

**Manual of Policies and Procedures**  
COMMUNITY CARE LICENSING DIVISION

**ENHANCED BEHAVIORAL  
SUPPORTS HOMES**

**Title 22  
Division 6  
Chapter 11**



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

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## ENHANCED BEHAVIORAL SUPPORTS HOMES

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This Users' Manual is issued as an operational tool.

This Manual contains:

- a) Regulations adopted by the Department of Social Services (DSS) for the governance of its agents, licensees, and/or beneficiaries
- b) Regulations adopted by other State Departments affecting DSS programs
- c) Statutes from appropriate Codes which govern DSS programs
- d) Court decisions; and
- e) Operational standards by which DSS staff will evaluate performance within DSS programs.

Regulations of DSS are printed in gothic type as is this sentence.

Handbook material, which includes reprinted statutory material, other department's regulations and examples, is separated from the regulations by double lines and the phrases "**HANDBOOK BEGINS HERE**", "**HANDBOOK CONTINUES**", and "**HANDBOOK ENDS HERE**" in bold print. Please note that both other departments' regulations and statutes are mandatory, not optional.

In addition, please note that revised language in this manual letter and subsequent community care licensing manual letters will be identified by a vertical line in the left margin.

Questions relative to this Users' Manual should be directed to your usual program policy office.

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**TITLE 22, DIVISION 6****CHAPTER 11. ENHANCED BEHAVIORAL SUPPORTS HOMES****Article 1. GENERAL REQUIREMENTS****89900 GENERAL PROVISIONS**

- (a) An Enhanced Behavioral Supports Home is governed by the provisions of this chapter and Chapter 1. Chapter 5 shall also apply to an Enhanced Behavioral Supports Home that is licensed as a Group Home. Chapter 6 shall also apply to an Enhanced Behavioral Supports Home that is licensed as an Adult Residential Facility.
- (b) Each Enhanced Behavioral Supports Home shall be licensed as an Adult Residential Facility or a Group Home and certified by the Department of Developmental Services in accordance with Health and Safety Code section 1567.62(a).
- (c) Placements of dual agency clients into Enhanced Behavioral Supports Homes that are licensed as Group Homes shall be subject to the limitations on the duration of the placement set forth in Sections 319.2 and 319.3, 361.2(e)(9)(A), and 361.2(e)(10) of the Welfare and Institutions Code.
  - (1) Dual agency clients are foster children in temporary custody of the child welfare agency under Section 319 of the Welfare and Institutions Code or under the jurisdiction of the juvenile court pursuant to Section 300, 450, 601, or 602 of the Welfare and Institutions Code who are also either a client of regional center services, or who are receiving services under the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) but who are under three years of age and have not yet been determined to have a developmental disability. This is in accordance with Health and Safety Code section 1567.62(e).
- (d) An Enhanced Behavioral Supports Home shall maintain a facility file as required by the California Code of Regulations, Title 17, Section 59070.
  - (1) The facility file shall be immediately available upon request of the licensing agency and must be the original or a facsimile of the original.
    - (A) In the event the Licensing Program Analyst requests a physical copy, whether electronic or paper, the copy shall be a facsimile.

**89900 GENERAL PROVISIONS (Continued)****HANDBOOK BEGINS HERE**

California Code of Regulations, Title 17, Section 59070 provides in pertinent part:

Facilities shall maintain a facility file which may include electronic formats, that includes at least the following:

- (a) Facility program plan;
- (b) Weekly staff schedules;
- (c) Personnel records including:
  - (1) Administrator current credentials, degrees, certificates
  - (2) Direct Care and Direct Care Lead Staff current credentials, degrees, certificates
  - (3) Qualified Behavior Modification Professional current credentials, degrees, certificates
  - (4) Documentation of completed staff training
  - (5) Hire and separation dates
- (d) Certificate of Program Approval as issued by the Department;
- (e) Regional center facility liaison monitoring;
- (f) Qualified Behavior Modification Professional monitoring;
- (g) Findings of immediate danger;
- (h) Substantial inadequacies;
- (i) Corrective action plans;
- (j) Sanctions; and
- (l) Facility appeals.

**HANDBOOK ENDS HERE**

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530, 1531 and 1567.62, Health and Safety Code; Sections 4684.81, 4684.82 and 4684.86, Welfare and Institutions Code.

