



Short Term Residential Therapeutic Program Interim Licensing Standards: Subchapter 2

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INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

INTERIM LICENSING STANDARDS
SHORT TERM RESIDENTIAL THERAPEUTIC PROGRAMS
SUBCHAPTER 2. CARE FOR CHILDREN
UNDER THE AGE OF SIX YEARS

TABLE OF CONTENTS

SUBCHAPTER 2. CARE FOR CHILDREN UNDER THE AGE OF SIX YEARS.....	3
Article 1. GENERAL REQUIREMENTS AND DEFINITIONS	3
87096.00 GENERAL	3
87096.01 DEFINITIONS	4
ARTICLE 3. APPLICATION PROCEDURES	6
87096.22 PLAN OF OPERATION.....	6
ARTICLE 6. CONTINUING REQUIREMENTS	7
87096.65 PERSONNEL REQUIREMENTS.....	7
87096.651 TRAINING REQUIREMENTS.....	15
87096.652 PERSONNEL DUTIES	19
87096.655 STAFF/CHILD RATIOS	20
87096.682 NEEDS AND SERVICES PLAN.....	23
87096.683 MODIFICATIONS TO NEEDS AND SERVICES PLAN	25
87096.691 IMMUNIZATIONS	27
87096.70 CHILDREN'S RECORDS	28
87096.72 PERSONAL RIGHTS.....	29
7096.721 DISCIPLINE POLICIES AND PROCEDURES	30
87096.75 HEALTH-RELATED SERVICES	33
87096.77 PERSONAL SERVICES	37
Article 7. PHYSICAL ENVIRONMENT.....	45
87096.87 BUILDINGS AND GROUNDS	45
87096.873 INDOOR ACTIVITY SPACE 87096.873.....	48
87096.88 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES 87096.88.	49

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

SUBCHAPTER 2. CARE FOR CHILDREN UNDER THE AGE OF SIX YEARS

Article 1. GENERAL REQUIREMENTS AND DEFINITIONS

87096.00 GENERAL

- (a) The provisions in this subchapter shall govern short-term residential therapeutic programs that care for children under the age of six years who are dependents of the court, regional center placements, or voluntary placements and who are not accompanied by the minor parent, unless otherwise specified. In addition, the provisions in Title 22, Chapter 1, General Licensing Requirements, and in the Short-Term Residential Therapeutic Program Interim Licensing Standards, Article 1 through Article 10, shall govern such facilities, unless specified otherwise.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 11400(o) defines voluntary placement as follows:

". . . an out-of-home placement of a minor by (1) the county welfare department after the parents or guardians have requested the assistance of the county welfare department and have signed a voluntary placement agreement; or (2) the county welfare department licensed public or private adoption agency, or the department acting as an adoption agency, after the parents have requested the assistance of either the county welfare department, the licensed public or private adoption agency, or the department acting as an adoption agency for the purpose of adoption planning, and have signed a voluntary placement agreement."

HANDBOOK ENDS HERE

- (b) Short-term residential therapeutic program applicants, who intend to accept children described in Section 87096(a) above, shall meet the standards of this subchapter and all other regulations specified in (a) above, as of the effective date of the regulations.

NOTE: Authority cited: Section 1530, Health and Safety Code; Section ~~47730~~, Welfare and Institutions Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1502, 1530.8, and 1531, Health and Safety Code; and Sections 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.01 **DEFINITIONS**

(a) (Reserved)

(b) (Reserved)

(c) (Reserved)

(d) (Reserved)

(e) (1) "Early childhood education" means course work regarding children under the age of six years completed with a passing grade from an approved or accredited school, college or university.

(f) (1) "Family Group" means no more than six children, under the age of six years, and the houseparent(s).

(2) "Family-like setting" means a physical environment that is an individual house, cottage, or similar building with a capacity for no more than six children and two adults.

(3) "Family member" means a child's relative as defined in Section 80001r.(2) or another caring adult who is significant to the child, such as a foster parent, family friend, or court advocate.

(g) (Reserved)

(h) (1) "Houseparent" means the consistent, nurturing adult(s) who resides with the family group, provides daily care , and is involved in the long-range planning for those children during the short-term residential therapeutic program placement.

(i) (Reserved)

(j) (Reserved)

(k) (Reserved)

(l) (Reserved)

(m) (Reserved)

(n) (1) "Needs and Services Plan" means that plan and services defined in Section 87001(n)(1) and includes those items specified in Section 87068.2.

(o) (Reserved)

(p) (1) "Health and safety training" includes pediatric cardiopulmonary resuscitation,

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

pediatric first aid, recognition, management, and prevention of infectious diseases, including immunizations, and prevention of childhood injuries.

(2) "Primary Caregiver" means the facility staff who performs the duties described in Section 87001(p)(3) during normal working hours for no more than three specific children under the age of six for the duration of their stay in a county-operated or county-contracted emergency shelter care facility.

(3) "Primary Caregiver Duties" means the major portion of daily care which includes meeting their needs in the areas of physical health and well-being, self-care, motor skills, social skills, emotional development, cognition, language and communication, and other direct care staff duties as defined at Section 84065.2(b)87001(d)(1).

(q) (Reserved)

(r) (Reserved)

(s) (Reserved)

(t) (Reserved)

(u) (1) "Universal health precautions" means a set of precautions designed to prevent transmission of human immunodeficiency virus (HIV), hepatitis B virus (HBV), and other bloodborne pathogens when providing first aid or health care.

(v) (1) "Voluntary placement" means the type of placement defined in Welfare and Institutions Code Section 11400(o).

(w) (Reserved)

(x) (Reserved)

(y) (Reserved)

(z) (Reserved)

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8, 1531, and 1596.866, Health and Safety Code; and Sections 11400(o) and 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

ARTICLE 3. APPLICATION PROCEDURES

87096.22 PLAN OF OPERATION

- (a) In addition to 87022, the plan of operation shall include the following:
- (1) A description of the family-like setting in which the children will live.
 - (2) A description of the staffing pattern, including:
 - (A) The provision of care by houseparents.
 - (B) The provision for breaks, vacations, and sick days for the houseparents while ensuring that another qualified houseparent cares for the children.
 - (3) The policies and procedures for family member involvement-in the caregiving.
 - (4) The toilet training policies and procedures.
 - (5) The plan for indoor and outdoor activities designed to meet the developmental and therapeutic needs of each child.
 - (A) This plan must include quiet and active play, rest and relaxation, eating, toileting, individual attention from the houseparent or direct care staff, and activities that foster the child's cognitive development.
 - (6) The policies and procedures for discipline and guidance in accordance with Section 87096.721.
 - (7) The policies and procedures to prevent disease and control infection.
 - (8) The procedures to prepare children for transitions, such as changes in daily schedules or in caregiving.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8, 1531, Health and Safety Code, and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

ARTICLE 6. CONTINUING REQUIREMENTS

87096.65 PERSONNEL REQUIREMENTS

- (a) Section 87065 shall not apply.
- (b) In addition to Section 80065, with the exception of subsection (d), the following shall apply.
- (c) All staff employed in a short term residential treatment program, which cares for children under six years of age, that will have direct contact with children placed in the facility shall provide proof that they have been immunized against influenza, pertussis, and measles.
- (1) Each employee and volunteer shall receive an influenza vaccination between August 1 and December 1 of each year.
- (2) The licensee shall ensure that proof of immunization is received prior to the employee's first day of work in the facility and that documentation of immunization is maintained in the personnel file of each employee.
- (d) The licensee shall employ those administrative, social work, licensed or certified mental health professional, houseparent, direct care and support staff necessary to perform the assigned duties specified in applicable law and regulation.
- (e) The licensee shall ensure provision of the services specified in Section 87065.2(c)(1) through (4), by social work staff as defined in 87001(s)(4).
- (1) The licensee shall employ at least one social work staff who has a Master of Social Work degree.
- (2) Social work staff hired on or after January 1, 2017 shall meet the following education and experience requirements:
- (A) A Master's Degree from an accredited or state approved graduate school, as defined by the Department of Education, in social work or social welfare, marriage, family and child counseling, child psychology, child development, counseling psychology or social psychology.
- (B) Social work staff shall be at least 21 years of age.
1. This subparagraph shall not apply to social work staff employed before October 1, 2014 by a short-term residential therapeutic

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

program that was operating as a group home prior to January 1, 2017.

