

AB 346 INTERIM LICENSING STANDARDS

TITLE 22: SOCIAL SECURITY DIVISION 6: LICENSING OF COMMUNITY CARE FACILITIES CHAPTER 1: GENERAL LICENSING REQUIREMENTS

Amend Chapter 1, Article 1, Section 80001 to read:

80001

DEFINITIONS

80001

(a) – (f) Continued

~~(g)(1) “Group Home” means any facility of any capacity which provides 24-hour care and supervision to children in a structured environment with such services provided at least in part by staff employed by the licensee. The care and supervision provided by a group home shall be nonmedical except as permitted by Welfare and Institutions Code Section 17736(b).~~

(1) “Group home,” as defined in [Health and Safety Code section 1502\(a\)\(13\)](#), means a residential facility that provides 24-hour care and supervision to children, delivered at least in part by staff employed by the licensee in a structured environment. The care and supervision provided by a group home shall be nonmedical, except as otherwise permitted by law.

(h) – (z) (Continued)

Note: 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 1502(a)(8), 1502.35, 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 17736(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.

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TITLE 22: SOCIAL SECURITY DIVISION 6: LICENSING OF COMMUNITY CARE FACILITIES CHAPTER 5: GROUP HOMES

Amend Chapter 5, Article 1, Section 84001 to read:

84001

DEFINITIONS

84001

(a) (Continued)

~~(g) (1) "Group Home" means a facility which provides 24-hour care and supervision to children, provides services specified in this chapter to a specific client group, and maintains a structured environment, with such services provided at least in part by staff employed by the licensee. The care and supervision provided by a group home shall be nonmedical except as permitted by Welfare and Institutions Code Section 17736(b). Since small family and foster family homes, by definition, care for six or fewer children only, any facility providing 24-hour care for seven or more children must be licensed as a group home.~~

(1) "Group home," as defined in [Health and Safety Code section 1502\(a\)\(13\)](#), means a residential facility that provides 24-hour care and supervision to children, delivered at least in part by staff employed by the licensee in a structured environment. The care and supervision provided by a group home shall be nonmedical, except as otherwise permitted by law.

(h) – (q)

(r)(4) "Runaway and homeless youth shelter," as defined in [Health and Safety Code section 1502\(a\)\(14\)](#), means a group home licensed by the Department to operate a program pursuant to Section 1502.35 to provide voluntary, short-term, shelter and personal services to "runaway youth" or "homeless youth," as defined in Section 1502.35(a)(2). As used in the definition of "Runaway and homeless youth shelter," "short-term" means no more than 21 consecutive days from the date of admission.

(s) – (z) Cont'd

Note: Authority cited: Sections 1522.41(j), 1530, 1530.8 and 1530.9, Health and Safety Code; and Section 17730, Welfare and Institutions Code. Reference: Sections 1501, 1502, 1502.35, 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, 17731, 17732.1, 17736(a) and 17736(b), Welfare and Institutions Code; and 45 CFR Section 1351.1(k).

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TITLE 22: SOCIAL SECURITY DIVISION 6: LICENSING OF COMMUNITY CARE FACILITIES CHAPTER 5: GROUP HOMES

Add "Subchapter 5" in Chapter 5, in Division 6.

SUBCHAPTER 5. RUNAWAY AND HOMELESS YOUTH SHELTERS

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TITLE 22: SOCIAL SECURITY DIVISION 6: LICENSING OF COMMUNITY CARE FACILITIES CHAPTER 5: GROUP HOMES

Add the "Table of Contents" for Runaway and Homeless Youth Shelters in new "Subchapter 5" in Chapter 5, in Division 6, to read:

SUBCHAPTER 5: RUNAWAY AND HOMELESS YOUTH SHELTERS

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Adopt Subchapter 5, Article 1, and Section 84500 to read:

SUBCHAPTER 5. RUNAWAY AND HOMELESS YOUTH SHELTERS

Article 1. GENERAL REQUIREMENTS

84500

General

84500

(a) Runaway and homeless youth shelters, as defined in section 84501(r)(1), shall be governed by the provisions specified in this subchapter.

(b) Unless otherwise specified in this subchapter and as stated below in (c) and (d), the provisions of Title 22, Chapter 1, General Licensing Requirements, and Chapter 5, Group Homes, shall apply to runaway and homeless youth shelters.

(c) The following sections of Title 22, Chapter 1, General Licensing Requirements, and Chapter 5, Group Homes, shall not apply to runaway and homeless youth shelters.

(1) Sections 80068.2 and 84068.2, Needs and Services Plan.

(2) Sections 80068.3 and 84068.3, Modifications to Needs and Services Plan.

(3) Section 80069, Client Medical Assessment.

(4) Section 84067, Reasonable and Prudent Parent Standard.

(5) Section 84069.1, Immunizations.

(6) Section 84072.1, Discipline Policies and Procedures.

(7) Section 84079, Planned Activities.

(d) Subchapter 3, Emergency Intervention in Group Homes shall apply to runaway and homeless youth shelters, with the exception of Article 3, Section 84322.2, Runaway Plan.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502, 1502.35, 1530, and 1531, Health and Safety Code.

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Adopt Section 84501 to read:

84501

DEFINITIONS

84501

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

(a)-(g) (Reserved)

(h)(1) "Homeless youth," as defined in [Health and Safety Code section 1502.35\(a\)\(2\)\(A\)](#), means a youth 12 to 17 years of age, inclusive, or 18 years of age if the youth is completing high school or its equivalent, who is need of services and without a place of shelter.

(i)-(o) (Reserved)

(p)(1) "Planned discharge" means a runaway youth or homeless youth is leaving the runaway and homeless youth shelter with the knowledge of shelter staff under circumstances that include, but are not limited to:

(A) The runaway youth or homeless youth no longer wishes to receive shelter and services at the runaway and homeless youth shelter.

(B) The runaway youth or homeless youth has stayed the maximum number of consecutive days allowable under Section 84568.4(e).

(C) The runaway youth or homeless youth has been reconnected with his or her family or non-relative extended family member(s), including an authorized representative, as defined in Section 80001(a)(7).

(D) The runaway youth or homeless youth is entering or re-entering the child welfare system.