**89901 DEFINITIONS**

In addition to Sections 80001, 84001 and 85001, the following shall apply:

- (a) (1) "Assistant Behavior Analyst" means an individual who assesses the function of a behavior of a client and designs, implements, and evaluates instructional and environmental modifications to produce socially significant improvements in the client's behavior through skill acquisition and the reduction of behavior, under supervision of a Behavior Analyst. Assistant Behavior Analysts engage in descriptive functional assessments to identify environmental factors of which behavior is a function. An Assistant Behavior Analyst is recognized by the national Behavior Analyst Certification Board as a Board Certified Assistant Behavior Analyst.
- (2) "Authorized Consumer Representative" shall have the same meaning as California Code of Regulations, Title 17, Section 59050(c). An Authorized Consumer Representative shall not have the same meaning as authorized representative as defined by Section 80001(a)(7).

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**HANDBOOK BEGINS HERE**

California Code of Regulations, Title 17, Section 59050 provides in pertinent part:

- (c) "Authorized Consumer Representative" means the parent, or guardian of a minor, conservator of an adult, or person who is legally entitled to act on behalf of the consumer.

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- (b) (1) "Behavior Analyst" means an individual who assesses the function of a behavior of a client and designs, implements, and evaluates instructional and environmental modifications to produce socially significant improvements in the client's behavior through skill acquisition and the reduction of behavior. Behavior Analysts engage in functional assessments or functional analyses to identify environmental factors of which behavior is a function. A Behavior Analyst is recognized by the national Behavior Analyst Certification Board as a Board Certified Behavior Analyst.
- (c) (1) "Consultant" shall have the same meaning as the California Code of Regulations, Title 17, Section 59050(f).

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California Code of Regulations, Title 17, Section 59050 provides in pertinent part:

- (f) "Consultant" means an individual or group eligible for vendorization in accordance with Sections 54319 and 54342.

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**89901 DEFINITIONS (Continued)**

- (2) "Client" shall be considered a "consumer" and shall have the same meaning as Health and Safety Code section 1567.61(a).

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Health and Safety Code section 1567.61 provides in pertinent part:

- (a) "Consumer" or "client" means an individual who has been determined by a regional center to meet the eligibility criteria of subdivision (a) of Section 4512 of the Welfare and Institutions Code and applicable regulations and for whom the regional center has accepted responsibility.

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- (d) (1) "Direct Care Staff" means facility staff who personally provide direct supervision and special services to clients, as defined in Title 17, Section 56002(a)(12). The term includes the licensee, the administrator, management, supervisory, and lead staff during that time when they are providing direct supervision and special services to clients.
- (A) Direct supervision and special services shall include "care and supervision" as defined in Title 22, California Code of Regulations, Section 80001(c)(3).
- (e) (1) "Enhanced Behavioral Supports Home" means a facility certified by the Department of Developmental Services pursuant to Article 3.6 (commencing with Section 4684.80) of Chapter 6 of Division 4.5 of the Welfare and Institutions Code, and licensed by the Department as an Adult Residential Facility or a Group Home that provides 24-hour nonmedical care to individuals with developmental disabilities who require enhanced behavioral supports, staffing, and supervision in a homelike setting. An Enhanced Behavioral Supports Home shall have a maximum capacity of four clients.
- (2) "Enhanced Behavioral Services and Supports" means additional staffing, supervision, and other services and supports to address a client's challenging behaviors, which are beyond what is typically available in other community living arrangements.
- (3) "Emergency Intervention Training" means an instructional curriculum provided to facility personnel regarding the techniques that may be used to prevent injury to, and maintain safety for, clients who are a danger to themselves or others, and shall emphasize positive behavioral supports and techniques that are alternatives to physical restraints and seclusion in accordance with Health and Safety Code section 1567.64.

(f) through (h) (Reserved)

**89901 DEFINITIONS (Continued)**

- (i) (1) "Individual Behavior Supports Plan" means the plan that identifies and documents the behavior and intensive support and service needs of a client and details the strategies to be employed and services to be provided to address those needs, and includes the entity responsible for providing those services and timelines for when each identified individual behavior support will commence.
- (2) "Individual Behavior Supports Team" means those individuals who contribute to the development, revision, and monitoring of the individual behavior supports plan for clients residing in an Enhanced Behavioral Supports Home in accordance with Health and Safety Code section 1567.61.

