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# CHILDREN'S RESIDENTIAL CARE UPDATE

## SUMMER 2013



Welcome to our Summer 2013 *Children's Residential Care Update*. We are in the 22nd year of our efforts to keep the children's residential care community informed of licensing programs and services. Your support in sharing this *Update* with colleagues in your organization and others interested in children's issues is appreciated.

You may navigate to the topic of your choice in each *Update* without having to scroll down. Just go to the **Topic List** and put your cursor over the blue highlighted subject heading that you wish to review, hold down the control button and click on your mouse at the same time, and you will be taken to that area of the *Update*.

Our *Updates* can also be viewed online at the California Department of Social Services (CDSS) Community Care Licensing Division (CCLD) website [Children's Residential Care Update](#).

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## REASONABLE AND PRUDENT PARENT STANDARD

As a reminder to counties, caregivers, and licensees, an All County Information Notice regarding the Reasonable and Prudent Parent Standard (RPPS) was recently published. The RPPS is the standard characterized by careful and sensible parental decisions that maintain the foster child's health, safety, and best interests. This standard supports the empowerment of a caregiver to exercise common sense and good judgment in assessing circumstances and events in which a foster child may participate. The standard also enables participation by a foster child in age-appropriate extracurricular, enrichment, and social activities in order to improve the normalcy of life in foster care. For more information on RPPS please read the all county information notice which can be found here:

[http://www.dss.cahwnet.gov/lettersnotices/EntRes/getinfo/acin/2013/l-17\\_13.pdf](http://www.dss.cahwnet.gov/lettersnotices/EntRes/getinfo/acin/2013/l-17_13.pdf)

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## QUALITY PARENTING INITIATIVE

You may have heard about the Quality Parenting Initiative (QPI), a reform effort intended to strengthen foster care by encouraging excellence in foster parenting. A core premise of QPI is that a primary goal of the child welfare system is to ensure that children have effective and loving parenting. When it isn't possible for a child's own parents to care for him or her, the child welfare system must ensure that a caregiver provides the loving, committed, skilled care that the child needs, while working effectively with the child welfare system to reach the child's long term goals.

The key elements of QPI are:

- Defining the expectations of caregivers;
- Clearly articulating these expectations; and
- Adjusting the system so that those goals can become a reality.

The major successes of QPI have been in systems change and improved relationships. County sites participating in QPI have reported measurable improvement in outcomes such as:

- Reduced unplanned placement changes;
- Reduced use of group care;
- Reduced numbers of sibling separation; and
- More successful improvements in reunification.

For specific information on counties' implementation plans for QPI, please visit

<http://www.childsworld.ca.gov/res/pdf/CaSitesActionPlansByArea.pdf>.

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## EMAIL ADDRESSES AND UPDATED LICENSES

This summer, the Children's Residential Regional Offices will begin contacting licensees, primarily by telephone, to ask for email addresses from the licensees who have them. CCLD will then use these addresses to establish an email recipient list to send out email, news, and important information to licensees such as Information Releases, Implementation Plans for new laws, and quarterly newsletters. Using email will allow CCLD to provide this information in a less costly and more efficient way to licensees. During these calls, your LPA may also speak to you about your license as the Children's Residential Regional Offices are also reviewing licenses this summer and will be making technical changes as needed. In cases where such changes are made, licensees will receive a new license showing the changes. Examples of these technical changes include how words in the licensee name are abbreviated (corporation, for example) and the description of non-ambulatory capacity found in the comments section of the license.

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## HEAT AND SUN PROTECTION

California summer temperatures often reach the 80s, 90s, and 100s, which may cause problems for children in care who are active or have health conditions that make them vulnerable to heat and sun exposure. We remind you to take precautions to protect children during the warmer summer months. These precautions include:

### Heat

- Making sure that the temperature in your facility or home is safe and comfortable.
- Reducing physical activity and staying indoors during the hottest part of the day.
- Making sure children drink enough and have easy access to water and other fluids.

### Sun

- Avoiding the sun between 10 a.m. and 4 p.m., when the sun's rays are the strongest. Try to schedule outdoor activities for other times of the day or limit the amount of outdoor time during these peak periods.
- Wearing protective clothing such as long-sleeved shirts, pants, a wide-brimmed hat, and sunglasses when possible.
- Choosing a sunscreen with a rating of SPF 15 or higher. Apply sunscreen liberally 30 minutes before going outdoors and reapply about every two hours. Use even on cloudy days since ultraviolet rays can penetrate cloud cover.
- Using caution near water and sand as they reflect the damaging rays of the sun, which can increase the chance of sunburn.