(q) (Reserved)

(r)(1) "Runaway and homeless youth shelter" as defined in [Health and Safety Code section 1502\(a\)\(14\)](#), means a group home licensed by the Department to operate a program pursuant to Section 1502.35 to provide voluntary, short term, shelter and personal services to "runaway youth" or "homeless youth," as defined in Section 1502.35(a)(2). As used in the definition of "Runaway and homeless youth shelter," "short-term" means no more than 21 consecutive days from the date of admission.

(2) "Runaway youth," as defined in [Health and Safety Code section 1502.35\(a\)\(2\)\(B\)](#), means a youth 12 to 17 years of age, inclusive, or 18 years of age if the youth is completing high school or its equivalent, who absents himself or herself from home or

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place of legal residence without the permission of his or her family, legal guardian, or foster parent.

(s)-(z) (Reserved)

Note: Authority cited: Sections 1502, 1502.35, and 1530, Health and Safety Code.
Reference: Sections 1501, 1502, 1502.35, and 1530, Health and Safety Code

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Adopt Article 2, Section 84505.1 to read:

Article 2. Licensing

84505.1 RUNAWAY AND HOMELESS YOUTH SHELTER LICENSE 84505.1 REQUIREMENTS

(a) Pursuant to [Health and Safety Code section 1502.35\(a\)\(6\)](#), a runaway and homeless youth shelter shall be organized and operated on a nonprofit basis by a private nonprofit corporation or nonprofit organization, or a public agency.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Section 1502.35 and 1531, Health and Safety Code.

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Adopt Section 84513 to read:

84513

TWO PHYSICAL LOCATIONS

84513

(a) A runaway and homeless youth shelter that meets the requirements of the [Health and Safety Code section 1502.35\(j\)](#), and is operating in two physical locations on or before January 1, 2013, with only one physical location providing overnight residential care, may retain its two physical locations and be issued a license for each physical location.

Note: Authority cited: 1502.35, Health and Safety Code. Reference: 1502.35, Health and Safety Code.

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Adopt Article 3, Section 84518 to read:

Article 3. Application Procedures

84518

APPLICATION FOR LICENSE

84518

(a) Section 80018 Application for License, and Section 84018, Application for License shall apply to runaway and homeless youth shelters except for subdivision (b)(3) of Section 84018.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1520, Health and Safety Code.

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Adopt Section 84522 to read:

84522

PLAN OF OPERATION

84522

(a) Section 80022, Plan of Operation shall apply to runaway and homeless youth shelters except for subdivisions (b)(3), (b)(11), (b)(12) and (g).

(b) Section 84022, Plan of Operation shall apply to runaway and homeless youth shelters except for subdivisions (b)(1) and (b)(2), inclusive.

(c) The plan of operation shall also contain the following:

(1) A statement indicating that the runaway and homeless youth shelter intends to serve runaway youth and homeless youth, including youth at risk of becoming homeless.

(2) Description of the services, including personal services, to be provided by the runaway and homeless youth shelter.

(3) Procedures for determining whether a runaway youth or homeless youth seeking admission to the runaway and homeless youth shelter poses a threat to himself, herself or others as required in Section 84568(c).

(4) Procedures for assisting runaway youth or homeless youth in securing long-term stability, in accordance with [Health and Safety Code Section 1502.35\(e\)](#).

HANDBOOK BEGINS HERE

[Health and Safety Code Section 1502.35\(e\)](#) provides:

“The shelter shall establish procedures to assist youth in securing long-term stability that includes all of the following:

(1) Reconnecting the youth with his or her family, legal guardian, or nonrelative extended family members when possible to do so.

(2) Coordinating with appropriate individuals, local government agencies, or organizations to help foster youth secure a suitable foster care placement.”

HANDBOOK ENDS HERE

(5) Description of the needs assessment to be conducted for each runaway youth and homeless youth within 72 hours of admission, as specified in Section

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84568(e), including procedures for reviewing and evaluating the needs assessment for each runaway youth and homeless youth.

(6) House rules, including policies on the use of cellular telephones, other internet enabled devices (such as laptop computers and tablets), and other personal property, which the licensee expects runaway youth and homeless youth to follow as conditions of staying and receiving services at the runaway and homeless youth shelter.

(7) Policies and procedures for a runaway youth's or homeless youth's removal and/or discharge as specified in 84568.4.

(8) A statement of whether or not the licensee will handle the money, personal property, and/or valuables of runaway youth and homeless youth. If money, personal property, and/or valuables will be handled, the method for safeguarding shall ensure compliance with Sections 80025 and 84526.

(d) Any changes in the plan of operation which affect the services to runaway youth and homeless youth shall be subject to licensing agency approval and shall be reported as specified in Section 84561.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35, 1520, and 1531, Health and Safety Code.

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Adopt Section 84526 to read:

84526 **SAFEGUARDS FOR CASH RESOURCES, PERSONAL** **84526**
PROPERTY, AND VALUABLES

(a) Section 80026, Safeguards for Cash Resources, Personal Property, and Valuables shall apply to runaway and homeless youth shelters except for subdivisions (a), (b), (h), and (k).

(b) Section 84026, Safeguards for Cash Resources, Personal Property, and Valuables, shall not apply to runaway and homeless youth shelters.

(c) A runaway youth or homeless youth shall have control of his or her cash resources, personal property, and valuables unless he or she entrusts them to the licensee, pursuant to the runaway and homeless youth shelter's house rules.

(d) If the cash resources, personal property, and valuables of a youth are entrusted to the licensee, the runaway and homeless youth shelter, in addition to following the applicable requirements in Section 80026, shall:

(1) Prepare an itemized list at the time the runaway youth or homeless youth entrusts the items to the licensee.

(2) Provide a copy of the itemized list to the runaway youth or homeless youth at his or her request.

(2) Return all items to the runaway youth or homeless youth at his or her request, or during a planned discharge, as defined in Section 84501(p)(1). Items may also be surrendered to a person designated by the runaway youth or homeless youth.

(3) Allow the runaway youth or homeless youth, or his or her designee, the opportunity to inspect the itemized list to ensure that all items are returned or surrendered.

(4) Obtain a receipt signed and dated by the runaway youth or homeless youth, or his or her designee, when returning or surrendering items.

(5) Retain cash resources, personal property and valuables left behind by a runaway youth or homeless youth for a minimum of 30 days when a runaway youth or homeless youth leaves the runaway and homeless youth shelter without notifying staff, or if a runaway youth or homeless youth does not receive personal property and valuables during discharge.