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California Code of Regulations, Title 17, Section 59050 provides in pertinent part:

- (q) The team shall, at a minimum, be composed of the following individuals:
- (1) Consumer and, where applicable, authorized consumer representative;
  - (2) Regional center service coordinator and other regional center representatives, as necessary;
  - (3) Licensee's qualified behavior modification professional;
  - (4) Enhanced Behavioral Supports Home administrator;
  - (5) Regional center clients' rights advocate, unless the consumer objects on his or her own behalf to participation by the clients' rights advocate.
  - (6) Any other individuals deemed necessary by the consumer, or, where applicable, his or her authorized consumer representative, if any, for developing a comprehensive and effective individual behavior supports plan.

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- (3) "Individual Emergency Intervention Plan" means a written plan addressing the prevention of injury and implementation of emergency intervention techniques by the licensee that will be used with a specific client, which are in addition to and are not prohibited by, the emergency intervention techniques set forth in the facility Emergency Intervention Plan. The plan shall be developed in consultation with a Qualified Behavior Modification Professional with input from the client and if available, someone whom he or she desires to provide input in accordance with Health and Safety Code section 1180.4(a). The plan shall include client-centered problem solving strategies that diffuse and safely resolve emerging crisis situations and strategies to minimize time spent in seclusion or behavioral restraints.

**89901 DEFINITIONS (Continued)**

- (4) "Individual Program Plan" (IPP) shall have the same meaning as California Code of Regulations, Title 17, Section 59050.

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California Code of Regulations, Title 17, Section 59050 provides in pertinent part

- (r) "Individual Program Plan" (IPP) means a written plan that is developed by a regional center planning team, in accordance with the provisions of Sections 4646 and 4646.5 of Welfare and Institutions Code.

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(j) through (o) (Reserved)

- (p) (1) "Planning Team" shall have the same meaning as the California Code of Regulations, Title 17, Section 59050.

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California Code of Regulations, Title 17, Section 59050 provides in pertinent part

- (s) "Planning Team" refers to the planning team defined in subdivision (j) of Section 4512 of the Welfare and Institutions Code, which develops and reviews a consumer's IPP through the planning process described in Sections 4646 and 4646.5 of the Welfare and Institutions Code.

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- (q) (1) "Qualified Behavior Modification Professional" shall have a minimum two years of experience in designing, supervising, and implementing behavior modification services and be one of the following:
- (A) An Assistant Behavior Analyst certified by the national Behavior Analyst Certification Board as a Certified Assistant Behavior Analyst.
  - (B) A Behavior Analyst certified by the national Behavior Analyst Certification Board as a Certified Behavior Analyst;
  - (C) A Licensed Clinical Social Worker, pursuant to Business and Professions Code sections 4996-4998.5;

**89901 DEFINITIONS (Continued)**

- (D) A Licensed Marriage and Family Therapist, pursuant to Business and Professions Code sections 4980-4989;
  - (E) A psychologist, licensed by the Medical Board of California or Psychology Examining Board; or
  - (F) A licensed professional with California licensure, which permits the design of behavior modification intervention services.
- (r) (1) "Registered Behavior Technician" means an individual who is primarily responsible for the direct implementation of skill-acquisition and behavior-reduction plans, and practices under the close, ongoing supervision of a Behavior Analyst as defined in (b) or Assistant Behavior Analyst as defined in (a). The Registered Behavior Technician may also collect data and conduct certain types of assessments, but may not design intervention or assessment plans. A Registered Behavior Technician is recognized by the national Behavior Analyst Certification Board as a Board Certified Registered Behavior Technician.
- (s) through (z) (Reserved)

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1567.61 and 1567.64, Health and Safety Code; Section 4684.80, Welfare and Institutions Code.

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**Article 3. APPLICATION PROCEDURES****89918 APPLICATION FOR LICENSURE**

In addition to Sections 80018, 84018 and 85018, the following shall apply:

- (a) An Enhanced Behavioral Supports Home shall not be licensed by the Department until the Certificate of Program Approval, granted by the Department of Developmental Services, has been received in accordance with Health and Safety Code section 1567.62.
- (b) An application for licensure, an Enhanced Behavioral Supports Home shall include a copy of the Department of Developmental Services' Certificate of Program Approval to the Department as required by the California Code of Regulations, Title 17, Section 59053.

