

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



Children's Residential Care Update

OCTOBER 2007

COMMUNITY CARE LICENSING DIVISION CHILDREN'S RESIDENTIAL CARE UPDATE

This is our third quarter *Children's Residential Care Update* for 2007. Now that fall has arrived, children in Children's Residential homes are likely to be resuming school and extracurricular activities. We are in the fifteenth year of our efforts to keep the children's residential care community informed about licensing programs and services. This issue contains legislative and regulatory updates, ticklers about upcoming conferences, and other program news. Your support in sharing this Update with colleagues in your organization and others interested in children's issues is appreciated.

INFANT CRIB RECALL INFORMATION

On September 21, 2007, the U.S. Consumer Product Safety Commission (CPSC) announced a recall of approximately one million cribs made by Simplicity, Inc. as a result of infant deaths. These cribs have a drop-down side that may be installed upside-down by accident and detach from the crib, creating a dangerous gap that could entrap and suffocate an infant.

Cribs subject to the recall are the **Aspen 3- or 4- in-1, Nursery in a Box, Crib N Changer Combo, and Chelsea and Pooh 4 in 1**. The recall also affects Simplicity cribs with the Graco logo, which includes **Aspen 3-in-1, Ultra 3-, 4-, or 5- in-1, Whitney, and the Trio**. Caregivers with these cribs should check the envelope attached to the mattress support and the label attached to the crib headboard for model numbers 4600, 4605, 4705, 5000, 8000, 8324, 8800, 8740, 8910, 8994, 8050, 8750, 8760, and 8996.

California Code of Regulations (CCR) Title 22 states that licensees must provide safe cribs for infants (CCR 83088(d), 84288(a) and (b)(4), and 89387(a)(7).) A licensee who immediately stops using a recalled crib will not be cited under these regulations, which are on the Office of Regulations Development (ORD) website at the following address:

http://www.dss.cahwnet.gov/ord/CCRTitle22_715.htm. Please note that depending on the version of software that you are currently using, it might be necessary to press your control key to activate the hyperlinks in this document. For more information about the CPSC crib recall and other recent recalls of items for children, please visit the CPSC website at the following address: <http://www.cpsc.gov/cpsc/pub/prerel/prerelsep07.html>.

PROPOSED REGULATIONS

Crisis Nurseries (CN). The Office of Administrative Law (OAL) has approved readoption of the existing emergency CN regulations until January 2008. We expect approval of the CN emergency regulations by late this year.

CN regulations implement Senate Bill (SB) 855 (Chapter 664, Statutes of 2004). Current law defines CNs as facilities that provide short-term, 24-hour non-medical residential care and supervision for children under six years of age who are voluntarily placed in the nursery for up to 30 days by their parents/guardians due to a family crisis or stressful situation. Children may also temporarily be placed in CNs by county child welfare services agencies for no more than 14 days.

Family Connections for Foster Youth. The nonemergency rulemaking process for the "Family Connections for Foster Youth" regulations package will be underway this fall.

These regulations will implement Assembly Bill (AB) 458 (Chapter 331, Statutes of 2003), AB 1412 (Chapter 640, Statutes of 2005), and AB 2661 (Chapter 643, Statutes of 2004). They are intended to support family connections for foster youth, outline new foster care training requirements, and require foster family agencies to conduct reference checks for new certified family home applicants.

Foster Family Home (FFH). The Children's Residential Regulations Review Workgroup (CRRRW) will resume meeting in October 2007 to discuss revisions to all five articles of FFH regulations.

These regulations will implement several bills: AB 408 (Chapter 813, Statutes of 2003), AB 1116 (Chapter 637, Statutes of 2005), SB 358 (Chapter 628, Statutes of 2005), and SB 500 (Chapter 630, Statutes of 2005). AB 408 entitled foster children to participate in age-appropriate extracurricular, enrichment, and social activities. AB 1116 authorized designated, trained caregivers who are not licensed health care providers to administer emergency medical assistance and/or injections for specific reasons to a foster child in placement. SB 358 established the Prudent Parent Standard and exempts short-term babysitters from regulatory requirements for criminal background check, health screening, and CPR training. SB 500 defined a "Whole Family Foster Home" and requires a "Shared Responsibility Plan" for a minor parent and caregiver with regard to the minor parent's child. In addition, the FFH regulations are being revised in an effort to produce an improved regulatory scheme aimed at eliminating barriers to providing children in care with a "normal childhood" experience as well as preparing them for emancipation.