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(6) Maintain accurate records of the cash resources, personal property, and valuables, including itemized lists and receipts.

(A) Keep a copy of the itemized list in the runaway youth's records or homeless youth's records, as specified in Section 84570(b)(10).

(B) Retain records of cash resources, personal property, and valuables for a minimum of three years.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1531 and 1560 Health and Safety Code.

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Adopt Section 84528 to read:

84528

CAPACITY DETERMINATION

84528

(a) In addition to Section 80028, Capacity Determination, a runaway and homeless youth shelter shall have a maximum licensed capacity of 25.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1531, Health and Safety Code.

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Adopt Article 4, Section 84544 to read:

Article 4. Administrative Actions

84544 **INSPECTION AUTHORITY OF THE LICENSING AGENCY** **84544**

(a) Section 80044, Inspection Authority of the Licensing Agency shall apply to runaway and homeless youth shelters, except for subdivisions (b), inclusive, and (c), inclusive.

(b) The licensing agency shall have the authority to interview runaway youth, homeless youth, volunteers, and staff without prior consent.

(1) The licensee shall ensure that provisions are made for private interviews.

(c) The licensing agency shall have the authority to inspect, audit, and copy runaway youth and homeless youth or runaway and homeless youth shelter records upon demand during normal business hours. Records may be removed if necessary for copying. Removal of records shall be subject to the requirements specified in Sections 80066(c) and 84570(e).

(1) The licensee shall ensure that provisions are made for the examination of all records relating to the operation of the runaway and homeless youth shelter.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1526.5, 1531, 1533, 1534 and 1538, Health and Safety Code.

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Adopt Article 6, Section 84561 to read:

Article 6. Continuing Requirements

84561

REPORTING REQUIREMENTS

84561

(a) Section 80061, Reporting Requirements, shall not apply to runaway and homeless youth shelters.

(b) Section 84061, Reporting Requirements shall apply to runaway and homeless youth shelters, except subdivisions (a); (b), inclusive; (c), (d), (h)(1-5) and (h)(7).

(c) The licensee or runaway and homeless youth shelter staff shall report to the licensing agency when any of the following incidents occur:

(1) Any death of a runaway or homeless youth while residing at the runaway and homeless youth shelter from any cause.

(2) Any suspected physical or psychological abuse of a runaway youth or homeless youth.

(3) Any injury to or illness of a runaway youth or homeless youth that requires medical treatment or hospitalization.

(4) Any unusual incident that involves a runaway youth or homeless youth and threatens the physical or emotional health or safety of the youth or anyone in the runaway and homeless youth shelter.

(5) Poisonings, which shall also be reported immediately to the local fire authority. In areas not having organized fire services, a report shall be made to the State Fire Marshal within 24 hours after the event occurs.

(6) Fires or explosions which occur in or on the premises.

(7) Epidemic outbreaks, which shall also be reported to the local health officer when appropriate pursuant to Title 17, California Administrative Code, Section 2500.

(8) Catastrophes.

(d) Upon occurrence of any of the events specified in subsection 84561(c)(1) through (c)(8), an initial report shall be made by telephone, e-mail, or fax to the licensing agency within the next business day.

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(e) In addition to the initial report required in 84561(d) above, the licensee or runaway and homeless youth shelter staff shall submit a written report to the licensing agency when any of the events specified in subsection 84561(c)(1) through (c)(8) occur and the initial report was made by phone or did not include all of the information required on the written report. This written report shall be submitted within 7 calendar days after the event occurs and include the following information:

(1) If known, the name, age, and sex, of the runaway youth or homeless youth, and the date the runaway youth or homeless youth was admitted to the runaway and homeless youth shelter.

(2) Date and nature of the incident.

(3) Action taken by the licensee or runaway and homeless youth shelter staff in response to the incident.

(4) Attending physician's name, findings, and treatment, if any.

(5) Current status of the incident.

(6) When the incident report is used to report the use of manual restraints, the report must include the requirements contained in Section 84061(h)(6).

(f) Effective January 1, 2015, the licensee shall comply with the reporting requirements in Health and Safety Code Section 1538.7(a).

(g) The following items shall be reported to the licensing agency within 10 working days following the occurrence.

(1) Any change of licensee, including but not limited to the following when the licensee is a corporation:

(A) Sale or transfer of the majority of stock.

(B) Separating from a parent company.

(C) Merger with another company.

(2) Any change in the licensee's or applicant's mailing address.

(3) Any change of the chief executive officer of a corporation or association.

(A) Such notification shall include the new chief executive officer's name and address.

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(B) Fingerprints shall be submitted as specified in Section 80019(d).

(4) Any changes in the plan of operation which affect the services to runaway youth and homeless youth.

(h) The licensee shall maintain a monthly written report, available to the Department upon request, containing the following information:

(1) Total number of runaway youth and homeless youth served per month.

(2) Age of each runaway youth and homeless youth served.

(3) Length of stay of each runaway youth and homeless youth served.

(4) Number of times a runaway youth or homeless youth accesses the runaway and homeless youth shelter and services at the runaway and homeless youth shelter.

Note: Authority cited: Sections 1502.35, 1522.41 and 1530, Health and Safety Code.
Reference: Sections 1501, 1502.35, 1538.7(a), 1522.41(b)(4), and 1531, Health and Safety Code.

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Adopt Section 84564 to read:

84564

ADMINISTRATOR QUALIFICATIONS AND DUTIES

84564

(a) Section 80064, Administrator Qualifications and Duties, and Section 84064, Administrator Qualifications and Duties shall apply to runaway and homeless youth shelters, except for subdivisions (d), inclusive; and (e), inclusive.

(b) The administrator of a runaway and homeless youth shelter shall meet one of the following requirements:

(1) Have a master's degree in a behavioral science from an accredited college or university, plus a minimum of one year of employment as a social worker, as defined in Section 80001(s)(5), in an agency serving children or in a group residential program for children.

(2) Have a bachelor's degree from an accredited college or university, plus at least one year of administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility.

(3) Have completed at least two years at an accredited college or university, plus at least two years administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility.

(4) Have completed high school, or equivalent, plus at least three years administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility.

(c) When the administrator of a runaway and homeless youth shelter is absent, there shall be coverage by a designated paid staff person.

Note: Authority cited: Sections 1502.35, 1522.41 and 1530, Health and Safety Code.
Reference: Sections 1501, 1522.41(b), 1531 and 1562, Health and Safety Code.

