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## EVALUATOR MANUAL TRANSMITTAL SHEET

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| <p><b><u>Distribution:</u></b></p> <p><input type="checkbox"/> All Child Care Evaluator Manual Holders</p> <p><input checked="" type="checkbox"/> All Residential Care Evaluator Manual Holders</p> <p><input type="checkbox"/> All Evaluator Manual Holders</p> | <p><b><u>Transmittal No.</u></b><br/><b>07APX-10</b></p> <hr/> <p><b><u>Date Issued</u></b><br/><b>December 2007</b></p> |
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**Subject:**

**2007 Chaptered Legislation**

**Appendix A**

**Adult Community Care Facilities and  
Residential Care Facilities for the Chronically Ill**

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**Reason For Change:**

This transmits summaries of legislation chaptered in 2007 affecting Adult Community Care Facilities and Residential Care Facilities for the Chronically Ill. The summaries are divided into two sections as follows:

1. Immediate Action Required – Interim instructions are provided.
2. Information Only – No action required by CCLD.

An index is attached to assist staff in locating specific bills. Statutes referenced in this document become operative on January 1, 2008.

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**Filing Instructions:**

Insert the attached pages into Appendix A. Do not remove similar documents from the previous years.

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**Approved:**

***Thomas Stahl***

***12/24/07***

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**THOMAS STAHL, Chief**  
Policy Development Bureau  
Community Care Licensing

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Date

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**SUMMARY AND IMPLEMENTATION PLANS  
2007 CHAPTERED LEGISLATION**

**ADULT RESIDENTIAL FACILITIES  
AND RESIDENTIAL CARE FACILITIES  
FOR THE CHRONICALLY ILL**

**BILL NUMBER/AUTHOR                      SUBJECT    PAGE**

**ACTION REQUIRED**

***INFORMATION ONLY – NO ACTION REQUIRED***

|             |   |   |
|-------------|---|---|
| AB 304/Huff | Community Care Facilities and Residential Care Facilities for the Elderly: Disaster and Mass Casualty Plans | 1 |
| SB 473/Cox  | State Agencies: Fingerprinting Vendors  | 3 |

**Unless otherwise noted, all new legislation becomes effective on January 1, 2008. When conducting licensing visits, LPAs should, to the extent practical, make sure that providers are aware of any new requirements. However, regardless of whether this information is provided, it is the licensee's responsibility to be aware of any new requirements affecting their program.**

# INFORMATION ONLY – NO ACTION REQUIRED

## AB 304 (Huff), CHAPTER 18, STATUTES OF 2007

**Affects:** Community Care Facilities and Residential Care Facilities for the Elderly

**Subject:** Community Care Facilities and Residential Care Facilities for the Elderly:  
Disaster and Mass Casualty Plans

**Summary:** The statutes created by this bill require every community care facility (CCF) and residential care facility for the elderly (RCFE) to provide a disaster and mass casualty plan, upon request by any fire department, law enforcement agency, civil defense and/or other disaster authority in their area. This bill also states, **“The department is not required to monitor compliance with this section as part of its regulatory monitoring functions.”**

### Community Care Facilities:

Every CCF shall provide a copy of the disaster and mass casualty plan, upon request by any fire department, law enforcement agency, or civil defense or other disaster authority in the area or community in which the facility is located.

Although Foster Family Homes (FFH) do not typically fall under the purview of the General Licensing Requirements, they must follow section 80023 Disaster and Mass Casualty Plan of the General Licensing Requirements, yet only for the purposes of Health and Safety Code (HS) 1520.7, added by this bill.

Although Adult Day Programs (ADP) have their own Disaster and Mass Casualty Plan regulations (Title 22, section 82023), HS 1520.7, added by this bill, requires that ADP licensees use the General Licensing Requirements section 80023, only for the purposes of this statute.

HS section 1540 (which addresses penalties), referenced in added section HS 1520.7, does not apply to the requirements of section 1520.7.

**The department is not required to monitor compliance with HS 1520.7.** However the Department still has the authority to monitor compliance with Title 22 regulations which require CCFs (other than Foster Family Homes) to have a disaster and mass casualty plan.

### Residential Care Facilities for the Elderly:

This bill adds HS 1569.194 which requires every RCFE to provide a copy of the disaster and mass casualty plan (required by section 87223 of the Residential Care Facilities for the Elderly regulations), upon request by any fire department, law enforcement agency, or civil defense or other disaster authority in the area or community in which the facility is located. Health and Safety Code Section 1569.40 (which addresses penalties), referenced in HS 1569.194, does not apply to the requirements of HS 1569.194.

**The department is not required to monitor compliance with the specific requirements of HS 1569.194.** However, the Department still has the authority to monitor compliance with disaster and mass casualty plans per Title 22 section 87223.

## INFORMATION ONLY – NO ACTION REQUIRED

### **SB 473 (Cox), CHAPTER 248, STATUTES OF 2007**

**Affects:** This bill does not impact CCLD.

**Subject:** State Agencies: Fingerprinting Vendors

**Summary:** SB 473 prohibits a state agency that requires fingerprinting for any non-law-enforcement purpose from requiring the use of specific Live Scan providers certified by the Department of Justice. It also authorizes state agencies to identify on their web sites a list of certified Live Scan providers and provide a link to the Department of Justice's web site that lists all Live Scan providers.