- (C) Completion of at least three semester units or 100 days of field practice or experience in a public or private social service agency at the Master's Degree level.
 - (D) At least nine semester units of coursework related to children and families, or 18 months experience in working with children and families.
 - (E) At least three semester units in working with minority populations; six months of experience in working with minority population; or six months in-service training in working with minority populations within the first year of employment as a condition of employment.
 - (F) At least three semester units in child welfare, or two years experience in a public or private child welfare social services setting.
- (3) Social work staff who do not meet the Master's Degree requirements specified in Subsection (c)(2)(A) may apply for an exception provided he/she completes the coursework and field practice or experience requirements specified in Subsection (c)(2)(C).
- (4) Group home social work staff who were hired prior to January 1, 2017, by a facility transitioning to a short-term residential therapeutic program shall not be required to meet the requirements of this section in order to remain employed in a short-term residential therapeutic program.
- (5) Documentation of the required education and experience requirements shall be maintained in the personnel file.
- (6) The social worker shall carry no more than 12 children's cases.
- (f) The houseparent shall have one of the following education and experience qualifications:
- (1) Completion of 12 postsecondary semester units, or equivalent quarter units, with a passing grade, in early childhood education or child development at an accredited or approved college or university and 6 months of work experience in a licensed group home or Short Term Residential Therapeutic Program, licensed infant care center, or comparable group child care program.
 - (A) At least three semester units, or equivalent quarter units, shall include

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

coursework in the care of infants.

(B) At least three semester units, or equivalent quarter units, shall include coursework in any combination of the following:

1. The effects of trauma on the developing brain
2. Brain development in young children
3. Maternal substance abuse
4. Fetal alcohol syndrome

(C) The written verification of experience shall include statements that the individual worked satisfactorily for at least 3 hours per day for 50 days in a 6-month period, as a paid or volunteer staff member, and that a person who would qualify as a houseparent under these regulations supervised the experience.

(2) A current and valid Child Development Associate Teacher Permit issued by the California Commission on Teacher Credentialing pursuant to California Code of Regulations, Title 5, Sections 80105 through 80116.

(A) At least three semester units, or equivalent quarter units, shall include coursework in abused and drug-exposed children.

(g) The licensee shall designate at least one houseparent to be onsite at all times to apply the reasonable and prudent parent standard to decisions involving the participation of a child in age or developmentally appropriate activities in accordance with Health and Safety Code section 1522.44(b) and Section 87067.

(1) The designated staff member(s) shall meet the training requirements specified in 87065.1(g).

(h) One houseparent shall be designated by the administrator to have primary responsibility for planned activities, and shall be given assistance as necessary to ensure that all children participate in accordance with their needs, interests, and abilities.

(1) The designated employee shall develop, organize, implement, and evaluate the facility activity program, and shall possess the following qualifications:

- (A) Completion of or enrollment in a related education or training program.
- (B) Six months' experience in organizing and providing planned activities.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (i) Houseparents, and direct care staff, shall have a current and valid ~~certificate~~ card verifying successful completion of pediatric first aid and pediatric cardiopulmonary resuscitation issued by the American Red Cross, the American Heart Association, a training program approved by the State Emergency Medical Service Authority, or from an accredited college or university
- (j) The licensee shall designate at least one facility manager to be present at the facility at all times when one or more children are present:
- (1) The facility manager shall meet one of the following requirements prior to employment:
- (A) Have a Bachelor of Arts or Sciences degree from an accredited or approved college or university with a major or emphasis in early childhood education or child development and at least one year providing full-time direct care to children in an agency, or a group residential program, serving children.
1. At least three semester units, or equivalent quarter units, shall include coursework in administration.
2. At least nine semester units, or equivalent quarter units, shall include coursework in abused and drug-exposed children.
3. At least three of the semester units, or equivalent quarter units, shall include coursework in the care of infants.
- (B) An AA degree from an accredited or approved college or university with a major or emphasis in early childhood education or child development and at least two years of full-time direct care to children in an agency, or a group residential program, serving children.
1. At least three semester units, or equivalent quarter units, shall include coursework in administration.
2. At least nine semester units, or equivalent quarter units, shall include coursework in abused and drug-exposed children.
- (C) Fifteen (15) semester or equivalent quarter units in behavioral science with a passing grade from an accredited or approved college or university. In

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

addition, the facility manager must have four years of experience providing full-time direct care to children in an agency, or a group residential program, serving children.

1. At least three of the semester units, or equivalent quarter units, shall include coursework in the care of infants.
 2. At least nine semester units, or equivalent quarter units, shall include coursework in abused and drug-exposed children.
 3. At least three semester units, or equivalent quarter units, shall include coursework in administration.
- (2) Prior to assuming the duties and responsibilities of the facility manager, the individual shall complete a minimum of one hour of training as specified in Section 87065.1(a), in addition to training required in Sections 87065.1(c) and (d).
- (3) Any person willfully making any false representation as being a facility manager is guilty of a misdemeanor.
- (4) A facility manager shall be at least 21 years of age.
- (A) This subparagraph shall not apply to a facility manager employed before October 1, 2014 by a short-term residential therapeutic program that was operating as a group home license prior to January 1, 2017.
- (5) A facility manager who was hired by a group home, operating a Care for Under 6 Program, prior to January 1, 2017 that is transitioning to a short-term residential therapeutic program shall not be required to meet the requirements of this section in order to remain employed in a short-term residential therapeutic program.
- (6) Documentation of the required education and experience requirements shall be maintained in the personnel file.
- (k) The licensee shall employ the number of direct care staff necessary to comply with the staff to child ratios specified in 87065.5, meet the needs of children as specified in 87065.2, and provide adequate care and supervision to children.
- (1) Direct care staff shall meet one of the following requirements prior to employment:
 - (A) Have a Bachelor of Arts or Sciences Degree;
 - (B) Have a valid Child Development Teaching Permit;

