

General Licensing Requirements

Amend Section 80001 to read:

80001 DEFINITIONS

80001

The following general definitions shall apply wherever the terms are used throughout Division 6, Chapters 1, 2, 4 through 7, 8.8, and ~~Chapter~~ 9, except where specifically noted otherwise. Additional definitions found at the beginning of each chapter in this division shall apply only to such specific facility category.

(a) (Continued)

(b) (Continued)

(c) (Continued)

~~(6) ——— "Child" means a person who is under 18 years of age.~~

~~(7)~~ (Continued)

~~(8)~~ (Continued)

~~(9)~~ (Continued)

~~(10)~~ (Continued)

~~(11)~~ (Continued)

~~(12)~~ (Continued)

~~(13)~~ (Continued)

~~(14)~~ (Continued)

~~(15)~~ (Continued)

~~(16)~~ (Continued)

~~(17)~~ (Continued)

~~(18)~~ (Continued)

~~(19)~~ (Continued)

(2019) (Continued)

Authority cited: Sections 1502, 1522.41(j), 1524(e), 1530 and 1530.9, Health and Safety Code.

Reference: Sections 1501, 1502, 1502(a)(7) and (8), 1502.5, 1503, 1503.5, 1505, 1507, 1508, 1509, 1511, 1520, 1522, 1524, 1524(e), 1525, 1525.5, 1526, 1527, 1530, 1530.5, 1531, 1531.1, 1533, 1534, 1536.1, 1537, 1538.5, 1550, 1551, 1556, 1569.699(a), 1797.196, and 11834.11, Health and Safety Code; Sections 5453, 5458, 11006.9, and 17736(a) and (b), Welfare and Institutions Code; 29 CFR 1910.1030; and Joint Stipulation and Order for Settlement in the matter of *California Association of Mental Health Patients' Rights Advocates v. Cliff Allenby, et al.*, Santa Clara County Superior Court, No. 106-CV061397, issued November 14, 2008.

Amend Section 80075(i) through (o) to read:

80075 HEALTH-RELATED SERVICES
(Continued)

80075

(~~if~~) (Continued)

(~~ig~~) (Continued)

(~~kh~~) (Continued)

(~~hi~~) (Continued)

(~~mj~~) (Continued)

(~~nk~~) (Continued)

(~~ol~~) (Continued)

Authority Cited: Sections 1530 Health and Safety Code.

Reference: Sections 1501, 1502, 1507, 1530 and 1531, Health and Safety Code.

Amend Section 83001 to read:

83001 DEFINITIONS

83001

In addition to Section 80001, the following shall apply.

- a. (Continued)
- b. (Continued)
- c. (1) "Child" means a person who is under 18 ~~years of age who is being provided care and supervision~~ placed with a caregiver in a licensed small family home, except where specified otherwise in this chapter, by a regional center, a parent or guardian, or a public child placement agency with or without a court order. "Child" also means a person who is:
 - (A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the caregiver in the home, or
 - (B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(2) and continues to be provided with care and supervision by the caregiver in the home.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 11403 provides:

"... (b) ... Effective January 1, 2012, a nonminor former dependent child of the juvenile court who is receiving AFDC-FC benefits pursuant to Section 11405 shall be eligible to continue to receive aid up to 19 years of age, effective January 1, 2013, up to 20 years of age, and effective January 14, 2014, up to 21 years of age, as long as the nonminor is otherwise eligible for AFDC-FC benefits under this subdivision. This subdivision shall apply when one or more of the following conditions exist:

- (1) The nonminor is completing secondary education or a program leading to an equivalent credentials.
- (2) The nonminor is enrolled in an institution which provides postsecondary or vocational education.
- (3) The nonminor is participating in a program or activity designed to promote, or remove barriers to employment.
- (4) The nonminor is employed for at least 80 hours per month.

(5) The nonminor is incapable of doing any of the activities described in subparagraphs (1) to (4), inclusive, due to a medical condition, and that incapability is supported by regularly updated information in the case plan of the nonminor."

HANDBOOK ENDS HERE

(2) "Child with Special Health Care Needs" means a ~~child~~ person under 18 or 22 and younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions:

(A) Has a medical condition that requires specialized in-home health care and

(B) Is one of the following:

1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code Section 300 ~~of the Welfare and Institutions Code~~.
2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code Section 300, ~~of the Welfare and Institutions Code~~ but who is in the custody of the county welfare department.
3. A child with a developmental disability who is receiving services and case management from a regional center.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 17710, subsection (a) provides:

"'Child with special health care needs' means a child, or a person who is 22 years of age or younger who is completing a publicly funded education program, who has a condition that can rapidly deteriorate resulting in permanent injury or death or who has a medical condition that requires specialized in-home health care, and who either has been adjudged a dependent of the court pursuant to Section 300, has not been adjudged a dependent of the court pursuant to Section 300 but is in the custody of the county welfare department, or has a developmental disability and is receiving services and case management from a regional center."