If you have questions about these proposed regulations, please contact the Policy Development Bureau at (916) 324-4312.

POLICY CLARIFICATION

The Department recently clarified that to further protect children in care, it will provide no regulatory exception to allow peace officers to keep a loaded weapon in a foster family home. Regulations concerning weapons in CCR Title 22 General Licensing Requirements section 80087(h), which applies to all Children's Residential facilities except the standalone FFH regulations, must continue to be followed. CCR sections 80087(h) and 89387.2 specify that

firearms shall be stored where they are inaccessible, storage areas shall be locked, and ammunition shall be stored and locked separately from firearms. The licensee may use trigger locks on or remove the firing pin from weapons in lieu of locked storage of firearms. However, firing pins shall also be stored and locked separately from firearms.

If you have questions about this policy clarification, please contact the Policy Development Bureau at (916) 324-4312.

FLU AND MENINGOCOCCAL IMMUNIZATION UPDATE

With the arrival of fall comes more contact with people and things in closer quarters. The Centers for Disease Control (CDC) recommends that both children and caregivers receive either the inactivated or live, intranasal flu vaccines for 2007-2008 in October or November of this year. People who are 6 months old and older can receive the inactivated influenza vaccine, while people who are 5 to 49 years old can receive the live, intranasal influenza vaccine.

The inactive, or “killed” flu vaccine, or “flu shot” is given by injection into the muscle. The live, attenuated influenza vaccine (LAIV) contains live, but attenuated, or weakened, influenza virus that is sprayed into the nostrils. A doctor should be consulted about any allergies or special diseases, and anyone who is moderately or severely ill should recover from the illness before receiving either vaccine. For more information about the inactivated flu vaccine, please visit the CDC website at the following address:

<http://www.cdc.gov/vaccines/pubs/vis/downloads/vis-flu.pdf>. For more information about the live, intranasal flu vaccine, please visit the CDC website at the following address:
<http://www.cdc.gov/vaccines/pubs/vis/downloads/vis-flulive.pdf>.

The Advisory Committee on Immunization Practices (ACIP) now recommends that all persons who are 11-18 years old receive a vaccine against meningococcal disease. For more information about this and other vaccines, please visit the CDC website at the following address: <http://www.cdc.gov/vaccines/pubs/ACIP-list.htm>.

UPCOMING FOSTER FAMILY AGENCY CONFERENCE

November 2007 Annual Statewide Foster Family Agency Conference: “A Family of Agencies Working Together”

The 2007 Foster Family Agency Conference, “A Family of Agencies Working Together”, co-sponsored by the California Alliance of Child and Family Services and CCLD, will be held on November 7-8, 2007 at the Embassy Suites-South San Francisco, 250 Gateway Blvd., South San Francisco. Registration forms can be obtained from the California Alliance of Children and Family Services website at the following address:

<http://www.cacfs.org/ConferencesTraining/materials/WEBSITENCffaRegis2007.pdf>

or by contacting Duane Matsubara, Licensing Program Manager, at (559) 243-8080.

Completed registration forms and payment of \$130.00 per person should be submitted to the California Alliance no later than October 26, 2007.

RESIDENTIAL CARE STATISTICS

All of the statistics for licensed Children's Residential Care facilities are available online. When you visit the CCLD home page at www.cclld.ca.gov, please click on the link on the left side of the page that is titled, "Licensing Overview." Then click on the first bullet that says, "Number of State Licensed Facilities, by County." Scroll to the end of the document for the statewide totals. Further breakouts by category and location are also available. Please contact Suzann Paolini, Central Operations Branch, at (916) 324-4031 for assistance. Directories can also be obtained from your local Children's Residential Program licensing office.

SUMMARY

If you have questions about items included in this *Children's Residential Care Update* or suggestions for future topics, please contact Barbara Rooney, Chief of the Technical Assistance and Policy Branch (TAPB) at (916) 657-2346. Please visit our CCLD website at www.cclld.ca.gov to obtain copies of Updates, office locations, provider letters, regulations, or to learn more about licensing services. Additional helpful information about Children's Residential homes, including Out of State Certification and Foster Family Homes, can be found by going directly to the Children's Residential Program (CRP) website at http://ccl.dss.cahwnet.gov/Children's_1739.htm.

Sincerely,

(original Signed by Jo Frederick)
JO FREDERICK
Deputy Director
Community Care Licensing Division

Enclosures