

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



## Regulation Package # 1009-10

CDSS MANUAL LETTER NO. CCL-09-08

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22,  
DIVISION 12, CHAPTER 3, FAMILY CHILD CARE HOMES

**Regulation Package # 1009-10****Effective 11/1/09****Section 102384 (Handbook)**

This manual letter has been posted on the Office of Regulations Development website at <http://www.dss.cahwnet.gov/ord/PG640.htm>

The regulation Handbook is updated to reflect the regulation amendments completed based on Assembly Bill No. X4, Statutes of 2009 that amended Health and Safety Code section 1596.803, which increases licensing fees by 10 percent. The increase in fees became effective July 28, 2009. This Handbook update specifically references the actual regulatory language from said section.

This regulation package is specifically updating the Handbook, which is quoted reference to other Code sections that are in effect. Therefore, no public hearing was necessary.

## **FILING INSTRUCTIONS**

The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-09-07. The latest prior manual letter containing Family Child Care Homes regulation changes was Manual Letter No. CCL-06-07.

Page(s)

Replace(s)

24 through 25.1

Pages 24 through 25.1

Attachments

KJ

**102383 TERM OF A LICENSE****102383**

(a) Except as specified in Section 102368, a license remains in effect until it is:

- (1) Forfeited or surrendered as specified in Health and Safety Code Section 1596.858.
- (2) Suspended or revoked as specified in Section 102393.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Section 1596.858, Health and Safety Code.

**102384 LICENSING FEES****102384**

(a) An applicant or licensee shall be charged fees as specified in Health and Safety Code Section 1596.803:

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**HANDBOOK BEGINS HERE**

Health and Safety Code Section 1596.803 provides:

(a) An application fee adjusted by facility and capacity shall be charged by the department for the issuance of a license to operate a child day care facility. After initial licensure, a fee shall be charged by the department annually, on each anniversary of the effective date of the license. The fees are for the purpose of financing activities specified in this chapter. Fees shall be assessed as follows:

		Fee Schedule	
Facility Type	Capacity	Original Application	Annual Fee
Family Day Care	1-8	\$66	\$66
	9-14	\$127	\$127
Day Care Centers	1-30	\$440	\$220
	31-60	\$880	\$440
	61-75	\$1,100	\$550
	76-90	\$1,320	\$660
	91-120	\$1,760	\$880
	121+	\$2,200	\$1,100

(b) (1) In addition to fees set forth in subdivision (a), the department shall charge the following fees:

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

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**HANDBOOK CONTINUES**

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(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

(D) An orientation fee of twenty-five dollars (\$25) for attendance by any individual at a department-sponsored family child day care home orientation session, and a fifty dollar (\$50) orientation fee for attendance by any individual at a department-sponsored child day care center orientation session.

(E) A probation monitoring fee equal to the annual fee, in addition to the annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established annual fee when any licensee fails to pay the annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan.

(2) No local jurisdiction shall impose any business license, fee, or tax for the privilege of operating a small family day care home licensed under this act.

(c) (1) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care and supervision by licensees, and to support the activities of the licensing program, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this act, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the annual Budget Act in support of the licensing program.

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**HANDBOOK CONTINUES**

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**102384 LICENSING FEES (Continued)****102384**

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**HANDBOOK CONTINUES**

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(2) The department shall not utilize any portion of these revenues sooner than 30 days after notification in writing of the purpose and use, as approved by the Department of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(d) A child day care facility may use a bona fide business or personal check to pay the license fee required under this section.

(e) The failure of an applicant for licensure or a licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.

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**HANDBOOK ENDS HERE**

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(b) When a licensee moves a facility from one location to another, the relocation fee shall be as specified in Health and Safety Code Section 1596.803(b)(1)(A).

(1) To qualify for the relocation fee, the following shall apply:

(A) The licensee has notified the Department before actually relocating the facility.

(B) The facility category remains the same when relocating the facility.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, and 1596.803, Health and Safety Code.

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