If a child becomes ill with heat exhaustion or heat stroke, it is important that you call 911 right away. Shade and water should be used to cool the child down. Please see tips that you can follow to prevent heat-related illnesses at the CDSS website:

<http://www.cdss.ca.gov/cdssweb/entres/pdf/HeatTips.pdf>.



## POOL SAFETY REGULATIONS

With children eager to swim to cool off from the summer heat, it is particularly timely to highlight California Code of Regulations (CCR) Title 22 requirements for swimming pool safety. Particular regulations of interest are those that concern buildings and grounds, health related services, personnel requirements, and training.

Some examples of regulations related to pool safety are the requirements that pools and bodies of water be made inaccessible to children [(CCR Title 22 Sections [80087\(e\)\(1\) and \(2\)](#), [86587\(e\)](#), and [89387\(d\)](#)], and that adult supervision be provided at all times when children are using a pool or body of water [(CCR Title 22 Sections [80065\(e\)\(1\) and \(2\)](#), [86565\(f\)\(1\) through \(3\)](#), and [89387\(g\)](#)]. Those responsible for providing direct care and supervision to children must receive training in first aid and Cardio Pulmonary Resuscitation [(CCR Title 22 Sections [80075\(i\)](#), [84265\(c\)\(1\)](#), [84265\(q\)](#), [86565\(n\)](#), and [89405\(b\)](#)].

Regulations for Children's Residential facilities are available at the Office of Regulations Development (ORD) website at: <http://www.dss.cahwnet.gov/ord/PG295.htm>.



## SUMMER FOOD SAFETY

The most unwelcome guest at summer barbecues, picnics, buffets, and camping is food borne bacteria, such as E. coli, which grows faster in warmer weather. These bacteria cannot be seen or tasted, but children can become ill from food poisoning hours or days after eating unsafe food. Here are some of the summer food safety suggestions offered by the United States Department of Agriculture:

### Wash Hands and Surfaces Often

- When eating away from home, find out if there is a source of safe drinking water. If necessary, bring water for preparation and cleaning. Or pack clean, wet, disposable washcloths or moist towelettes and paper towels for cleaning hands and surfaces.

### Do Not Cross-Contaminate

- Wash any plates, utensils, and cutting boards that came in contact with raw meat or poultry before using again for cooked food.

### Cook to Proper Temperatures

- Cook beef, veal, and lamb steaks, roasts, and chops to a safe minimum internal temperature of 145 °F. Cook steaks and roasts that have been tenderized, boned, rolled, etc., to an internal temperature of 160 °F. Cook all cuts of pork to an internal temperature of 160 °F. Cook ground beef, veal and lamb to an internal temperature of 160 °F. All poultry should reach a safe minimum internal temperature of 165 °F throughout the product.

### Refrigerate Promptly

- Cold refrigerated perishable food like luncheon meats, cooked meats, chicken, and potato or pasta salads should be kept in an insulated cooler packed with several inches of ice, ice packs, or containers of frozen water.

For more information about food safety, please see the USDA website at:

[http://www.fsis.usda.gov/factsheets/foodborne\\_illness\\_peaks\\_in\\_summer/index.asp](http://www.fsis.usda.gov/factsheets/foodborne_illness_peaks_in_summer/index.asp).

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## FOSTER FAMILY HOME AND SMALL FAMILY HOME INSURANCE FUND

The Foster Family Home (FFH) and Small Family Home (SFH) Insurance Fund provides liability insurance coverage for foster parents related to incidents in providing foster care services. The Fund's liability coverage is extended to you if you have a licensed FFH or SFH. This liability insurance covers certain valid claims of bodily or personal injury to foster children that occur during the foster care relationship, during the provision of foster care services, and during the time foster children are in your home. The liability insurance provided by the Fund does not cover intentional or criminal acts against foster children. There are additional exclusions that are specified in [Health and Safety Code section 1527.3](#). The Fund's coverage limit is \$300,000 for all claims per licensed home during a single calendar year.

You can find additional information about the FFH and SFH Insurance Fund on the CCLD website at: [http://cclcd.ca.gov/res/pdf/FFHSFH\\_InsFund.pdf](http://cclcd.ca.gov/res/pdf/FFHSFH_InsFund.pdf).

