

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



February 4, 2002

ALL COUNTY LETTER NO. 02-04

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 COUNTY FOSTER CARE SUPERVISORS
CALIFORNIA STATE FOSTER PARENT ASSOCIATION
CALIFORNIA STATE PROVIDERS ASSOCIATION
CALIFORNIA PROBATION OFFICERS ASSOCIATION

SUBJECT: TRANSITIONAL HOUSING PLACEMENT PROGRAM (THPP)

REFERENCE: AB 427 (Hertzberg, Migden, Cardenas, Aroner, Cardoza, Keeley, Liu, Shelley, Simitian and Steinberg) (Chapter 125, Statutes of 2001)

The purpose of this All County Letter (ACL) is to provide information and direction on AB 427 (Chapter 125, Statutes of 2001), Transitional Housing Placement Program (THPP). AB 427 was an urgency statute and the licensing portion of the bill became effective on July 30, 2001. Other provisions of the bill became effective on January 1, 2002.

The legislation gives CDSS authority to implement by All County Letter pending adoption of regulations, scheduled to be in place no later than June 20, 2002. Attachment A provides licensing requirements for the program.

BACKGROUND

The purpose of the THPP is to assist youth in transition from foster care to independent living. THPP provides the opportunity for youth to develop independent living and employment skills. These programs are designed to improve their chances to be self-reliant and self-directed adults by building in increased freedom and responsibility as they near emancipation. The goal is to provide the greatest amount of freedom possible in order to prepare the participating youth for self-sufficiency.

Participation in the program by counties is voluntary. All programs seeking licensure must be certified by the county.

AB 427 Provisions (for licensing purposes):

- 1) Expands the age eligibility of THPP participants from 17-18 years of age to 16-19 years of age.

Persons ranging from 16 years of age to no more than 18 years of age, except as provided in Section 11403 of the Welfare and Institutions Code, who are eligible for AFDC-Foster Care benefits and are participating in independent living programs will be eligible for THPP services (up to 19 years). This will eliminate the need to request an exception for these children. *This program will be licensed and regulated by Community Care Licensing.* (See Attachment A)

- 2) Expands the criteria for THPP consideration.

AB 427 clarifies that wards of the court and youth receiving psychotropic medications cannot be automatically excluded due to these factors and shall be considered when determining eligibility to participate in the program.

- 3) Authorizes Los Angeles County to pursue and develop an Internet-based health and education data collection system for children in care.

AB 427 authorizes Los Angeles County to pursue the development and evaluation of a pilot Internet-based health and education Passport System. The Passport System will collect and maintain health and education records for foster children under the supervision of the county social services or probation department while providing real time assess to health and education information about foster children to foster caretakers, educators, health care providers, etc. The Passport System will initially be conducted as a limited pilot project in a subset of Los Angeles County. Upon successful evaluation this system may be expanded statewide.

INQUIRIES

THPP providers with questions regarding this ACL should contact Gary Palmer, Regional Manager, Northern California Children’s Residential Program at (916) 263-4700, or Connie Fanos, Manager, Children’s Residential Policy Section at (916) 324-4318.

Sincerely,

Original Signed by
Martha Lopez

MARTHA LOPEZ
Deputy Director
Community Care Licensing Division

Attachment

ATTACHMENT A

LICENSING REQUIREMENTS **TRANSITIONAL HOUSING PROGRAM**

The following requirements apply in addition to the General Licensing Regulations:

General Requirements

AB 427 requires that program participants be:

- At least 16 years of age.
- Currently enrolled in an Independent Living Program (ILP).
- Currently under the supervision of the county welfare or probation department.
- Participants may be over 18 years of age as long as they continue to satisfy requirements of Welfare and Institutions Code Section 11403 (no exception required).
- Participants may have children who will live with them.

AB 427 clarifies that wards of the court and youth receiving psychotropic medications cannot be automatically excluded due to these factors. These youth shall be considered when determining eligibility to participate in the program.

Inspection Authority

The licensing agency has the authority to inspect the administrative office, sub-administrative office, the THPP participant living units, and the THPP staff residential units that also house or allow access to THPP participants, in compliance with Health and Safety Code Sections 1533, 1534 and 1538.