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California Code of Regulations, Title 17, Section 59053 provides in pertinent part:

- (c) Upon approval by the Department, the Department shall issue a Certificate of Program Approval to the Enhanced Behavioral Supports Home and provide a copy of the Certificate of Program Approval to the regional center and the Department of Social Services.

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- (c) An Enhanced Behavioral Supports Home shall include a copy of the Department of Developmental Services' Certificate of Program Approval in the Plan of Operation pursuant to Section 89922(c).

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530, 1531 and 1567.62, Health and Safety Code.

**89920 FIRE CLEARANCE**

- (a) An Enhanced Behavioral Supports Home shall meet the automatic fire sprinkler system requirements of the California Code of Regulations, Title 17, Section 59051(c).

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California Code of Regulations, Title 17, Section 59051 provides in pertinent part:

- (c) An Enhanced Behavioral Supports Home must have an operable automatic fire sprinkler system approved by the State Fire Marshal or local fire department as a condition of certification.
- (d) The automatic fire sprinkler system must meet the National Fire Protection Association (NFPA) 13D standard for the installation of sprinkler systems in single- and two-family dwellings and manufactured homes.

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NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: 1501, 1502, 1530, and 1531, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

**89922 PLAN OF OPERATION**

In addition to Sections 80022, 84022 and 85022, the following shall apply:

- (a) The license applicant shall submit a facility program plan to the Department of Developmental Services for approval and shall submit the approved plan to the Department of Social Services. The facility program plan shall be included in the plan of operation, which shall be approved by the Department of Social Services prior to licensure in accordance with Health and Safety Code section 1567.63.
- (b) The facility program plan shall fulfill the requirements of California Code of Regulations, Title 17, Section 59052.

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**HANDBOOK BEGINS HERE**

California Code of Regulations, Title 17, Section 59052 provides in pertinent part:

- (a) An applicant shall develop a facility program plan that includes the following:
- (1) Number of consumers to be served;
  - (2) Consumer admission criteria and procedures;

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**HANDBOOK CONTINUES**

89922

## PLAN OF OPERATION (Continued)

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**HANDBOOK CONTINUES**

- (3) A description of how the facility will ensure that appropriate services and supports are provided at the time of admission to meet the consumer's immediate needs pending development of the individual behavioral supports plan;
- (4) An organizational chart for the staff in the facility and, if applicable, for the organization;
- (5) A description of consumer services to be provided;
- (6) A description of how the licensee will ensure all direct care staff and consultants are competent to perform their assigned duties, including but not limited to:
  - (A) A description of the consultant disciplines, qualifications, and hours to be utilized;
  - (B) A description of staff qualifications and a duty statement for each staff position;
  - (C) A sample staff schedule;
  - (D) Staff training plan;
- (7) A description of the facility's emergency procedures, including but not limited to:
  - (A) The facility's emergency evacuation procedures, including procedures for evacuation when delayed egress and secure perimeters are in use pursuant to Sections 56068 through 56074;
  - (B) The type, location, and response time of emergency medical services;
  - (C) A description of how regularly scheduled fire and earthquake drills will be conducted on a schedule of no less than every three months, with the drills conducted on alternating work shifts so that drills are conducted during the day and evening hours;
- (8) An explanation of how the Enhanced Behavioral Supports Home will ensure the protection of consumers' personal rights, including those specified in Sections 50500-50550;

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**HANDBOOK CONTINUES**

**89922 PLAN OF OPERATION (Continued)****HANDBOOK CONTINUES**

- (9) Consumer exit criteria; and
- (10) A description of the proposed facility, including size, layout, and location;
- (11) A description of the facility's Continuous Quality Improvement System, including but not limited to how:
  - (A) Consumers will be supported to make choices
  - (B) Consumers will be supported to exercise rights
  - (C) Changing needs of consumers will be addressed
  - (D) Consumers receive prompt and appropriate routine and specialized medical services
  - (E) Individual risk is managed and mitigated
  - (F) Medication is safely managed
  - (G) Staff turnover is mitigated
- (12) Date and signature of the applicant

**HANDBOOK ENDS HERE**

- (c) An Enhanced Behavioral Supports Home shall include a copy of the Department of Developmental Services' Certificate of Program Approval in the Plan of Operation as required by the California Code of Regulations, Title 17, Section 59053.