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Adopt Section 84565 to read:

84565

PERSONNEL REQUIREMENTS

84565

(a) Section 80065, Personnel Requirements, shall apply to runaway and homeless youth shelters except for subdivisions (c) and (m).

(b) Section 84065, Personnel Requirements, shall apply to runaway and homeless youth shelters, except for the following:

(1) Section 84065(c); (e), inclusive; and (o).

(2) Sections 84065(i)(3)(N) and (i)(3)(R) are not required training topics for runaway and homeless youth shelter staff.

(3) The first aid and Cardiopulmonary Resuscitation (CPR) training referred to in Section 84065(i)(6) shall be obtained from agencies, or persons qualified by agencies, including but not limited to the American Red Cross.

(c) Courses provided by the Runaway and Homeless Youth Training and Technical Assistance Center (RHYTTAC) may be used to satisfy the training requirements for runaway and homeless youth shelter staff and facility managers.

(1) In addition to the alternatives specified in Sections 84065(i)(4)(A) and 84065(j)(5)(A) staff of a runaway and homeless youth shelter may complete initial and annual training requirements through courses provided by RHYTTAC.

(2) In addition to the alternatives specified in Section 84065(k)(6)(A), facility managers of a runaway and homeless youth shelter may complete training requirements through courses provided by RHYTTAC.

(d) In addition, the following personnel requirements shall apply to runaway and homeless youth shelters.

(1) The licensee shall be permitted to utilize and count volunteers in the staff-to-youth ratio provided that the volunteer has satisfied the same training and other regulatory requirements as a paid staff member.

(A) A paid runaway and homeless youth shelter staff member shall be present during the time a volunteer is on duty.

(2) The licensee shall ensure provision of the services specified in Section 84565.2(b)(1) through (3) by qualified staff.

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(3) Upon employment, staff shall receive copies of the removal and/or discharge policies and procedures specified in Section 84568.4(b), the runaway and homeless youth shelter's house rules specified in Section 84522(c)(6), and the complaint procedures specified in Section 84572.2.

(4) All staff shall be instructed to report observations or evidence of violations of any of the personal rights specified in Section 84572.

(e) The licensee may employ facility managers and staff members who are younger than 21 years of age, in accordance with Health and Safety Code Section 1562(c), inclusive.

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Health and Safety Code Section 1562(c) provides in part:

(1) On and after October 1, 2014, each person employed as a facility manager or staff member of a group home, as defined in paragraph (13) of subdivision (a) of Section 1502, who provides direct care and supervision to children and youth residing in the group home shall be at least 21 years of age...

(3) For purposes of this subdivision, "group home" does not include a runaway and homeless youth shelter."

HANDBOOK ENDS HERE

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1531 and 1562, Health and Safety Code.

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Adopt Section 84565.2 to read:

84565.2 **PERSONNEL DUTIES**

84565.2

(a) Section 84065.2, Personnel Duties, shall apply to runaway and homeless youth shelters except for subdivisions (c), inclusive; and (e), inclusive.

(b) Qualified staff shall complete or assist in the completion of the following for each runaway youth and homeless youth:

(1) Admission procedures, as specified in Section 84568.

(2) A needs assessment of each runaway youth and homeless youth within 72 hours of admission, as specified in Section 84568(e).

(3) Removal and/or discharge procedures as specified in Section 84568.4

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1531, Health and Safety Code.

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Adopt Section 84565.5 to read:

84565.5 **STAFF/RUNAWAY YOUTH AND HOMELESS** **84565.5**
YOUTH RATIOS

(a) Sections 84065.5, Staff/Child Ratios, and 84065.7, Night Supervision, shall not apply to runaway and homeless youth shelters.

(b) There shall be at least one on-duty paid staff person present at all times in a runaway and homeless youth shelter for each group of 8 runaway youth and homeless youth, or fraction thereof.

(c) A volunteer may be counted in the staff-to-youth ratio if the volunteer has satisfied all the necessary training and clearance requirements, and a paid shelter staff member is present during the time a volunteer is on duty.

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Health and Safety Code Section 1502.35(a)(4) states:

“The shelter shall have a ratio of one staff person to every eight youths. For purposes of this paragraph, a volunteer may be counted in the staff-to-youth ratio if the volunteer has satisfied the same training requirements as a paid shelter staff member and other requirements as set forth in regulations, and a paid shelter staff member is present during the time a volunteer is on duty.”

HANDBOOK ENDS HERE

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1531, Health and Safety Code.

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Adopt Section 84568 to read:

84568

ADMISSION PROCEDURES

84568

(a) Sections 80068, Admission Agreements, and 84068.1, Intake Procedures, shall not apply to runaway and homeless youth shelters.

(b) The licensee shall develop, maintain, and implement admission procedures for a runaway and homeless youth shelter that meet the requirements specified in this section.

(c) Prior to admission runaway and homeless youth shelter staff shall evaluate each runaway youth and homeless youth to determine whether he or she poses a threat to himself, herself, or others in the runaway and homeless youth shelter. Runaway youth or homeless youth who are determined to pose such a threat shall not be admitted.

(1) A runaway youth or homeless youth who has been refused admittance into a runaway and homeless youth shelter is not precluded from being admitted to the runaway and homeless youth shelter at a later date if staff determines that said runaway youth or homeless youth no longer poses a threat to himself, herself or others in the runaway and homeless youth shelter.

(d) The licensee's designated staff shall conduct an individual admission process with each runaway youth and homeless youth seeking services from the runaway and homeless youth shelter. The admission process shall include:

(1) Access to the runaway and homeless youth shelter services on a 24-hour basis.

(2) The identification of the runaway youth's or homeless youth's emergency service needs, including the need for health-related services, and a plan for provision of the appropriate services to the runaway youth or homeless youth by qualified service providers, either directly or through referrals.

(3) An explanation of the services that are available and the expectations for participation, and the securing of voluntary consent from each runaway youth and homeless youth to participate in the runaway and homeless youth shelter's services. The explanation of requirements for participation shall include:

(A) Removal and/or discharge procedures specified in Section 84568.4.

(B) The runaway and homeless youth shelter's house rules, including policies on the use of cellular telephones, internet enabled devices (such

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as laptop computers and tablets), and other personal property.

(C) The personal rights specified in Section 84572.