HANDBOOK ENDS HERE

d. (Continued)

Authority cited: Section 1530, Health and Safety Code; and Section 17730, Welfare and Institutions Code ~~and Section 1530, Health and Safety Code~~.

Reference: Sections 1501, 1502, 1507, 1507.2, 1530 and 1531, Health and Safety Code; and Sections 11403, 17710(a), (d), (g), (h) and (i), 17731(c), and 17732(b) and 17732.1, Welfare and Institutions Code and Sections 1501, 1502, 1507, 1530 and 1531, Health and Safety Code.

Group Homes

Amend Section 84001 to read:

84001 DEFINITIONS

84001

In addition to Section 80001, the following shall apply:

(a) (Continued)

(5) **[Renumbered to (m)(5)].**

(b) (Continued)

(c) (Continued)

(2) "Child" means a person who is under 18 ~~years of age and who is being provided care and supervision~~ placed in a licensed group home, except where specified otherwise in this chapter, by a regional center, a parent or guardian, or a public child placement agency with or without a court order. "Child" also means a person who is:

(A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the group home, or

(B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(3) and continues to be provided with care and supervision by the group home.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 11403 provides:

"...~~(b)~~...Effective January 1, 2012, a nonminor former dependent child of the juvenile court who is receiving AFDC-FC benefits pursuant to Section 11405 shall be eligible to continue to receive aid up to 19 years of age, effective January 1, 2013, up to 20 years of age, and effective January 14, 2014, up to 21 years of age, as long as the nonminor is otherwise eligible for AFDC-FC benefits under this subdivision. This subdivision shall apply when one or more of the following conditions exist:

(1) The nonminor is completing secondary education or a program leading to an equivalent credentials.

(2) The nonminor is enrolled in an institution which provides postsecondary or vocational education.

- (3) The nonminor is participating in a program or activity designed to promote, or remove barriers to employment.
- (4) The nonminor is employed for at least 80 hours per month.
- (5) The nonminor is incapable of doing any of the activities described in subparagraphs (1) to (4), inclusive, due to a medical condition, and that incapability is supported by regularly updated information in the case plan of the nonminor."

HANDBOOK ENDS HERE

- (3) "Child with Special Health Care Needs" means a ~~child~~ person under 18 or 22 and younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions:
 - (A) Has a medical condition that requires specialized in-home health care and
 - (B) Is one of the following:
 - 1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code Section 300 ~~of the Welfare and Institutions Code~~.
 - 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code Section 300, ~~of the Welfare and Institutions Code~~ but who is in the custody of the county welfare department.
 - 3. A child with a developmental disability who is receiving services and case management from a regional center.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 17710, subsection (a) provides:

"Child with special health care needs' means a child, or a person who is 22 years of age or younger who is completing a publicly funded education program, who has a condition that can rapidly deteriorate resulting in permanent injury or death or who has a medical condition that requires specialized in-home health care, and who either has been adjudged a dependent of the court pursuant to Section 300, has not been adjudged a dependent of the court pursuant to Section 300 but is in the custody of the county welfare department, or has a developmental disability and is receiving services and case management from a regional center."

HANDBOOK ENDS HERE

(4) (Continued)

(5) (Continued)

(d) (Continued)

(e) (Continued)

(f) (Continued)

(g) (Continued)

(h) (Continued)

(i) (Continued)

(j) (Continued)

(k) (Continued)

(l) (Continued)

(m) (Continued)

(5) “Minor parent program” means a group home program that serves pregnant minors and minor parents with children younger than six years of age, who are dependents of the court, nondependents, voluntary and/or regional center placements, and reside in the group home with the minor parent, who is the primary caregiver of the young child.

(n) (Continued)

Authority cited: Sections 1522.41(j), 1530, 1530.8 and 1530.9, Health and Safety Code; and Section 17730, Welfare and Institutions Code and ~~Sections 1522.41(j), 1530, 1530.8, and 1530.9, Health and Safety Code.~~

Reference: Sections 1501, 1502, 1503, 1507, 1507.2, 1522.4, 1522.41, 1522.41(j), 1530.8, and 1531, Health and Safety Code; Sections 362.04(a)(2), 362.05(a), 727(a)(4)(A), 11331.5(d), 11403, 11406(c), 17710(a), ~~(d), (g), and (h)~~, 17731, 17732.1 and 17736(a) and (b), Welfare and Institutions Code; and 45 CFR Section 1351.1(k).

Amend Section 84061 to read:

84061 REPORTING REQUIREMENTS
 (Continued)

84061

(b) (Continued)

(1) (Continued)

(2) (Continued)

(3) Each time the child has been placed in a manual restraint, to be reported as required in Section ~~84805~~ 84361.

(c) (Continued)

Authority cited: Sections 1522.41(j), 1530, Health and Safety Code.

Reference: Sections 1522.41(b)(4), 1531, and 1562, Health and Safety Code; Section 11406(c), Welfare and Institutions Code.