## LEGISLATION

### Assembly Bill 1856

Assembly Bill 1856 (Ammiano) was passed last year and took effect January 1, 2013. This bill added a new personal right to all foster children. Affording them the right to have a caregiver who has received training in cultural competency and sensitivity relating to the best practices in the care of lesbian, gay, bisexual, and transgender youth. This bill also specifically added this new training topic to the 40 hours of required certification training for group home administrators and to the 12 required pre placement training hours for foster parents.

### Senate Bill 1319

Another new law that took effect on January 1 – Senate Bill (SB) 1319 (Liu) -- exempts Foster Family Homes (FFH) from immediate civil penalties for serious violations of Health and Safety Code Section 1548. As you may recall, legislation passed in 2008 – Assembly Bill 978 (Benoit) – allowed CDSS and counties to levy civil penalties for serious violations of the California Community Care Facilities Act (CCCFA). Under that law, certain facilities were subject to fines of \$150 per day for:

- Fire clearance violations
- Absence of supervision
- Accessible bodies of water
- Accessible firearms, ammunition, or both
- Refused entry of authorized licensing staff to a facility or any part of a facility
- Presence of an excluded person on the premises

AB 978 exempted Certified Family Homes (CFH) of Foster Family Agencies and Small Family Homes and should have exempted FFHs. SB 1319 corrects this oversight. It is worth noting that these violations will still be cited, and that FFHs and CFHs are still subject to civil penalties for violations of Health and Safety Code Sections 1522 and 1548 for fingerprint violations and unlicensed care operations.

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## CHILDREN'S RESIDENTIAL CARE POLICY STAFF CHANGES

### NEW CHILDREN'S RESIDENTIAL POLICY MANAGER

Teresa A. Owensby, manager of the Children's Residential Policy Unit in the Community Care Licensing Division (CCLD), has had several years of prior experience in the California Department of Social Services working with CCLD, Children and Family Services Division, and other internal clients as a Senior Legal Analyst in the Legal Division. Prior to her employment with the State of California, she was employed by a private sector law firm. Her areas of expertise include: legislative and bill analysis and process; state and federal legal research; and regulations development and implementation. She is experienced in high-profile litigation, is highly regarded as a regulations expert, and has consulted extensively with all levels of staff on policy and regulations. She takes pride in her staff, her work with internal and external stakeholders, and developing user-friendly policy and regulations that facilitate compliance by caregivers and licensees. Teresa has been active in many CDSS and community volunteer efforts as a professional and parent.

## RETIREMENT OF COMMUNITY CARE LICENSING DEPUTY DIRECTOR JEFFREY HIRATSUKA

Jeffrey Hiratsuka, Deputy Director for Community Care Licensing has retired after serving the citizens of California for over 40 years including the last 12 years with the Community Care Licensing Division. Jeff was appointed as the Deputy Director in May 2009 and successfully guided the program through some of the worst economic and budget times ever experienced in the State. As of August 1, 2013, former Deputy Director Dave Dodds will fill in as the interim Deputy Director. The Community Care Licensing Division wishes Jeff well in his retirement and welcomes Dave.

The Department of Social Services is also announcing the examination for Deputy Director of the Community Care Licensing Division. Interested persons may find qualifications and application instructions at the link below:

[http://jobs.spb.ca.gov/ceabulletins/exemptpdfs/09182013\\_1.pdf](http://jobs.spb.ca.gov/ceabulletins/exemptpdfs/09182013_1.pdf)

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### Helpful Reminders

Please visit the CCLD website at [www.cclld.ca.gov](http://www.cclld.ca.gov) to obtain *Updates*, office locations, provider letters, regulations, or to learn more about licensing services. Information about all Children's Residential facilities and homes, including Out- of-State Group Homes and the Statewide County Foster Family Home Program, is available on the CCLD website at [Children's Residential Facilities](#). You can also subscribe to My CCL at <http://www.myccl.ca.gov/>.

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### Residential Care Statistics

All of the statistics for state and county-licensed Children's Residential Care facilities are available online. When you visit the CCLD home page at <http://www.cclld.ca.gov>, please click on the "Facility Facts" tab at the top of the page. Click on the "Licensing Statistics" link on the center of the page that appears. Then, click on the desired "State Licensed Facilities by Geographical Area" or "County Licensed Facilities" link on the center of the page. Directories can also be obtained from your local licensing office.

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### Contact

If you have questions about this *Update* or proposed regulations, or suggestions for future topics, please contact Lori Starnes, Chief of the Technical Assistance and Policy Branch at (916) 651-3456.

Sincerely,

JEFFREY HIRATSUKA  
Deputy Director  
Community Care Licensing Division