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (C) Have completed 12 semester units of Early Childhood Education, Adolescent Development, or Foster and Kinship Care Education and have at least 100 hours of experience working with youth;
 - (D) Have a valid certificate as an Alcohol Counselor, Drug Counselor or Alcohol and Drug Counselor, and have at least 100 hours of experience working with youth;
 - (E) Have a valid Vocational Training certificate, credential or documentation demonstrating that the individual is a trade journey person who instructs children in vocational skills and have at least 100 hours of experience working with youth; or
 - (F) Have previously been employed as a staff or volunteer at a group home or short-term residential therapeutic center for at least one year.
 - (G) Have relevant experience as determined by the department to meet any of the above requirements.
- (2) Direct care staff shall be at least 21 years of age.
- (A) This subparagraph shall not apply to direct care staff employed before October 1, 2014 by a short-term residential therapeutic program that was operating as a group home license prior to January 1, 2017.
- (3) Direct care staff shall meet the training requirements specified in 87065.1(c) and (d).
- (4) A group home direct care staff who was hired prior to January 1, 2017 by a facility transitioning to a short-term residential therapeutic program shall not be required to meet the requirements of this section in order to remain employed in a short-term residential therapeutic program as a direct care staff.
- (5) Documentation of the required education and experience requirements shall be maintained in the personnel file.
- (l) A short-term residential therapeutic program, operating a Care for Children Under 6 program, may utilize volunteers who shall be at least 18 years of age.
- (1) Volunteers shall not be primarily responsible for the direct supervision of children.
 - (2) Volunteers shall not be counted in the staff to child ratios specified in 87065.5.
 - (3) Volunteers shall meet the training requirements specified in 87065.1(f).

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (4) Volunteers shall complete a criminal record review and a Child Abuse Central Index check in accordance with applicable law.
- (m) All employees shall be given a copy of the job description specified in Section 87066(b)(1) which is relevant to their duties, and shall have access to all other job descriptions.
- (n) The staff assignment information specified in Section 87066(b)(2) shall be provided to all applicants during interviews for employment; to all staff during orientation or when changes are made which affect job assignments; and upon request to placement agencies.
- (o) Upon employment, the short-term residential therapeutic program that cares for children under the age of six years shall make available for review by all short-term residential therapeutic program personnel, an employee training handbook that shall include the following: facility's program mission, visions and values; facility's policies and procedures; disaster response procedures; law enforcement contact procedures, lines of authority and communication; Title 22 regulations; and reporting requirements.
- (1) The employee training handbook shall be maintained at the facility and updated as needed.
- (p) Upon employment, staff shall receive copies of the removal and/or transfer policies and procedures specified in Section 87068.4(a); of the discipline policies and procedures specified in Section 87072.1(a), and of the complaint procedures specified in Section 87072.2(a).
- (q) Physician reports from general practitioners or specialists may be required after licensure if the licensing agency has reason to believe that a licensee's or staff member's physical and/or mental health is not adequate to carry out responsibilities under these regulations.
- (1) The licensing agency shall provide the licensee with a written explanation of the need for any additional report.
- (r) Personnel and consultants subject to occupational licensing shall have a current and active license issued by the appropriate State of California licensing board.
- (s) Upon employment, staff shall receive copies of the removal and/or discharge procedures specified in Section 84768.4, the discipline policies and procedures specified in Section 84772.1, and the complaint procedures specified in Section 84072.2.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

NOTE: Authority cited: Sections 1522.44, 1530, and 1562.01 Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Section 51, Civil Code; Sections 1501, 1522.4, 1531 and 1562, Health and Safety Code; and 16001.9, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.651 TRAINING REQUIREMENTS

- (a) In addition to Section 87065.1 the following shall apply:
- (b) The licensee shall develop, maintain and implement a written plan for the orientation, continuing education, on-the-job training and development, supervision, and evaluation of all houseparents.
- (1) The houseparent training plan shall be incorporated in the short-term residential therapeutic program's program statement.
- (2) The training plan shall include the following for each training session:
- (A) Course title and subject matter;
- (B) Learning objectives and activities;
- (C) Number of hours per training session;
- (D) Qualifications of the trainer; and
- (E) Training evaluation.
1. Each session shall include an evaluation of the trainer and course content to determine if the training is meeting the needs of facility personnel acting as facility managers.
- (3) The training plan shall be appropriate for the population and shall consider the training needs and skill level of staff.
- (A) The licensee shall amend the training plan, as necessary, to meet the needs of facility personnel acting as facility managers and the population.
- (4) Amendments to the staff training plan shall be submitted to the Department within ten days.
- (5) Houseparents shall have a minimum of 24 hours of training and orientation before working with children under 6 years of age.
- (A) The training shall include instruction regarding childhood illnesses, symptoms of illnesses, and infection control procedures.
- (B) The training shall also include knowledge and skills related to the application of the reasonable and prudent parent standard for the participation of a child in age or developmentally appropriate activities, as set forth in Health and Safety Code section 1522.44.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (6) An experienced houseparent shall accompany a new houseparent for a minimum of 20 hours before the new houseparent works alone with children.
- (A) The facility manager shall assure that the new houseparent can provide all aspects of appropriate caregiving, before allowing that new houseparent to work alone with children under six years of age.
- (7) The written plan shall require houseparent to receive and document a minimum of four ~~eløk~~ hours a month of continuing education.
- (A) Continuing education shall include completion of courses in the neurological and psychosocial development of children from birth through five; bonding and attachment; language acquisition; basic life support including best methods of toilet training; cultural competency; separation; grieving; discipline and limit setting; the dynamics of trauma and brain damage; compensatory caregiving techniques for children with significant disorders; sexual abuse; interdisciplinary team work; communication enhancement; preventive health practices, and the dynamics of various causes and effects of family function and dysfunction.
- (B) Documentation of training shall include the date of training, the location, the title, a brief description of the training, names and signatures of staff attending onsite training, independent third-party verification of offsite training (i.e., official grade slips, transcripts, certificates, signed documentation from an approved or accredited institution or a licensee association), hours of training, name and qualifications of trainer(s), list of materials distributed and used by the trainer, type of training (i.e., in-person, video, onsite, offsite), and the provider-paid costs, such as employee wages and benefits and any travel.
- (c) Training for all staff shall address the child's right to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (d) Each facility manager shall complete 15 hours of health and safety training.
- (1) The training shall include certification in pediatric cardiopulmonary resuscitation, pediatric first aid, recognition, management, and prevention of infectious diseases, including immunizations, and prevention of childhood injuries.
- (A) Training shall be completed through on-the-job training, workshops, or classes.
- (B) A home study course does not meet the 15-hour requirement.
- (C) The pediatric cardiopulmonary resuscitation and pediatric first aid training shall be current as determined by the expiration date on the card.
- (D) Training in health and safety (preventative health practices) is a one-time-only requirement.
- (2) The following training shall not substitute for the training specified in Section 87096.651(d):
- (A) Sanitary food handling, child nutrition, emergency preparedness and evacuation, caring for children with special needs, and identification and reporting of signs and symptoms of child abuse.
- (3) The training requirements shall be met in courses conducted by the American Red Cross, or in courses conducted by the American Heart Association, or any course approved by the Emergency Medical Services Authority (EMSA), or any course offered or approved by an accredited college or university.
- (4) The facility manager shall maintain verification of completed health and safety training in the facility files.
- (A) Verification of completion of pediatric cardiopulmonary resuscitation and pediatric first aid training shall be a current, unexpired card issued by the American Red Cross, the American Heart Association or a training program approved by the State Emergency Medical Services Authority (EMSA).
- (B) Verification of completion of health and safety training shall be a course completion card issued by a training program approved by the EMSA.
- (C) If health and safety training is taken at an accredited college or university, verification shall be a certificate of course completion, course completion

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

cards, or certified copies of transcripts that identify the number of hours and specified course(s) taken.