Transitional Housing Placement Program

Amend Section 86001 to read:

86001 DEFINITIONS

86001

In addition to Section 80001, the following shall apply:

(a) (Continued)

(b) (Continued)

(c) (Continued)

(3) "Child" means a person who is under 18 placed in a licensed transitional housing placement program by a regional center, a parent or guardian, or a public child placement agency with or without a court order. "Child" also means a person who is:

(A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the transitional housing placement facility.

HANDBOOK BEGINS HERE

Welfare and Institutions Code §section 11403 provides:

"...(b)...Effective January 1, 2012, a nonminor former dependent child of the juvenile court who is receiving AFDC-FC benefits pursuant to Section 11405 shall be eligible to continue to receive aid up to 19 years of age, effective January 1, 2013, up to 20 years of age, and effective January 14, 2014, up to 21 years of age, as long as the nonminor is otherwise eligible for AFDC-FC benefits under this subdivision. This subdivision shall apply when one or more of the following conditions exist:

(1) The nonminor is completing secondary education or a program leading to an equivalent credentials.

(2) The nonminor is enrolled in an institution which provides postsecondary or vocational education.

(3) The nonminor is participating in a program or activity designed to promote, or remove barriers to employment.

(4) The nonminor is employed for at least 80 hours per month.

(5) The nonminor is incapable of doing any of the activities described in subparagraphs (1) to (4), inclusive, due to a medical condition, and that incapability is supported by regularly updated information in the case plan of the nonminor."

HANDBOOK ENDS HERE

(d) (Continued)

Authority cited: Sections 1530 and 1559.110, Health and Safety Code.

Reference: 42 USC Section 677; Sections 1559.110 and 1559.115, Health and Safety Code; and Sections 11400, 11401, 11403, 16522.1, and 16522.5, Welfare and Institutions Code.

Foster Family Agencies

Amend Section 88001 to read:

88001 DEFINITIONS

88001

In addition to Section 80001, the following shall apply:

- (a) (Continued)
- (b) (Continued)
- (c) (5) "Child" means a person who is under 18 placed with a foster family agency by a regional center, a parent or guardian, or a public child placement agency with or without a court order for subsequent placement with a caregiver in a certified family home. "Child" also means a person who is:
 - (A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the caregiver in the home, or
 - (B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(6) and continues to be provided with care and supervision by the caregiver in the home.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 11403 provides:

"... (b) ... Effective January 1, 2012, a nonminor former dependent child of the juvenile court who is receiving AFDC-FC benefits pursuant to Section 11405 shall be eligible to continue to receive aid up to 19 years of age, effective January 1, 2013, up to 20 years of age, and effective January 14, 2014, up to 21 years of age, as long as the nonminor is otherwise eligible for AFDC-FC benefits under this subdivision. This subdivision shall apply when one or more of the following conditions exist:

- (1) The nonminor is completing secondary education or a program leading to an equivalent credentials.
- (2) The nonminor is enrolled in an institution which provides postsecondary or vocational education.
- (3) The nonminor is participating in a program or activity designed to promote, or remove barriers to employment.

- (4) The nonminor is employed for at least 80 hours per month.
- (5) The nonminor is incapable of doing any of the activities described in subparagraphs (1) to (4), inclusive, due to a medical condition, and that incapability is supported by regularly updated information in the case plan of the nonminor."

HANDBOOK ENDS HERE

- (56) "Child with Special Health Care Needs" means a ~~child~~ person under 18 or 22 and younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions:
- (A) Has a medical condition that requires specialized in-home health care and
- (B) Is one of the following:
1. A child who has been adjudged a dependent of the court under ~~Section 300 of the~~ Welfare and Institutions Code section 300.
 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department.
 23. A child with a developmental disability who is receiving services and case management from a regional center.

HANDBOOK BEGINS HERE

Welfare and Institutions Code section 17710, subsection (a) provides:

"Child with special health care needs' means a child, or a person who is 22 years of age or younger who is completing a publicly funded education program, who has a condition that can rapidly deteriorate resulting in permanent injury or death or who has a medical condition that requires specialized in-home health care, and who either has been adjudged a dependent of the court pursuant to Section 300, has not been adjudged a dependent of the court pursuant to Section 300 but is in the custody of the county welfare department, or has a developmental disability and is receiving services and case management from a regional center."

HANDBOOK ENDS HERE

- (67) "Client" means each individual child placed with the foster family agency.
- (78) "Complaint" means any notice of an alleged violation of any regulation or statute of this state, including but not limited to, Title 22 regulations and Penal Code violations.

Authority cited: Section 1530, Health and Safety Code; and Section 17730, Welfare and Institutions Code.

Reference: Sections 1502, 1506, 1506.7, 1507.2, 1530.5; and 1538, Health and Safety Code; and Sections 11403, 17710(a), ~~(g) and (i)~~, 17731(c) ~~and~~ 17732(b) and 17732.1, Welfare and Institutions Code.