**HANDBOOK BEGINS HERE**

California Code of Regulations, Title 17, Section 59053 provides in pertinent part:

- (d) The Certificate of Program Approval must be included in the Plan of Operation submitted to the Department Social Services.

**HANDBOOK ENDS HERE**

**89922 PLAN OF OPERATION (Continued)**

- (d) A copy of the Facility Program Plan shall be included in the licensee's facility file pursuant to Section 89900(d).

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530, 1531 and 1567.63, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

**89940 DENIAL OF INITIAL LICENSE**

In addition to Sections 80040 and 84040 the following shall apply:

- (a) An Enhanced Behavioral Supports Home shall be denied a license if the Department of Developmental Services' Certificate of Program Approval has not been submitted to the Department with the license application, in accordance with Health and Safety Code section 1567.62(b) and (c).

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**HANDBOOK BEGINS HERE**

Health and Safety Code section 1567.62 provides in pertinent part:

- (b) A certificate of program approval issued by the State Department of Developmental Services shall be a condition of licensure for the Enhanced Behavioral Supports Home by the State Department of Social Services.
- (c) An Enhanced Behavioral Supports Home shall not be licensed by the State Department of Social Services until the certificate of program approval, granted by the State Department of Developmental Services, has been received.

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**HANDBOOK ENDS HERE**

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NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530, 1531 and 1567.62, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

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**Article 4. ADMINISTRATIVE ACTIONS****89942 REVOCATION OR SUSPENSION OF A LICENSE**

In addition to Sections 80042 and 84142, the following shall apply:

- (a) The Department shall revoke the Enhanced Behavioral Supports Home's license when the Department of Developmental Services has decertified the Enhanced Behavioral Supports Home's Certificate of Program Approval, in accordance with Health and Safety Code section 1524(h) and 1567.67(a) and (b).

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Health and Safety Code section 1524 provides in pertinent part:

A license shall be forfeited by operation of law when one of the following occurs:

- (h) When the certification issued by the State Department of Developmental Services to a licensee of an enhanced behavioral supports home, licensed pursuant to Article 9.5 (commencing with Section 1567.61), is rescinded.

Health and Safety Code section 1567.67 provides in pertinent part:

- (a) The State Department of Social Services shall revoke the enhanced behavioral supports home's facility license if the State Department of Developmental Services has decertified an enhanced behavioral supports home program certification pursuant to Article 3.6 (commencing with Section 4684.80) of Chapter 6 of Division 4.5 of the Welfare and Institutions Code.
- (b) The State Department of Developmental Services and regional centers shall, for purposes of assisting in licensing, provide the State Department of Social Services with all available documentation and evidentiary support that was submitted to the State Department of Developmental Services in connection with certification by an applicant for licensure under this article.

California Code of Regulations, Title 17, Section 59051(b) provides in pertinent part:

- (b) The Department may decertify an Enhanced Behavioral Supports Home that is determines is not in compliance with applicable laws or when it cannot ensure the health and safety of consumers. The Department shall inform the Department of Social Services of any decision to decertify a facility on the same day.

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**HANDBOOK ENDS HERE**

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NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1524(h), 1530, 1531 and 1567.67, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

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**Article 6. CONTINUING REQUIREMENTS****89964 ADMINISTRATOR CERTIFICATION AND QUALIFICATIONS**

In addition to Sections 80064, 84064 and 85064, the following shall apply:

- (a) An administrator for an Enhanced Behavioral Supports Home shall also meet the following qualifications, pursuant to the California Code of Regulations, Title 17, Section 59060:
  - (1) Have a minimum of 2 years of prior experience providing direct supervision to individuals with developmental disabilities; and be one of the following:
  - (2) A Registered Behavior Technician, or
  - (3) A licensed psychiatric technician, or
  - (4) A Qualified Behavior Modification Professional.