(D) Complaint procedures specified in Section 84572.2.

(E) The runaway and homeless youth shelter's policy concerning family visits and other communication with youth, pursuant to Health and Safety Code Section 1512, as specified in Section 80022(b)(14).

(F) Notification that the licensee may disclose the name of the runaway youth or homeless youth to licensing representatives.

(4) The recording of the information as specified in Section 84570(b).

(5) The assignment of primary responsibility to one staff member for coordinating the services provided to each runaway youth and homeless youth.

(6) The documented attempt to contact the authorized representative, if known, of each runaway youth or homeless youth or appropriate authorities within no more than 72 hours following the runaway youth's or homeless youth's admission into the runaway and homeless youth shelter.

(e) Runaway and homeless youth shelter staff is not required to conduct a needs assessment of a runaway youth or homeless youth prior to admission into the runaway and homeless youth shelter; however a needs assessment of the runaway youth or homeless youth must be conducted within 72 hours of admission. The needs assessment shall include all of the following:

(1) Identification of resources available to support the runaway youth or homeless youth in securing long-term stability.

(2) Identification of family, legal guardian, or nonrelative extended family members to support the runaway youth or homeless youth in reconnecting with those individuals when possible and appropriate to do so.

(3) Identification of appropriate individuals, local government agencies, or organizations to help foster youth secure a suitable foster care placement.

(f) Pursuant to Health and Safety Code section 1524.7, the licensee shall provide each runaway youth and homeless youth with a Telecommunications Device Notification form (LIC 9158, 11/04), notifying the runaway youth or homeless youth that he or she is entitled to obtain services and equipment from the telephone company.

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Health and Safety Code Section 1524.7 states:

The State Department of Social Services shall provide to residential care facilities a form, which the residential care facility shall attach to each resident admission agreement, notifying the resident that he or she is entitled to obtain services and equipment from the telephone company. The form shall include the following information:

“Any hearing or speech impaired, or otherwise disabled resident of any residential care facility is entitled to equipment and service by the telephone company, pursuant to Section 2881 of the Public Utilities Code, to improve the quality of their telecommunications. Any resident who has a declaration from a licensed professional or a state or federal agency pursuant to Section 2881 of the Public Utilities Code that he or she is hearing or speech impaired, or otherwise disabled should contact the local telephone company and ask for assistance in obtaining this equipment and service.”

This section shall not be construed to require, in any way, the licensee to provide a separate telephone line for any resident.

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Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35, 1512, 1524.7 and 1531, Health and Safety Code.

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Adopt Section 84568.4 to read:

84568.4 REMOVAL AND/OR DISCHARGE PROCEDURES 84568.4

(a) Section 84068.4, Removal and/or Discharge Procedures shall not apply to runaway and homeless youth shelters.

(b) The licensee shall develop, maintain and implement written policies and procedures governing a runaway youth's or homeless youth's removal and/or planned discharge from the runaway and homeless youth shelter.

(1) Runaway youth and homeless youth shall receive a copy of such policies and procedures.

(2) Signed copies of such policies and procedures shall be maintained in the runaway youth's or homeless youth's record, as specified in Section 84570(b)(9).

(3) The licensee shall post these written policies and procedures in the runaway and homeless youth shelter.

(c) Nothing in this Section is intended to prevent the runaway youth's or homeless youth's removal from the runaway and homeless youth shelter under emergency circumstances by an authorized person or agency. Emergency circumstances include, but are not limited to, the following:

(1) Removal by law enforcement officers when a runaway youth or homeless youth is arrested.

(2) Removal by shelter staff becomes necessary because the health and safety of the runaway youth or homeless youth or of others in the runaway and homeless youth shelter is endangered by the continued presence of the runaway youth or homeless youth in the runaway and homeless youth shelter.

(3) Removal by shelter staff, emergency medical personnel, or health care professionals for emergency medical or psychiatric care.

(d) If a runaway youth or homeless youth is removed or discharged, the licensee shall include the date of and reason for discharge or removal in a runaway youth's or homeless youth's record, as specified in Section 84570(b)(8).

(e) A runaway and homeless youth shelter may not provide services to a runaway youth or homeless youth for more than 21 consecutive days from the date of admission.

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Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1531, Health and Safety Code.

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Adopt Section 84570 to read:

84570 RUNAWAY YOUTH AND HOMELESS YOUTH RECORDS 84570

(a) Sections 80070, Client Records and 84070, Children's Records, shall not apply to runaway and homeless youth shelters.

(b) The licensee shall ensure that a separate, complete, and current record is maintained in the runaway and homeless youth shelter for each runaway youth and homeless youth that includes:

(1) The name of, and/or a unique identifier for, the runaway youth or homeless youth, birth date, and date of admission to the runaway and homeless youth shelter.

(A) The use of a unique identifier instead of a name does not preclude licensing representatives from obtaining the name of a runaway youth or homeless youth from the licensee.

(2) Information on the services provided to the runaway youth or homeless youth, both directly and through referrals, and any additional case notes.

(3) Name, addresses, and telephone numbers of the authorized representative, if identified by the runaway youth or homeless youth.

(4) Name, address and telephone number of physician, dentist, and other medical and mental health providers, if identified by the runaway youth or homeless youth.

(5) Record of any emergency health-related services provided pursuant to Section 84568(d)(2).

(6) Record of current medications, including the name of the prescribing physician, and instructions, if identified by the youth.

(7) Needs assessment, as specified in Section 84568(e).

(8) Date of removal or discharge as specified in Section 84568.4(d) and the outcome of the runaway youth's or homeless youth's case, if known (e.g., returned home, entered the child welfare system, reached the maximum number of consecutive days he or she is allowed to receive services at the runaway and homeless shelter).

(9) If the cash resources, personal property, and valuables of the runaway youth

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or homeless youth are entrusted to the licensee, an itemized inventory list of these items as specified in Section 84526.

(10) The signed copy of the written removal and/or planned discharge policies and procedures as specified in Section 84568.4(b).

(c) All information and records obtained from or regarding runaway youth and homeless youth shall be confidential and the licensee shall be responsible for safeguarding the confidentiality of record contents.

(d) Except as specified in Section 84570(e) and (f) or as otherwise authorized by law, the licensee and all employees shall not reveal or make available confidential information.