- (5) Facility managers employed before the effective date of these regulations shall complete the training within 90 days of the effective date of this regulation.
- (e) Personnel and consultants subject to occupational licensing shall have a current and active license issued by the appropriate State of California licensing board.
- (f) Upon employment, staff shall receive copies of the removal and/or discharge procedures specified in Section 84768.4, the discipline policies and procedures specified in Section 84772.1, and the complaint procedures specified in Section 84072.2.
- (g) All staff employed in a facility that cares for children under 6 years of age shall have additional training in Whole-Brain child or training on trauma and the effects on brain development in children..

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Section 51, Civil Code; Sections 1530.8, 1531, 1562.01, and 1596.866, Health and Safety Code; Sections 11467.1 and 16001.9, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.652 PERSONNEL DUTIES

- (a) In addition to Section 87065.2 the following shall apply:
- (b) Houseparents shall be responsible for the direct care and supervision of any children placed in the facility as well as applying the Reasonable and Prudent Parent Standard and planning activities.
- (c) Houseparents shall perform the following duties, as well as those specified in Section 84065.2(b):
 - (1) Teach social skills.
 - (2) Teach motor skills.
 - (3) Teach self-care skills.
 - (4) Direct the work of direct care staff.
- (d) Houseparents shall not perform support staff duties, as specified in Section 87065.2(d), unless such assignments are directly related to the care of the children and do not interfere with the performance of the child care duties.
- (e) Volunteers shall not perform houseparent duties and shall be supervised by the houseparent

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.655 STAFF/CHILD RATIOS

- (a) Section 87065.5 does not apply.
- (b) From 7 a.m. to 10 p.m., there shall be one direct care staff person to each 4 children or fraction thereof, present.
- (c) From 10 p.m. to 7 a.m., there shall be one awake direct care staff person to each 6 children or fraction thereof, present.
- (d) There shall be no less than 2 direct care staff on the premises at all times children are present.
- (e) For purposes of determining the appropriate staff to children ratio, children shall include all children present in the facility.
- (f) Staff to children ratios shall be maintained while children are participating in planned activities away from the facility.
- (g) Staff to children ratios shall be maintained in any vehicle used to transport children.
- (h) A facility may count a Certified Administrator, a Facility Manager, or a mental health rehabilitation specialist, as defined by the Department of Healthcare Services, toward the staff to children ratio, provided:
 - (1) Doing so does not prevent the individual from conducting the specific duties for which he or she is employed.
 - (2) Appropriate care and supervision is maintained.
 - (3) He or she has completed a criminal record review and a Child Abuse Center Index check in accordance with applicable law.
- (i) In facilities required to have a signal system as specified in Sections 87088(d) through (d)(3), at least one staff person shall be responsible for responding to such system.
- (j) If the children require special care and supervision because of age, behavior or other factors, the number of on-duty direct care staff shall be increased.
- (k) In the family-like setting, the on-duty houseparent may sleep when the children are asleep.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Section 1530.8, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.681 INTAKE PROCEDURES

- (a) In addition to 87068, The licensee shall complete an appraisal form within five days of a child's placement.
- (b) A short-term residential therapeutic program shall not accept a child under the age of six years who has received psychiatric services, unless the placing agency provides the following information, if known, before the child's admission:
 - (1) All available psychiatric hospitalization summaries.
 - (2) All reports from the previous treating psychiatrist with diagnosis and recommendation for further treatment.
 - (3) The name and telephone number of the previous treating psychiatrist.
 - (4) All psychological and educational testing.
 - (5) A list of current psychotropic medications, dosages, and length of time on each medication.
 - (6) An appointment with the treating psychiatrist before the supply of medication is exhausted.
- (c) A short-term residential therapeutic program that cares for children under the age of six years shall not accept older children in the same family-like setting, unless the needs and services plan of a younger sibling recommends the presence of that older sibling.
 - (1) The needs and services plan of each child in the family group must document the older child's compatibility, and
 - (2) A licensee shall not accept an older child, if the older child has a history of sexually threatening behavior with other children or has engaged in any conduct that may represent a threat to younger children.
- (d) In addition to the information required at Section 87068.1, with the exception of those subsections specified in Section 84768.1(a) above, the intake staff shall obtain information regarding any special treatment needs due to illness, injury, or trauma.
- (e) If the social worker determines that the facility cannot provide the necessary services, the discharge procedures specified in Sections 87096.684, shall be followed.
- (f) If a child is accepted for placement, the licensee shall meet the following requirements:
 - (1) Verify receipt of specified information by the child's authorized representative or

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

designee and the child's parent(s) or family member(s), if involved, by obtaining their signatures and that of the administrator or designee on copies of:

- (A) The removal/discharge policies and procedures specified in Sections 87096.684.
 - (B) The discipline policies and procedures specified in Sections 87096.721.
 - (C) The complaint procedures specified in Section 87072.2.
- (2) Obtain the information specified in Sections 87096.770.
- (3) Ensure completion of a needs and services plan, as specified in Sections 87096.682.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1530.8 and 1531, Health and Safety Code; and Sections 361.2 and 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.682 NEEDS AND SERVICES PLAN

- (a) In addition to Section 87068.2, the following shall apply:
- (b) The authorized representative and involved parent(s) or family member(s) shall sign the needs and services plan to verify participation.
- (c) The needs and services plan shall contain the following:
- (1) Plans for family preservation and reunification, including:
- (A) Plans for sibling contact.
- (B) Assessment of the parent(s)' capacity to meet the needs of the child.
- (C) Needs of involved parent(s) or family members.
- (D) Any plans for parental or family member involvement in the care of the child.
- (2) The reason for placement, including:
- (A) Presenting problems.
- (B) Precipitating events.
- (C) Family history.
- (D) Child's developmental status.

HANDBOOK BEGINS HERE

Examples of commonly-used developmental assessments for infants and toddlers are the Neonatal Behavioral Assessment Scale and the Bayley Scales of Infant Development. For older children, examples are the Wechsler Intelligence Scale for Children, the Woodcock Johnson, the Bender Visual Motor Test, the Brigance Inventory, the Carol Westly Play Diagnosis and Assessment, and the Tony Linder Transdisciplinary Play-based Assessment.