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530 and 1531, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

**89965 PERSONNEL REQUIREMENTS**

In addition to Sections 80065, 84065 and 85065, the following shall apply:

- (a) The licensee shall ensure that each direct care lead staff person meets the following qualifications:
  - (1) Have one year prior experience providing direct care to individuals with developmental disabilities; and be one of the following:
    - (A) Become a Registered Behavior Technician within six months of initial employment,  
or
    - (B) Be a licensed psychiatric technician, or
    - (C) Be a Qualified Behavior Modification Professional.
- (b) The licensee shall ensure that each direct care staff person meets the following qualifications:
  - (1) Have six months prior experience providing direct care to individuals with developmental disabilities; and
  - (2) Become a Registered Behavior Technician within twelve (12) months of initial employment.

**89965 PERSONNEL REQUIREMENTS (Continued)**

- (c) There shall be one direct care lead staff person and one direct care staff person on duty at all times when a client is under the supervision of the facility staff.
- (d) Direct care staff who have not completed the on-site training as required by California Code of Regulations, Title 17, Section 59063 shall be under the direct supervision and observation of a fully trained direct care lead staff person while caring for clients, and shall not be permitted to be alone with clients.
- (e) The facility administrator shall assign a qualified behavior modification professional to each client. Each client shall receive a minimum of 6 hours per month of direct time for behavior assessments and intervention methods by a qualified behavior modification professional. Time utilized will be documented in the client file.
- (f) Each Enhanced Behavioral Supports Home shall have an administrator on duty a minimum of 20 hours per week per facility to ensure the effective operation of the facility.
- (g) In addition to the hours required in subsection (e), the facility administrator shall ensure a provision of a minimum of 6 consultant hours per month per client, which shall be appropriate to meet individual client service needs.
- (h) In addition to any other required training, within the first 40 hours of employment, all direct care staff shall complete minimum of 32 hours of on-site orientation. The on-site orientation includes the training required pursuant to Sections 80065(f) and 84065(i) as applicable to the facility's licensure type, and shall also address the following:
  - (1) The specialized needs of each of the clients;
  - (2) Clients' rights and protections pursuant to California Code of Regulations, Title 17, Sections 50500-50550 and Title 22 Sections as follows:
    - (A) Section 84072 for Enhanced Behavioral Supports Homes licensed as a Group Home.
    - (B) Sections 85072 and 80072 for Enhanced Behavioral Supports Homes licensed as an Adult Residential Facility.
  - (3) The facility's program plan;
  - (4) Implementation of the client's Individual Program Plan;
  - (5) Health and emergency procedures, including fire safety;
  - (6) The disaster and mass casualty plan required in Section 80023, including emergency evacuation and exit procedures when secured perimeters/delayed egress are in use.

**89965 PERSONNEL REQUIREMENTS (Continued)**

- (i) In addition to any other required training, each direct care staff person shall have a minimum of 16 hours of emergency intervention training per Section 1567.64 of the Health and Safety Code, which shall include the techniques the licensee will use to prevent injury and maintain safety regarding clients who are a danger to self or others and shall emphasize positive behavioral supports and techniques that are alternatives to physical (manual) restraints, pursuant to the following:

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**HANDBOOK BEGINS HERE**

Health and Safety Code section 1567.64 provides:

The State Department of Social Services shall adopt regulations to address, at a minimum, staffing structure, staff qualifications, and training. Training requirements shall include a minimum of 16 hours of emergency intervention training. "Emergency intervention training" means the techniques the licensee will use to prevent injury to, and maintain safety for, consumers who are a danger to themselves or others and shall emphasize positive behavioral supports and techniques that are alternatives to physical restraints.

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**HANDBOOK ENDS HERE**

- (1) Section 85365 for an Enhanced Behavioral Supports Home licensed as an Adult Residential Facility.
- (2) Section 84365 for an Enhanced Behavioral Supports Home licensed as a Group Home.
- (j) The licensee shall ensure that a direct care staff person shall not implement emergency intervention techniques until they successfully complete the emergency intervention training as required by the facility's applicable licensure type.
- (k) In addition to any other required training, prior to providing direct client care, the licensee shall ensure that each direct care staff person receive hands-on training in first aid and cardiopulmonary resuscitation.
- (1) Direct care staff shall maintain current certifications in first aid and cardiopulmonary resuscitation. The administrator shall maintain the certifications in the facility personnel records.
- (l) In addition to any other required training, the licensee shall ensure that each direct care staff person complete the competency-based training prior to or within one year of employment at the Enhanced Behavioral Supports Home as required by the California Code of Regulations, Title 17, Section 59063(e).