(e) All records for a runaway youth or homeless youth shall be available to the licensing agency to inspect, audit, and copy upon demand during normal business hours. Records may be removed if necessary for copying. Removal of records shall be subject to the following requirements:

(1) The licensing representative shall not remove the following records for a runaway youth or homeless youth currently receiving services at the runaway and homeless youth shelter unless the same information is readily available in another document or format:

(A) Name, addresses, and telephone number of the authorized representative, if identified by the runaway youth or homeless youth, as specified in Section 84570(b)(3).

(B) Name, address and telephone number of physician, dentist, and other medical and mental health providers, if identified by the runaway youth or homeless youth, as specified in Section 84570(b)(4).

(C) Record of any emergency health-related services provided as specified in Section 84570(b)(5).

(E) Record of current medications as specified in Section 84570(b)(6)

(D) Needs assessment, as specified in Section 84570(b)(7).

(2) Prior to removing any records, the licensing representative shall prepare a list of the records to be removed, sign and date the list upon removal of the records, and leave a copy of the list with the administrator or designee.

(3) Licensing representatives shall return the records to the runaway and homeless youth shelter undamaged and in good order within three business days

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following the date the records were removed.

(4) The licensing agency shall keep all records confidential in accordance with applicable laws.

(f) A runaway youth or homeless youth shall have access to his or her records maintained by the licensee in a manner that ensures the confidentiality of other records maintained in the runaway and homeless youth shelter.

(g) Original records or photographic reproductions shall be retained for at least three years following termination of service to the runaway youth or homeless youth.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1531, Health and Safety Code.

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Adopt Section 84571 to read:

84571

REGISTER OF CLIENTS

84571

(a) Section 80071, Register of Clients, shall not apply to runaway and homeless youth shelters.

(b) A licensee shall maintain a register of all runaway youth and homeless youth currently receiving overnight residential care. The register shall be immediately available to, and copied for, licensing representatives and must contain the following:

(1) The name and ambulatory status of each runaway youth and homeless youth.

(2) The name, address and telephone number of each runaway youth's and homeless youth's physician as specified in Section 84570(b)(4).

(3) Authorized representative information as specified in Section 84570(b)(3).

(c) The licensee shall protect the privacy of the information kept in the register.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Section 1557.5, Health and Safety Code.

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Adopt Section 84572 to read:

84572

PERSONAL RIGHTS

84572

(a) Sections 80072, Personal Rights and 84072, Personal Rights, shall not apply to runaway and homeless youth shelters.

(b) The licensee shall ensure that each runaway youth or homeless youth is accorded the following personal rights:

(1) To be free from corporal or unusual punishment; infliction of pain; humiliation; intimidation; ridicule; coercion; threat; physical, sexual, mental, or other abuse; or other actions of a punitive nature including, but not limited to, interference with the daily living functions of eating, sleeping, or toileting, or withholding of shelter, clothing, medication, or aids to physical functioning.

(2) To acquire, possess, maintain, and use adequate personal items. These shall include, but not be limited to, the runaway youth's or homeless youth's own:

(A) Clothes.

(B) Toiletries and personal hygiene products.

(3) To select and obtain food of the runaway youth's or homeless youth's own choosing.

(4) To file a complaint with the runaway and homeless youth shelter, as specified in Section 84572.2, Complaint Procedures and to contact the Community Care Licensing Division of the California Department of Social Services, and to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.

(5) To have confidential communications, unless prohibition is necessary for the protection of the runaway youth or homeless youth or other runaway youth or homeless youth in the facility, and as specified in the runaway and homeless youth shelter's house rules. These confidential communications include:

(A) Sending and receiving unopened mail.

(B) Making and receiving confidential telephone calls.

(C) Sending and receiving unopened electronic communication, if the runaway and homeless youth shelter provides access to a computer.

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(6) To leave the runaway and homeless youth shelter at any time at his or her discretion.

(7) Not to be restrained or placed in any restraining device.

(8) To have dignity in his or her personal relationships with others in the runaway and homeless youth shelter.

(9) To be free from unreasonable searches of his or her person or personal belongings.

(10) To have private or personal information including, but not limited to, any medical condition or treatment, psychiatric diagnosis or treatment, history of abuse, educational records reflecting performance or behavior, progress at the facility, and information relating to the family of the runaway youth or homeless youth maintained in confidence in accordance with applicable law.

(11) To request assistance from runaway and homeless youth shelter staff.

(12) To have fair and equal access to services, care, and treatment provided by the runaway and homeless youth shelter, and not be subject 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.

(13) To be informed of the runaway and homeless youth shelter's policy concerning family visits and other communication with runaway youth and homeless youth, pursuant to Health and Safety Code Section 1512, as specified in Section 80022(b)(14).

(c) Nothing in this section shall be interpreted to require a licensee to permit or to take any action that would infringe on the rights of others or impair the health and safety of the runaway youth or homeless youth or others in the runaway and homeless youth shelter.

(1) The licensee is not prohibited from taking the following actions for the protection of the runaway youth or homeless youth or others in the runaway and homeless youth shelter:

(A) Establishing house rules that include, but are not limited to, rules regarding visitation that shall apply to all visitors.

(B) Locking exterior doors and windows as long as the runaway youth or homeless youth can enter or exit the runaway and homeless youth shelter.

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(d) At the time of admission, the licensee shall ensure that the runaway youth or homeless youth is verbally notified of the rights specified in this section and provided with a written copy of these rights and information regarding agencies the runaway youth or homeless youth may contact concerning violations of these rights, as specified in Section 84568(d)(3).

(1) The licensee shall post these written rights in the runaway and homeless youth shelter.

Note: Authority cited: Sections 1502.35, 1530 and 1531 Health and Safety Code.
Reference: Sections 1501 and 1531, Health and Safety Code; and Section 51, Civil Code; and Section 12921, Government Code.

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Adopt Section 84572.2 to read:

84572.2 COMPLAINT PROCEDURES

84572.2

(a) Section 84072.2, Complaint Procedures shall not apply to runaway and homeless youth shelters.

(b) The licensee of a runaway and homeless youth shelter shall develop, maintain and implement written complaint procedures by which runaway youth and homeless youth, and their authorized representatives, are permitted to file complaints, without fear of retaliation, with the administrator regarding runaway and homeless youth shelter staff or operations.

(1) Staff and runaway youth and homeless youth shall receive copies of such procedures, as specified in Sections 84565(c)(3) and 84568(d)(3)(D).