HANDBOOK ENDS HERE

- (3) Types of services needed, including:
- (A) Therapeutic interventions to alleviate the effects of past trauma.
- (B) The social, emotional, cognitive, and physical developmental needs of the child.
- (C) Special bedtime routines to prepare the child for sleeping.
- (4) The specific interval for developmental screening by medical staff.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (A) If development milestones are not met the process for referral to appropriate professionals for any necessary interventions.
- (d) In addition to the requirements of Sections 87096.682(a) through (d) above, an infant's needs and services plan shall include the feeding plan.
- (e) In addition to the requirements of Sections 87096.682 (a) through (d) above, each child's needs and services plan shall include the toilet training plan, if appropriate.
- (f) The licensee or designee shall provide a copy of the needs and services plan and any subsequent updates to all participants in the development and to all persons responsible for implementation of that plan.
- (1) A copy of that plan and any updates shall be provided to the above specified individuals within seven days of completion.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.683 MODIFICATIONS TO NEEDS AND SERVICES PLAN

- (a) Section 84068.3(a) does not apply to children under the age of six years who are not accompanied by the minor parent and are dependents of the court, regional center placements, or voluntary placements.
- (b) All participants of the initial needs and services plan, as specified in Section 84768.2, and the child's houseparent shall review and update that plan as follows:
- (1) Weekly for children from birth through three years of age.
 - (2) Biweekly for children four to five years old.
- (c) The updates to the needs and services plan shall contain the following:
- (1) The date of the meeting.
 - (2) A list of participants.
 - (3) The progress toward achieving each case plan goal.
 - (4) The barriers to progress and actions planned to reduce or remove those barriers.
 - (5) The child's need for continuing services.
 - (6) The modified plan.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.684 REMOVAL AND/OR DISCHARGE TRANSFER PROCEDURES 87096.684

- (a) In addition to Section 87068.4 the following shall apply:
- (b) Whenever possible, the short-term residential therapeutic program shall transition the child into the new placement as follows:
- (1) Introduce the child to the family or staff associated with the new placement before discharge and in the current facility.
 - (2) Allow a short-term residential therapeutic program staff, trusted by the child, to accompany the child on a visit to the next placement.
- (c) The following items shall accompany the child to the new placement:
- (1) Copies of case files, Needs and Services Plan, assessments, the discharge plan, the daily activity schedule, and the child's medical history, and any other documented recommendations by the facility or houseparent.
 - (2) Personal clothing, toys and objects and the child's scrapbook.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.691 IMMUNIZATIONS

- (a) In addition to Section 87069.1, the licensee shall cooperate with the placing agency in obtaining vaccination against haemophilus influenzae type B for each child placed in the facility.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1530.8, 1507, and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.70 CHILDREN'S RECORDS

- (a) In addition to 87070 the following shall apply:
- (b) The licensee or designee shall obtain and maintain the following information in the child's record:
- (1) A photograph taken within the last 3 months and physical description of the child.
 - (2) An assessment of the child's danger to self and others.
 - (3) Daily records of emotional state, dietary patterns, and accomplishments.
 - (4) Social worker notes, e.g., family member contacts, visitations, and legal documentation.
 - (5) The child's scrapbook, reflecting significant events and accomplishments during the placement.
 - (A) This requirement may be met with a physical photobook, memory box or other similar method of commemorating events and accomplishments in the child's life.
 - (6) The name, address, and telephone number of the involved family member(s), if any.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1507, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.72 **PERSONAL RIGHTS**

- (a) Sections 87072(ed)(5) does not apply to children under six years of age.
- (b) When family member involvement is part of the child's needs and services plan, visiting shall be allowed as indicated in the plan
 - (1) Visiting shall be only under the supervision of the social work staff, a houseparent or direct care staff, or a facility manager, unless the case plan provides for unsupervised visits.
- (c) The licensee shall impose differing visiting rules, depending on the visitor, that person's role in the child's needs and services plan, and the need to protect the child from that person.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8, and 1531, Health and Safety Code; Sections 11467.1 16001.9, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

7096.721 DISCIPLINE POLICIES AND PROCEDURES

- (a) Section 87072.1 shall not apply.
- (b) The licensee shall develop, maintain and implement written facility discipline policies and procedures meeting the requirements specified in (c) through (e) below.
- (c) Discipline for children under the age of six years shall be education-based, consistent among caregivers, and include the following:
 - (1) Redirecting the child's attention.
 - (2) Focusing on the rule to learn and the reason for the rule.
 - (3) Providing acceptable alternatives.
 - (4) Providing time away from the precipitating situation.
 - (5) Arranging the environment to allow safe testing of limits.
- (d) Discipline shall not include confinement to cribs, high chairs, playpens or other similar furniture or equipment.
- (e) The licensee or designee shall provide a copy of the discipline policies and procedures to involved parents and family members, staff, children, and authorized representatives.
- (f) The licensee shall prohibit any form of discipline that violates a child's personal rights as specified in Sections 80072, ~~84072~~, and 87072.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.74 TRANSPORTATION

- (a) In addition to 87074, the following shall apply:
- (b) Individuals who transport children shall be at least 21+8 years old and have a valid California driver's license.
- (c) Vehicles used to transport children shall contain a first aid kit containing at a minimum the supplies specified at Section 80075(g)(1).
- (d) The licensee or designee shall secure children in the vehicle in an appropriate restraint device according to the California Vehicle Code—Section 27360(a) and, if applicable, the manufacturers' instructions for the infant car seat(s).
- (1) The licensee or designee shall use other restraint or protective devices that are required due to the child's disabilities or physical and medical condition.
- (2) The licensee or designee shall secure children in the vehicle so that the child is not in danger of being injured by the vehicle's airbag.

HANDBOOK BEGINS HERE

California Vehicle Code section 27360(a) and (b) provides:

- (a) No parent or legal guardian, when present in a motor vehicle, as defined in Section 27315, shall permit his or her child or ward under the age of four years, regardless of weight, or weighing less than 40 pounds, regardless of age, to be transported upon a highway in a motor vehicle without providing and properly using, for each child or ward, a child passenger restraint system meeting applicable federal motor vehicle safety standards.
- (b) No driver shall transport on a highway any child under four years of age, regardless of weight, or weighing less than 40 pounds, regardless of age, in a motor vehicle, as defined in Section 27315, without providing and properly securing the child in a child passenger restraint system meeting applicable federal motor vehicle safety standards. This subdivision does not apply to a driver if the parent or legal guardian of the child is also present in the vehicle and is not the driver.

California Vehicle Code section 27360.5(b) provides:

- (b) No driver shall transport on a highway any child who is four years of age or older but less than 16 years of age and weighs more than 40 pounds in a private passenger motor vehicle, as defined in Section 27315, without providing and properly using a safety belt meeting applicable federal motor vehicle safety standards. This subdivision does not apply to a driver if the parent or legal guardian of the child is

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

also present in the vehicle and is not the driver.

California Vehicle Code section 27363(a) and (b) provides:

(a) The court may exempt from the requirements of this article any class of child by age, weight, or size if it is determined that the use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size. The court may require satisfactory proof of the child's physical unfitness, medical condition, or size.

(b) In case of an emergency, or when a child is being transported in an authorized emergency vehicle, if there is no child passenger restraint system available, a child may be transported without the use of such a system, but the child shall be secured by a seat belt.

California Vehicle Code section 27315(c) provides:

(c) As used in this section, "motor vehicle" means any passenger vehicle or any motortruck or truck tractor, but does not include a motorcycle.

HANDBOOK ENDS HERE

(d) The licensee or designee shall maintain the staff-child ratio whether the vehicle is moving or parked.

(e) No child shall be left unattended in a vehicle.