**89965 PERSONNEL REQUIREMENTS (Continued)**

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California Code of Regulations, Title 17, Section 59063 provides in pertinent part:

- (e) The administrator shall ensure that direct care staff shall complete the competency-based training required by Welfare and Institutions Code Section 4695.2 (a) and (d), pursuant to Section 56033 (b)-(g),(i). Direct Care Staff shall successfully complete both segments of the competency-based training and passage of the competency test, or pass the challenge test, prior to or within one year of employment at the Enhanced Behavioral Supports Home.

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- (m) In addition to any other required training, direct care staff shall complete a minimum of 20 hours of continuing education on an annual basis covering, but not limited to, the subjects specified in Section 89965(h):
  - (1) For Enhanced Behavioral Supports Homes licensed as Group Homes, 10 of the continuing education hours required by Title 22, California Code of Regulations, Section 84065(j) shall count towards the hours required in Section 89965(h).
  - (2) Additional continuing education shall be required, as necessary, to ensure the continued health and safety of each client.
  - (3) Successful completion of the competency-based training and passage of the competency test required by the California Code of Regulations, Title 17, Section 59063(e) shall satisfy the direct care staff continuing education requirements specified in Sections 89965(m) through (m)(2) for the year in which the training is satisfactorily completed.
- (n) The licensee shall ensure that a direct care staff person renews the emergency intervention training annually.

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530, 1531 and 1567.64, Health and Safety Code; Section 4684.6, Welfare and Institutions Code.

**89968.1 INTAKE ADMISSION PROCEDURES**

In addition to 84168.1 and 85068.1, the following shall apply:

- (a) The licensee shall conduct and document an initial assessment of a client prior to admission to the facility.
  - (1) For an Enhanced Behavioral Supports Home licensed as an Adult Residential Facility, the initial assessment shall be developed pursuant to Section 85068.2(b)(1)(G).
  - (2) For an Enhanced Behavioral Supports Home licensed as a Group Home, the initial assessment shall be developed pursuant to Section 1180.4 of the Health and Safety Code.

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**HANDBOOK BEGINS HERE**

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Health and Safety Code Section 1180.4 provides in pertinent part:

- (a) A facility described in subdivision (a) of Section 1180.2 or subdivision (a) of Section 1180.3 shall conduct an initial assessment of each person prior to placement decision or upon admission to the facility, or as soon thereafter as possible. This assessment shall include input from the person and from someone whom he or she desires to be present, such as a family member, significant other, or authorized representative designated by the person, and if the desired third party can be present at the time of admission. This assessment shall also include, based on the information available at the time of initial assessment, all of the following:
  - (1) A person's advance directive regarding de-escalation or the use of seclusion or behavioral restraints.
  - (2) Identification of early warning signs, triggers, and precipitants that cause a person to escalate, and identification of the earliest precipitant of aggression for persons with a known or suspected history of aggressiveness, or persons who are currently aggressive.
  - (3) Techniques, methods, or tools that would help the person control his or her behavior.
  - (4) Preexisting medical conditions or any physical disabilities or limitations that would place the person at greater risk during restraint or seclusion.
  - (5) Any trauma history, including any history of sexual or physical abuse that the affected person feels is relevant.

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**89968.1 INTAKE ADMISSION PROCEDURES (Continued)**

- (b) Without exception, within seven days of a client's admission, the licensee shall ensure a written Individual Behavior Supports Plan is completed.

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1180.4, 1501, 1502, 1530 and 1531, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

**89968.2 NEEDS AND SERVICES PLAN**

In addition to Sections 80068.2, 84068.2 and 85068.2, the following shall apply:

- (a) The facility administrator is responsible for coordinating the development and subsequent updating of each client's Individual Behavior Supports Plan.
- (b) The licensee shall ensure each client's Individual Behavior Support Plan include all the requirements established in Title 17, Division 2, Chapter 3, Subchapter 24, Section 59054(d) and (e).

