke detector installed in the hallway(s) in each sleeping area in the home. The smoke detectors shall be audible in each bedroom or sleeping room.
- (p) All security window bars shall have safety release devices that meet state and local requirements and ensure safe exit in the event of emergency. Caregiver shall meet the requirements of Section 1531.4 of the Health and Safety Code.

HANDBOOK BEGINS HERE

The Department shall notify the caregiver of the requirements of Section 1531.4 of the Health and Safety Code, which states:

On and after January 1, 1999, no security window bars may be installed or maintained on any community care facility unless the security window bars meet current state and local requirements, as applicable, for security window bars and safety release devices.

HANDBOOK ENDS HERE**89387.1 OUTDOOR ACTIVITY SPACE****89387.1**

The caregiver shall provide access to yard or outdoor activity space which is free from hazards to life and health.

89387.2 STORAGE SPACE**89387.2**

- (a) Medicines, disinfectants, cleaning solutions, poisons, firearms and other dangerous items shall be stored safely and where inaccessible to children.
 - (1) Storage areas for firearms and other dangerous weapons shall be locked.
 - (2) In lieu of locked storage of firearms, the caregiver shall use trigger locks or remove the firing pin.
 - (A) Firing pins shall be stored and locked separately from firearms.

89387.2 STORAGE SPACE (Continued)

89387.2

- (3) Ammunition shall be stored and locked separately from firearms.
- (b) Medicines, disinfectants, and cleaning solutions may be accessible to children consistent with the child's needs and services plan or TILP if applicable.

89388 COOPERATION & COMPLIANCE

89388

- (a) The caregiver shall maintain and cooperate with all caregiver standards.
- (b) No caregiver shall make or disseminate any false or misleading statement associated with the application for licensure, including but not limited to information regarding the applicant, family members, family home, or any of the services provided by the home.