(f) The licensee and his/her staff are prohibited from smoking, or permitting any person from smoking a pipe, cigar or cigarette containing tobacco or any other plant in a motor vehicle when minor children are present. This prohibition applies when the motor vehicle is moving or at rest.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8, 1531, and 118948, Health and Safety Code; Section 27360, Vehicle Code, Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.75 HEALTH-RELATED SERVICES

- (a) In addition to 87075 the following shall apply.
- (b) The licensee shall cooperate with the placing agency or the person making a voluntary placement to ensure that children have a thorough physical examination by a pediatrician within 30 days of admission.
 - (1) Each child's needs and services plan shall contain a time frame for the medical services determined necessary by this physical examination.
 - (2) Each child's needs and services plan shall contain specific intervals for developmental screening by medical staff.
- (c) The licensee shall cooperate with the placing agency or the person making a voluntary placement to ensure that children who have prescriptions for psychotropic medications at the time of placement receive a reevaluation with the child's physician to determine whether the need for the medication continues.
 - (1) The child shall receive a reevaluation of the medication within 60 days of the date the prescription was filled.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1507, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.76 FOOD SERVICE

- (a) Section 87076 shall not apply.
- (b) The facility staff shall prepare menus in consultation with a licensed nutritionist, dietitian, home economist, or physician.
 - (1) For children under the age of six years, a nutritionist, dietitian, or physician, as appropriate, shall reevaluate the meals/formulas every three months.
 - (A) The licensee or designee shall keep a record of the frequency and nature of the initial consultation and the reevaluation.
 - (2) Meals shall be age-appropriate for food groups, special needs, and portion control.
 - (3) Meals shall vary weekly for children no longer on an infant bottle as a primary source of nutrition.
 - (4) Children who are not bottle-fed, as a primary source of nutrition, shall be given at least three nutritious snacks daily.
 - (5) Staff shall not serve a child food to which the child has an allergy or as indicated in the child's record.
 - (6) The facility shall not serve honey or corn syrup to any infant.
- (c) Houseparents and direct care staff supervising children under the age of six years shall wash their hands with antibacterial soap and water before each meal as follows:
 - (1) Using only soap in a dispenser, either liquid or powder.
 - (2) Using only disposable paper towels or an air drying machine for hand drying.
- (d) The facility shall serve meals in a family-like setting with houseparents eating with the children.
 - (1) Mealtimes shall be flexible and children shall be allowed to eat frequently and on demand, as indicated in the child's individual feeding plan.
 - (2) Commercially prepared baby food in jars shall be transferred to a dish before being fed to an infant.
 - (A) The staff shall discard any food left over in the dish at the end of the meal.
- (e) The staff shall use appropriate seating equipment while feeding children under the age of six years.
 - (1) Children under the age of six years who are unable to sit unassisted shall be held by

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

the houseparent, or direct care staff ~~child care worker or minor parent.~~

- (2) If staff use high chairs or feeding tables, the high chairs or feeding tables shall have the following:
- (A) A wide base.
 - (B) A safety strap that the houseparent, or direct care staff shall properly secure around the child or a tray that the houseparent, or minor parent shall properly latch on both sides.
- (3) Houseparents and direct care staff shall not allow an infant to pull on, climb on, climb into, or stand up in a high chair.
- (f) There shall be an individual feeding plan for each infant that includes the following:
- (1) Instructions from the child's physician that address:
 - (A) The feeding schedule.
 - (B) The kind of milk or formula.
 - (C) The schedule for introduction of solid and new foods.
 - (D) Food consistency.
 - (E) Food likes and dislikes.
 - (F) Food allergies.
 - (G) Schedule for introduction of cups and utensils.
- (g) Staff or houseparents shall feed an infant according to the individual plan.
- (1) The houseparent or Direct care staff shall hold the infant while bottle-feeding, unless it is necessary to protect the infant from overstimulation during mealtimes.
 - (2) If an infant holds the bottle, it shall be unbreakable and the child shall not be allowed to carry a bottle while ambulating.
 - (3) At no time shall a bottle be propped for an infant.
- (h) The facility shall not use the food preparation area for the following:
- (1) Children's play activities, unless such activities are part of a supervised food education program.
 - (2) Napping.
 - (3) Children's passageway, while food is being prepared or served.
 - (4) Bathing infants or rinsing diapers or clothing.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (i) Bottles and nipples shall be sterilized using any of the following methods after each use:
- (1) Boiled for a minimum of five minutes and air dried.
 - (2) Soaked for a minimum of one minute in a sterilizing solution of 2 cup bleach and five gallons of water and air dried.
 - (3) Washed and sterilized using a commercial bottle sterilizer according to the manufacturer's directions or a dishwasher.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Sections 11467.1 and 16001.9, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.77 PERSONAL SERVICES

- (a) Section 87077 shall not apply:
- (b) The staff shall keep children under the age of six years clean and dry at all times.
- (c) The staff shall wash his/her hands with soap and water before and after each diaper change or toilet training session.
 - (1) Staff shall use only soap in a dispenser, either liquid or powder.
 - (2) Staff shall use only disposable paper towels in an appropriate holder or dispenser or an air drying machine, for hand drying.
- (d) Staff shall diaper each infant on a changing table, or on a changing pad placed on the floor, which meets the following specifications:
 - (1) Has a padded surface no less than one inch thick, covered with washable vinyl or plastic.
 - (2) Is in good repair and safe condition.
 - (3) Is located outside the kitchen/food preparation area.
 - (4) Is disinfected after each use, even when disposable covers are used.
 - (5) If disposable paper towels or similar materials cover infant changing tables or pads, they shall be discarded following each diaper change.
 - (6) Changing tables shall have raised sides at least three inches high.
 - (7) Changing tables and pads shall be placed within arms reach of a sink, when in use.
- (e) Children shall be toilet trained according to a written toilet training plan.
 - (1) The written plan shall be developed by the licensee and placing agency in consultation with the child's physician and include:
 - (A) The method of toilet training.
 - (B) How to introduce and use appropriate training equipment.
 - (C) How to introduce and use appropriate clothing.
 - (D) Specifications regarding whether to use diapers.
 - (2) If children use potty chairs, staff shall assure the following:
 - (A) Potty chairs are placed on the floor and used according to the manufacturer's instructions.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (B) Contents are emptied into a flushing toilet promptly after each use.
- (C) The surfaces are thoroughly cleaned and disinfected after each use.
- (D) Children do not play with potty chairs.
- (3) Staff shall instruct and help children in handwashing after use of the toilet.
- (f) Sleeping arrangements shall meet the following requirements:
 - (1) Only one child at a time shall occupy a crib, floor mat, cot, or bed.
 - (A) Cots and floor mats shall not be used for night sleeping for infants.
 - (2) Licensees shall provide houseparents with backup staff, if necessary, to help children who have difficulty preparing to sleep.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.78 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION

- (a) In addition to Section 87078 a houseparent shall supervise at all times a child under the age of six years-
- (b) The licensee shall not allow visiting by an apparently intoxicated individual or one who disrupts the child care function of the facility.
- (c) If a parent or family member picks up and transports a child for a home visit, allowed pursuant to the needs and services plan, the licensee shall maintain a log with the following:
 - (1) The parent or family member's legal identification type and identifying number.
 - (2) The vehicle type, license plate number, and the state which issued the license plate.
- (d) The licensee shall provide each child a personal, seasonally-appropriate wardrobe.
- (e) Staff shall inventory and label each child's clothing and personal belongings.
- (f) The licensee may give outgrown clothing to another child, if this does not create feelings of deprivation by either child.
- (g) Children shall be cared for in family groups, as defined in Section 87096.01(f)(1).
 - (1) Each child shall remain in the same family group for the duration of the placement, unless the needs and services plan documents reasons that this is not in the best interests of the child.
 - (2) Siblings shall be in the same family group, unless the needs and services plan documents reasons that this living arrangement is not in the best interest of each child.
 - (3) Persons unknown to the children shall not perform any caregiving.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; Sections 11465 and 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.781 **SANITATION REQUIREMENTS 87096.781**