Application Requirements

At the time of application THPP licensure applicants must meet the following requirements:

- Attend a THPP orientation.
- Complete the Application Booklet for Facility License (LIC 281).
In addition to the application form, THPP applicants must also complete following:
 - ✓ Affidavit Re: Client/Resident Cash Resources (LIC 400).
 - ✓ Surety Bond (LIC 402), if program will control participants' own money.
 - ✓ Emergency Plan (LIC 610).
 - ✓ Facility Sketch Floor Plan (LIC 999).
 - ✓ A detailed Program Statement.
- If the applicant has identified the specific transitional living homes to be occupied by the participants and when applicable, the apartments of the supervising adults, that information must be provided as part of the application package. The licensee shall provide CCLD:
 - ✓ Specific addresses of the transitional living homes and supervising adult apartments, immediately, as they are identified.
 - ✓ Proof of program certification (attached to the application) from the County Welfare Department or the Court Probation Department (W&I Code Section 16522.1). (Prior

to application, the THPP must have their plan approved by the county. The plan then must be approved by CDSS in the application process.)

- The application fee. Fees will vary from \$300 to \$750, based on capacity.

Personnel Requirements

All THPP facility personnel must receive training within their first year of employment about the characteristics of persons 16-19 years of age, placed in long-term foster care.

Supervision Requirements

The licensee is responsible for providing the care and supervision as identified in the THPP participant's Needs and Services Plan and Transitional Independent Living Plan (TILP) as necessary to meet the participant's needs.

Program Operation Requirements

- The licensee must provide the licensing agency a complete, current listing of all THPP participant living units.
- Each THPP participant living unit used by a licensee shall be provided a Certificate of Compliance, completed and signed by the administrator of the THPP facility or his or her designee.
- "Certificate of compliance" means the document issued by the licensee for a single-family dwelling unit that authorizes the unit to be used as living quarters for a THPP participant.
- All participant records shall be maintained in a secure area or locked file cabinets in the administrative or sub-administrative offices.
- The licensee must develop, maintain and implement written policies and procedures governing a THPP participants' removal and/or discharge from the THPP.
- A copy of the participant's Needs and Services Plan and TILP and any modifications must be maintained in the participant's record.
- The licensee must ensure that both the THPP participant living unit and THPP facility have telephone service on the premises at all times.
- Each licensee must develop, maintain, and provide a current emergency plan for THPP participants.
 - ✓ The emergency plan must include emergency information, instructions and telephone numbers, including a 24-hour emergency number for the licensee and participant's responsible party.
 - ✓ The licensee must ensure that each staff and resident understands and is capable of implementing the plan.

Housing Options

1. One or more participant(s) live(s) in an apartment, single-family dwelling or condominium with an adult employee of the THPP licensee, (supervising adult).
2. One or more participant(s) live independently in an apartment, single-family dwelling, or condominium rented or leased by the provider located in a building in which one or

more adult employees of the provider reside and provide supervision.

3. One or more participants live(s) independently in an apartment, single-family dwelling, or condominium rented or leased by a provider, where the provider does not reside, but provides remote supervision, and the arrangement is approved by CDSS.

This is called the “Remote Site Model” and is authorized by Health and Safety Code 1559.110 (d)(3).

- A remote site model may only be used with the written approval of the licensing agency.
- The licensing agency has the authority to approve the use of a remote site model after considering a written plan submitted by the licensee that ensures at least the following:
 - A) The remote site model plan must include provisions for safe and adequate services, and shall in no instance be detrimental to the health and safety of any participant.
 - B) The licensee must submit a written request to utilize the remote site model together with the following supporting information:
 - 1) Support can include alternate and supplemental services, procedures, techniques, personnel, and staffing ratios that provide equally protective health and safety measures as found in models 1 and 2 above.
 - 2) Support must consider the individual characteristics and maturity of the participant to ensure that the model is safe and consistent with the participant’s TILP.
- THPP participants shall not share a bedroom with an adult who is not a THPP participant.

Program Client Expectations

AB 427 requires programs that serve youth in the foster care system to have separate rules and program designs, appropriate to the age, characteristics and maturity of the participants. Licensees must carefully screen participants, and provide supportive services, ongoing monitoring and supervision. The supervision plan as well as the procedures for payment of rent, utilities, etc. must be included in the Program Statement.

The licensee must establish a contract of expectations and personal conduct requirements with each participant to meet program certification requirements. This contract must specifically set out the agreements and the requirements for each party.