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**HANDBOOK BEGINS HERE**

California Code of Regulation, Title 17, Section 59054 provides in pertinent part:

- (d) The consumer's Individual Behavior Support Plan must be function-based, evidence-based, and target functionally equivalent replacement behaviors.
- (e) The Individual Behavior Supports Plan must include a description of the following:
- (1) Baseline behaviors;
  - (2) Target Behaviors and Goals;
  - (3) Function of Behaviors;
  - (4) Desired Outcomes/Replacement Behaviors;
  - (5) Intervention Strategies, including antecedent strategies, instructional strategies and consequence strategies;
  - (6) Entity responsible;
  - (7) Environmental changes;

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**HANDBOOK CONTINUES**

**89968.2 NEEDS AND SERVICES PLAN (Continued)**

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**HANDBOOK CONTINUES**

- (8) Timelines/Review dates;
- (9) Monitoring Progress/Evaluation methods; and
- (10) Emergency strategies that may be necessary.

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- (c) The licensee of an Enhanced Behavioral Supports Home licensed as a Group Home shall develop an Individual Emergency Intervention Plan for the client.
  - (1) The Individual Emergency Intervention Plan shall be based on the initial assessment as required in Section 89968.1(a)(2). In the event that the provisions of the Individual Emergency Intervention Plan are addressed in the Individual Behavior Supports Plan required by California Code of Regulations, Title 17, Section 59054, the licensee shall not be required to complete a separate or additional Individual Emergency Intervention Plan for the client.
- (d) Notwithstanding 85368.2(a), the licensee of an Enhanced Behavioral Supports Home licensed as an Adult Residential Facility shall develop an Individual Emergency Intervention Plan for the client.
  - (1) The Individual Emergency Intervention Plan shall be based on the initial assessment as required in Section 89968.1(a)(2). In the event that the provisions of the Individual Emergency Intervention Plan are addressed in the Individual Behavior Supports Plan required by California Code of Regulations, Title 17, Section 59054, the licensee shall not be required to complete separate or additional Individual Emergency Intervention Plan for the client.

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530 and 1531, Health and Safety Code; Section 4684.83, Welfare and Institutions Code.

**89970 CLIENT RECORDS**

In addition to Sections 80070, 84070 and 85070, the following shall apply:

- (a) The licensee shall ensure the client records include the following:
- (1) Medical assessment required in the California Code of Regulations, Title 17, Section 59056(a)(1);
  - (2) Individual Behavioral Supports Plan, updated as necessary;
  - (3) Individual Emergency Intervention Plan, updated as necessary, unless the Individual Behavioral Supports Plan meets the requirements of Section 89968.2(c)(1) or (d)(1);
  - (4) Emergency contact information;
  - (5) Current Individual Program Plan;
  - (6) Special incident reports, pursuant to the California Code of Regulations, Title 17, Section 54327;
  - (7) Data collection, including progress notes, professional/consultant visits, and interventions/outcomes; and
  - (8) Record of medications administered, including initials of staff providing assistance.

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530 and 1531, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

**Article 7. PHYSICAL ENVIRONMENT****89987 BUILDINGS AND GROUNDS**

In addition to Sections 80087, 84087 and 85087, the following shall apply:

- (a) The licensee shall ensure each client has his or her own private bedroom as required by the California Code of Regulations, Title 17, Section 59051.

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**HANDBOOK BEGINS HERE**

California Code of Regulations, Title 17, Section 59051 provides in pertinent part:

- (e) Each consumer shall be provided with his or her own private bedroom.

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NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1501, 1502, 1530 and 1531, Health and Safety Code; Section 4684.86, Welfare and Institutions Code.

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**Article 10. EMERGENCY INTERVENTIONS****89990 PROVISIONS FOR EMERGENCY INTERVENTION**

- (a) An Enhanced Behavioral Supports Home licensed as an Adult Residential Facility shall be subject to the California Code of Regulations Title 22, Chapter 6, Subchapter 1 unless otherwise specified.
- (b) An Enhanced Behavioral Supports Home licensed as a Group Home shall not use manual restraint on a client unless and until an Emergency Intervention Plan has been developed by the licensee and approved by the Department pursuant to the California Code of Regulations, Title 22, Chapter 5, Subchapter 3.
- (c) If the Department determines that urgent action is necessary to protect a client residing in an Enhanced Behavioral Supports Home from physical or mental abuse, abandonment, or any other substantial threat to their health and safety, the Department shall notify the Department of Developmental Services in accordance with Health and Safety Code section 1567.65.

NOTE: Authority cited: Sections 1530 and 1567.68, Health and Safety Code. Reference: Sections 1180, 1501, 1531 and 1567.65, Health and Safety Code.

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