- (a) The licensee shall ensure that staff use universal health precautions and preventive health practices including the following:
- (1) Wear latex gloves and eye protective gear when dealing with bleeding wounds and/or handling objects contaminated with blood.
 - (2) Wash hands before and after diapering, after handling objects contaminated with secretions (saliva, blood, nasal discharge) or excreta, and before and after meals.
 - (3) Assure that the children wash their hands after toileting and before meals.
 - (4) Thoroughly wash bedding, towels, and washcloths used on or by infants daily or more often, if necessary.
 - (5) Thoroughly wash toys.
 - (A) Clean and disinfect daily all frequently touched toys in rooms occupied by diapered children.
 - (B) Clean and disinfect weekly, and when soiled, toys in rooms occupied by nondiapered children.
 - (6) Dispose of potentially infectious waste in containers closed and inaccessible to children.
 - (7) Cover open wounds, cuts or sores with bandages.
 - (8) Wipe noses with disposable, one-use tissues.
 - (9) Clean up blood spills promptly with a freshly prepared solution of 1/4 cup household bleach to one gallon of water or equally effective commercial disinfecting solution.
 - (10) Dispose of all blood and secretion contaminated items in containers that cannot be opened by the children.
 - (11) Keep all items used by animals beyond the reach of infants.
- (b) Maintenance staff shall clean those areas used by infant care staff or to which infants have access as follows:
- (1) Vacuum or sweep, and mop with a disinfectant the uncarpeted floors at least daily or more often if soiled.
 - (2) Vacuum carpeted floors and large unwashable throw rugs at least daily and clean them at least every six months or more often if soiled.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (3) Shake or vacuum small washable rugs at least daily and wash them at least weekly or more often if soiled.

HANDBOOK BEGINS HERE

To clean carpets and large rugs, licensees may rent commercial cleaning machines or hire a professional cleaning service.

HANDBOOK ENDS HERE

- (4) Wash walls and portable partitions with a disinfectant at least weekly or more often if soiled.
- (5) Wash and disinfect high chairs, feeding tables, food preparation areas, bathtubs, changing areas, toilets, and potty chairs at least daily.
- (6) Wash and disinfect at least daily, or more often if soiled, objects mouthed by infants, such as but not limited to, toys and blankets.
- (7) Use washing/disinfecting solutions as follows:
- (A) Freshly prepare it each day, using 1/4 cup of bleach per gallon of water, or
- (B) Use commercial disinfecting solutions according to label directions.
- (c) The bedding of infants shall meet the following standards:
- (1) Each infant shall have bedding replaced when wet or soiled.
- (2) Staff shall wipe crib mattresses with a detergent/disinfectant daily and when soiled or wet.
- (3) Staff shall place soiled bedding in a suitable container, inaccessible to children.
- (d) Staff shall handle soiled disposable diapers as follows:
- (1) Discard them as recommended on the packaging, or
- (2) Place them in an airtight container for daily disposal outside the facility and
- (3) Sanitize any soiled diaper containers daily.
- (e) Staff shall handle soiled cloth diapers as follows:
- (1) Place them in an airtight container.
- (2) Rinse, wash, and sanitize them daily.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (3) If the facility uses a diaper service, staff shall place the diapers in the diaper service company's container for pickup, as instructed by the diaper service.
- (f) After each diaper change, staff shall wash and disinfect soiled items and surfaces around the diaper changing area, including but not limited to the following:
 - (1) Walls and floors surrounding the immediate diaper changing area.
 - (2) Dispensers for talc, lotion, soap and paper towels.
 - (3) Countertops, sinks, drawers and cabinets.
 - (4) Sinks used to wash infants or to rinse soiled clothing or diapers.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.79 PLANNED ACTIVITIES

- (a) In addition to Section 87079, the licensee shall provide a variety of developmental activities designed to meet the physical, cognitive, social, and emotional needs of the children including the following:
- (1) Therapeutic interventions by trained professionals.
 - (2) Parental or family member involvement in the caregiving, if this involvement is in the needs and services plan.
 - (3) Predictable and consistent daily scheduling that balances the following:
 - (A) Group and individual activities.
 - (B) Active and quiet play.
 - (C) Structured and flexible play.
 - (D) Rest.
 - (E) Eating.
 - (F) Toileting.
 - (G) Individual attention to the child under the age of six years from the houseparent or staff.
 - (H) If in the needs and services plan of a child under the age of six years, holding by the houseparent, or direct care staff.
 - (4) Opportunity for ever increasing self-care.
 - (5) Preparation for transitions in daily activities and changes in the daily schedule.

HANDBOOK BEGINS HERE

Following is an example of a goodbye ritual that prepares a child for the transition from a visiting mother to the houseparent.

The parent and child settle into a quiet place and the parent reads the child a story. The parent then calls the child's houseparent and the three of them walk to the door together. On the way, they discuss the fact that the parent is leaving and talk about when the parent will return. The houseparent remains with the child after the parent leaves and is available to respond to sadness, anger or other emotions expressed by the child. This ritual provides consistency for the child.

HANDBOOK ENDS HERE

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

(6) The opportunity to nap/sleep without distraction or disturbance from other activities.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

Article 7. PHYSICAL ENVIRONMENT

87096.87 BUILDINGS AND GROUNDS

- (a) In addition to Section 87087, the facility shall comply with all regulations of the county health department and other local governing ordinances concerning building and health and safety codes.
- (b) Stairways, inclines, ramps, and open porches shall have hand railings and gates to prevent unsupervised climbing and shall be well lighted.
- (c) Surfaces accessible to children shall be free of lead paint.
- (d) Houseparents shall have a room to rest with a day bed or couch and space for storage of personal belongings.
- (e) The licensee shall prohibit smoking in the facility or on the grounds in accordance with Section 87087.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.872 OUTDOOR ACTIVITY SPACE 87096.872

- (a) In addition to Section 87087.2, the outdoor activity space shall be arranged to assure the following:
- (1) Safe access by the children.
 - (2) Separation of children under six years from older children.
 - (A) The separation may be by the time scheduled for use of the outdoor activity space by separate age groups.
 - (3) Inaccessibility to the children of any construction or equipment that causes a hazardous situation, including but not limited to incinerators, air-conditioning equipment, water heaters, or fuse boxes.
 - (4) The absence of hazards from conflicting activities.
 - (A) Houseparents shall place playpens so that they are not hazards to other individuals in the outdoor play area.
- (b) The licensee shall equip the outdoor activity space with a variety of developmentally appropriate toys and equipment.
- (1) The equipment shall be age appropriate and used in accordance with the manufacturers' instructions.

HANDBOOK BEGINS HERE

Licensees should select equipment tailored in placement, size, height and complexity to the children who use it. Look for the following:

- (1) Foundation anchors firmly embedded in the ground so children will not trip on them.
- (2) Merry-go-rounds with solid, flat riding surfaces and handholds for sitting and standing.
- (3) Slides with large decks and hand rails at the top.
- (4) Swings placed two to three feet apart to reduce chances of midair collisions.