(2) Such procedures shall be posted in a location in the runaway and homeless youth shelter that is accessible to runaway youth and homeless youth and the public.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35, 1531, 1538 and 1539, Health and Safety Code.

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Adopt Section 84573 to read:

84573

TELEPHONES AND INTERNET SERVICE

84573

(a) In addition to Section 80073, Telephones, the following shall apply:

(1) At all times, telephone service shall be readily accessible to a runaway youth or homeless youth in a runaway or homeless shelter.

(2) If the licensee subscribes to an Internet service, it shall be readily accessible to a runaway youth or homeless youth in the runaway and homeless youth shelter.

(3) A runaway youth or homeless youth may use their own cellular telephone or internet enabled device, such as a tablet or laptop computer, pursuant to the runaway and homeless youth shelter's house rules.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, and 1531, Health and Safety Code.

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Adopt Section 84574 to read:

84574

TRANSPORTATION

84574

(a) In addition to Sections 80074 and 84074, Transportation, the following shall apply:

(1) The licensee shall permit and assist a runaway youth or homeless youth to arrange his or her own transportation.

(2) The runaway and homeless youth shelter is not obligated to pay for a runaway youth's or homeless youth's transportation.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

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Adopt Section 84575 to read:

84575

HEALTH-RELATED SERVICES

84575

(a) Sections 80075, Health-Related Services, and 84075, Health-Related Services, shall not apply to runaway and homeless youth shelters.

(b) The licensee shall:

(1) Ensure that each runaway youth or homeless youth receives necessary first aid or emergency medical, dental, vision, and mental health care, and related services. Such services shall be rendered by an appropriate licensed medical professional operating within his/her scope of practice if required by applicable law.

(2) Ensure that a runaway youth or homeless youth has access to first aid supplies appropriate to his or her needs and privacy for first aid treatment of minor injuries.

(3) Provide an isolation room or area that shall be used where separation from others is required to prevent the spread of a communicable disease.

(c) Staff responsible for providing direct care and supervision shall receive training in first aid and CPR as specified in Section 84565(b)(6).

(d) If the runaway and homeless youth shelter has no medical unit on the grounds, first aid supplies shall be maintained and be readily available in a central location in the runaway and homeless youth shelter.

(1) The first aid supplies shall include, at least, the following:

(A) A current edition of a first aid manual approved by the American Red Cross, the American Medical Association or a state or federal health agency.

(B) Sterile first aid dressings.

(C) Bandages or roller bandages.

(D) Adhesive tape.

(E) Scissors.

(F) Tweezers.

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(G) Thermometers.

(H) Antiseptic solution.

(e) The following requirements shall apply to medications that are centrally stored by the runaway and homeless youth shelter:

(1) Medication shall be kept in a safe and locked place that is not accessible to persons other than employees responsible for the supervision of the centrally stored medication.

(2) Each container of prescription medication stored shall identify the following:

(A) The name of the runaway youth or homeless youth for whom the medication is prescribed.

(B) The name of the prescribing physician.

(C) The drug name, strength and quantity.

(D) The date filled.

(E) The prescription number and the name of the issuing pharmacy.

(F) Expiration date.

(G) Number of refills.

(H) Instructions, if any, regarding control and custody of the medication

(3) All medications shall be labeled and maintained in compliance with label instructions and state and federal laws.

(4) No person other than the dispensing pharmacist shall alter a prescription label.

(5) Each runaway youth's or homeless youth's medication shall be stored in its originally received container.

(6) No medications shall be transferred between containers.

(7) The licensee shall maintain a medication log, which is retained for three years, that includes:

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(A) The name or unique identifier of the runaway youth or homeless youth receiving the medication.

(B) The date and time the medication was taken.

(C) The type of medication and dosage taken.

(f) Prescription medications that are not taken with the runaway youth or homeless youth upon termination of services, or which are not to be retained, shall be destroyed by the administrator, or a designated substitute, and one other adult, who is not a client.

(1) Both shall sign a record, to be retained for at least one year, which lists the following:

(A) Name of the runaway youth or homeless youth.

(B) The prescription number and the name of the pharmacy.

(C) The drug name, strength and quantity destroyed.

(D) The date of destruction.

(g) The licensee is encouraged to partner with a local health care clinic or providers to meet (b).

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1507, 1507.25, 1530 and 1531, Health and Safety Code.

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Adopt Section 84576 to read:

84576

FOOD SERVICE

84576

(a) Sections 80076 and 84076, Food Service, shall not apply to runaway and homeless youth shelters.

(b) The licensee shall provide or ensure at least three nutritious meals per day, have snacks available between meals, provide food as necessary, and meet any special dietary needs documented during the admission or needs assessment of a runaway youth or homeless youth, unless the physician of the runaway youth or homeless youth advises otherwise.

(1) The quantity and quality of food available in the runaway and homeless youth shelter shall be equally available to each runaway youth or homeless youth.

(c) A runaway youth or homeless youth shall be invited to participate in all meals at the runaway and homeless youth shelter.

(d) To the extent of his or her ability and as agreed upon with the administrator, facility manager, or their designee, runaway youth and homeless youth may have the opportunity to plan meals, grocery shop, and store and prepare food.

(1) A runaway youth or homeless youth may have access to all meal preparation areas, appliances, and utensils for meal preparation.

(2) A runaway youth or homeless youth shall not be required to prepare meals for others.

(e) The licensee shall meet the following food supply and storage requirements:

(1) Freezers shall be large enough to accommodate required perishables and shall be maintained at a temperature of zero degrees F (-17.7 degrees C).

(2) Refrigerators shall be large enough to accommodate required perishables and shall maintain a maximum temperature of 45 degrees F (7.2 degrees C).

(3) Freezers and refrigerators shall be kept clean, and food storage shall permit the air circulation necessary to maintain the temperatures specified in (2) and (3) above.

(4) Supplies of nonperishable foods for emergencies shall be maintained on the premises.

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Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

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Adopt Section 84577 to read:

84577

PERSONAL SERVICES

84577

(a) Section 84077, Personal Services shall apply to runaway and homeless youth shelters except for subdivisions(a)(2) and (a)(3).

(b) The licensee or runaway and homeless youth shelter staff may provide access to information and services, or through other service providers, to assist a runaway youth or homeless youth in preparing for available vocational and postsecondary educational options. These may include, but are not limited to:

(1) Admission criteria for universities, community colleges, trade or vocational schools and financial aid information for these schools.