HANDBOOK ENDS HERE

- (c) The licensee shall maintain the outdoor activity area in a safe condition for the activities planned.
- (1) Staff shall visually inspect equipment, gates, and surfaces before children enter to

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

assure that the area is free of hazards.

(A) Staff shall inspect sand boxes daily and keep them free of hazardous or foreign materials.

(2) The licensee shall cover with impact-absorbing material areas where children may jump or fall from playground equipment.

(d) The licensee shall enclose the outdoor activity area with a fence to provide protection for children and to keep them in the outdoor activity area.

(1) The fence shall be at least four feet in height.

HANDBOOK BEGINS HERE

The intent of this requirement is to keep children from leaving unnoticed without creating a hazard to the children. For example, a split rail fence is inefficient at keeping children in and a barbed wire fence presents a hazard. Therefore, both types of fencing are inappropriate.

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.873 **INDOOR ACTIVITY SPACE** **87096.873**

- (a) In addition to Section 87087.3, the licensee shall equip the indoor activity space with a variety of equipment, materials, and toys that meet the following requirements:
- (1) Are appropriate to the developmental needs of the children.
 - (2) Are maintained in good condition.
 - (3) Are sufficient in quantity to allow children to fully participate in planned activities and have opportunities for flexible play.
 - (4) Are stored safely in the facility.
- (b) The floors of all rooms shall have a surface that is safe and clean.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8 and 1531, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

87096.88 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES 87096.88

- (a) In addition to Section 87088, the licensee shall provide safe fixtures, furniture, equipment, supplies, and toys.
- (1) They shall be free from toxic materials or substances.
 - (2) They shall be in good condition, free of sharp, loose, or pointed parts.
 - (3) Baby walkers are prohibited in accordance with Health and Safety Code Sections 1596.846.

HANDBOOK BEGINS HERE

Health and Safety Code section 1596.846 provides in part:

"(b) A baby walker shall not be kept or used on the premises. . .

"(c) A "baby walker" means any article described in paragraph (4) of subdivision (a) of Section 1500.86 of Part 1500 of Title 16 of the Code of Federal Regulations." Section 1500.86 of Part 1500 of Title 16 of the Code of Federal Regulations reads in pertinent part as follows:

"(a)(4) Any article . . . described in 1500.18(a)(6). . ."

Section 1500.18(a)(6) of Part 1500 of Title 16 of the Code of Federal Regulations reads in pertinent part as follows:

"Any article known as a 'baby-bouncer,' 'walker-jumper,' or 'baby-walker' and any other similar article which is intended to support very young children while sitting, walking, bouncing, jumping, and/or reclining and which because of its design has any exposed parts capable of causing amputation, crushing, lacerations, fractures, hematomas, bruises, or other injuries to fingers, toes, or other parts of the anatomy of young children . . . "

HANDBOOK ENDS HERE

- (b) The licensee shall provide furniture which is age appropriate in type, height, and size as follows:
- (1) Tables and chairs.
 - (2) High chairs, low wheeled feeding tables, or other furniture used for feeding an infant which meets the following requirements:
 - (A) Has broad base legs.
 - (B) Has seats and backrests made of washable, moisture resistant material.
 - (C) Has a safety strap and/or tray to secure a seated infant.
 - (3) Changing tables or changing pads.
 - (4) For each infant who is unable to climb from a crib, a standard crib that meets the

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

following requirements:

- (A) Spaces between the crib slats are no more than 2 3/8 inches.
- (B) Crib mattresses shall be firm and covered with moisture resistant material.
- (C) Bumper pads, shall not be used.
- (D) The crib, mattress, are in a safe condition with no exposed foam, batting, or coils.
- (E) Is equipped with a snug fitting sheet to cover the mattress.
 - 1. Children may be swaddled in a blanket, or placed in a commercially available swaddler, or sleep sack for sleep. Loose blankets or sheets may not be placed in a crib with an infant.
- (F) When an infant is in the crib, the mattress is at its lowest position.
- (G) Is arranged so that staff can see the child.
- (H) Allows a child to stand upright.
- (I) Are not stacked or tiered with other cribs.
- (5) An age-appropriate bed shall be provided for each child who can climb from a crib.
- (c) The licensee shall provide equipment as follows:
 - (1) Equipment purchased already assembled shall not be modified.
 - (2) Toy containers shall meet the following requirements:
 - (A) Boxes or chests shall not have lids or the hardware used to hinge lids.
 - (B) All edges and corners shall be rounded and padded.
 - (C) The container shall be well ventilated.
 - (D) The container shall not be lockable.
 - (E) The container shall be in good repair and safe condition.
 - (F) Metal toy boxes shall not have rough or sharp edges and wooden toy boxes shall not have splinters and other rough areas.
- (d) The licensee shall provide the following fixtures and/or supplies:
 - (1) Readily available drinking water from a noncontaminating fixture.
 - (A) Children shall be free to drink water as they wish.
 - (B) The facility may use bottled water or portable containers if (1) the water and containers are free of contamination, and (2) bottled water containers are secured to prevent tipping and breaking.
 - (C) All water for drinking shall be potable as defined in California Administrative Code, Title 24, Part 5.

HANDBOOK BEGINS HERE

Title 24, Part 5, defines potable water as that which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the health authority having jurisdiction.

HANDBOOK ENDS HERE

- (2) Pacifiers that have a shield or guard large enough so that infants cannot choke on them.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (e) The licensee shall provide toys that meet the following requirements:
- (1) Are appropriate to the developmental needs of the children.
 - (2) Are sufficient in quantity to avoid excessive competition and long waits by the children.
 - (3) Are free from sharp points, edges, or splinters.
 - (4) Are made of parts too large to be swallowed.
 - (A) Any rattles are large enough so that they cannot become lodged in an infant's throat and constructed so that they will not separate into small pieces.
 - (5) Are sufficient in variety to enhance the following:
 - (A) Intellectual and creative development.
 - (B) Social development.
 - (C) Auditory development.
 - (D) Visual development.
 - (E) Gross and fine motor development.
 - (6) Are clean and safe for the children.

HANDBOOK BEGINS HERE

The Department recommends that the facility comply with the following U.S. Consumer Product Safety Commission advice for the selection and safe use of children's toys.

- (A) Avoid toys with small parts.
- (B) Look for labels that give age recommendations.
- (C) Choose toys suited to the skills, abilities and interests of the children.

HANDBOOK ENDS HERE

- (f) The licensee shall arrange furniture and equipment as follows:
- (1) So that no exit is blocked.
 - (A) Placement of cribs, mats or cots, and beds shall not hinder entrance to or exit from the sleeping area.
 - (2) So that toilets, potty chairs, and handwashing sinks for children are near indoor and outdoor activity spaces.

INTERIM LICENSING STANDARDS
Short-Term Residential Therapeutic Program, Subchapter 2

- (3) So there is a walkway and workspace between the sleeping furniture (cribs, mats or cots, and beds).
- (A) Staff must be able to reach each child without having to step or reach over any other child.

NOTE: Authority cited: Section 1530, Health and Safety Code; AB 403, Stats. 2015, Ch. 773, Sec. 123; and AB 1997, Stats. 2016, Ch. 612, Sec. 131. Reference: Sections 1501, 1530.8, 1530, and 1596.846, Health and Safety Code; and Section 11467.1, Welfare and Institutions Code.