(2) Informational brochures on postsecondary or vocational schools/programs.

(3) College campus tours.

(4) Internet research on postsecondary or vocational schools/programs, sources of financial aid, independent living skills program offerings, and other local resources to assist youth.

(5) School-sponsored events promoting postsecondary or vocational schools/programs.

(6) Financial aid information, including information about federal, state and school-specific aid, state and school-specific scholarships, grants and loans, and contact information for the Student Aid Commission.

(7) Requirements for trade, vocational, or professional careers.

(8) Informational brochures on employment-related programs.

(9) Internet research on trade, vocational, or professional career options.

(10) Community-sponsored events promoting volunteerism, internships, or employment.

(11) Salary information for trade, vocational, or professional careers.

(12) Requirements for participation in Transitional Independent Living Programs.

(13) Information on the risks of sex and labor trafficking.

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(14) Information on the risks of employment scams or illicit employment.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

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Adopt Section 84578 to read:

84578

RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION AND PERSONAL SERVICES

84578

(a) Sections 80078, Responsibility for Providing Care and Supervision and 84078, Responsibility for Providing Care and Supervision, shall not apply to runaway and homeless youth shelters.

(b) Licensees shall ensure that runaway youth and homeless youth are provided nonmedical care and supervision and personal services as set forth in Health and Safety Code section 1502.35 and this subchapter.

(c) The licensee or runaway and homeless youth shelter staff may assist a runaway youth or homeless youth with developing the skills necessary for self-sufficiency. These skills may include, but are not limited to, the following:

(1) Financial literacy.

(2) Nutrition and healthy food choices, grocery shopping, food and meal preparation.

(3) Identifying a suitable home and home maintenance.

(4) Educational and career development.

(5) Obtaining medical, dental, vision, and mental health care.

(6) Access to community resources.

(7) Developing and reaching goals.

(8) Self-care, including performing the youth's own laundry, including but not limited to washing, drying, and ironing his or her personal clothing.

(9) Drug and alcohol abuse awareness and prevention.

(10) Safe sex and reproductive health information.

(11) Awareness of risks of sex and labor trafficking.

(d) A runaway youth or homeless youth shall not be required to act as a substitute for required staff, but shall be permitted, as a voluntary part of his or her activities, to

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participate in household duties and other tasks at the runaway and homeless youth shelter suited to his or her needs and abilities.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

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Adopt Article 7, Section 84587 to read:

Article 7. Physical Environment

84587

BUILDINGS AND GROUNDS

84587

(a) Section 80087, Building and Grounds, shall apply to runaway and homeless youth shelters except for subdivision(h).

(b) Section 84087, Building and Grounds shall apply to runaway and homeless youth shelters except for subdivisions(b)(1) and (b)(3).

(c) Runaway youth and homeless youth may share a bedroom with runaway youth and homeless youth of the opposite gender, or the gender they self-identify as, provided that supervision and privacy measures are adequate to ensure the privacy, and the health and safety, of each runaway youth and homeless youth. Privacy measures may include, but are not limited to, curtains and dressing screens.

(d) Medications shall be stored as specified in Section 84575(e) and separately from other items specified in Section 80087(g).

(e) A runaway and homeless youth shelter shall not have security window bars unless they meet current state and local requirements, as applicable, for security window bars and safety release devices.

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Health and Safety Code Section 1531.4 provides:

On and after January 1, 1999, no security window bars may be installed or maintained on any community care facility unless the security window bars meet current state and local requirements, as applicable, for security window bars and safety release devices.

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Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1531 and 1531.4, Health and Safety Code

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Adopt Section 84587.2 to read:

84587.2 OUTDOOR ACTIVITY SPACE

84587.2

(a) Sections 84087.2, Outdoor Activity Space and 84087.3, Indoor Activity Space, shall not apply to runaway and homeless youth shelters.

(b) If a runaway or homeless youth shelter has outdoor activity space, the following requirements shall apply:

(1) A sketch of the physical plant as required in Section 80022, Plan of Operation, shall include the location(s) of outdoor activity space.

(2) Where natural or man-made hazards such as canals, cliffs, condemned buildings, creeks, ditches, lakes, ocean fronts, mines, power lines, quarries, rivers, ravines, swamps, watercourses, and areas subject to flooding lie on or adjacent to the facility premises, the outdoor activity space shall be inaccessible to such hazards.

(A) Where a fence or wall is used to make outdoor activity space inaccessible, the requirements of Section 80087(e)(1) shall be met.

(c) As a condition of licensure, the areas around and under high climbing equipment, swings, slides and other similar equipment shall be cushioned with material that absorbs falls.

(1) Sand, woodchips, pea gravel or rubber mats commercially produced for this purpose shall be permitted.

(2) The use of cushioning material other than that specified in (1) above shall be approved by the licensing agency in advance of installation.

Note: Authority cited: Section 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

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Adopt Section 84588 to read:

84588 **FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES** **84588**

(a) Section 80088, Fixtures, Furniture, Equipment and Supplies shall apply to runaway and homeless youth shelters.

(b) Section 84088, Fixtures, Furniture, Equipment and Supplies, shall apply to runaway and homeless youth shelters except for subsections(c)(1), (c)(1)(C), (c)(4)(A); (d), inclusive; (e), inclusive; (f), inclusive; (g), (h) and (i).

(b) The licensee shall provide each runaway youth and homeless youth with a clean individual bed, maintained in good repair and supplied with pillow(s) that are clean and in good repair.

(1) The use of cots, trundle or bunk beds shall be permitted in a runaway and homeless youth shelter; however bunk beds shall not consist of more than two tiers.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.35 and 1531, Health and Safety Code.

AB 346 INTERIM LICENSING STANDARDS

Adopt Article 9, Section 84592 to read:

Article 9. Not an Eligible Foster Care or Probation Placement

84592

INELIGIBLE FOR IV-E PLACEMENT OR RATE

84592

(a) A runaway and homeless youth shelter is not an eligible placement option pursuant to Sections 319, 361.2, 450, and 727 of the Welfare and Institutions Code.

(b) A runaway and homeless youth shelter is not eligible for a rate pursuant to Section 11462 of the Welfare and Institutions Code.

Note: Authority cited: Sections 1502.35 and 1530, Health and Safety Code. Reference: Section 1502.35, Health and Safety Code.