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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 5. COMMUNITY MENTAL HEALTH SERVICES [5000 - 5987]** (*Division 5 repealed and added by Stats. 1967, Ch. 1667.*)

**PART 4. THE CHILDREN'S MENTAL HEALTH SERVICES ACT [5850 - 5886]** (*Part 4 repealed and added by Stats. 1992, Ch. 1229, Sec. 2.*)

**CHAPTER 1. Interagency System of Care [5850 - 5878.3]** (*Chapter 1 added by Stats. 1992, Ch. 1229, Sec. 2.*)

**ARTICLE 10. Application for State Regulation Waivers [5875 - 5878]** (*Article 10 added by Stats. 1992, Ch. 1229, Sec. 2.*)

**5875.** The Secretary of California Health and Human Services shall require the State Department of Health Care Services to develop an administrative waiver process for counties that either propose to be, or are considered, system of care counties by the department.

(Amended by Stats. 2012, Ch. 438, Sec. 12. (AB 1468) Effective September 22, 2012.)

**5877.** (a) For system of care counties, or as part of the county program proposal to apply for status as a system of care county, requests may be made for waivers from those state regulations that appear to prevent interagency coordination or collaboration in interagency case management and other service delivery capabilities.

(b) The state regulation or regulations shall be specifically identified in the waiver request, with a statement of the reason why the identified regulation or regulations should be waived and, where applicable, the following:

(1) An assurance as to how planned interagency collaborative activities can meet the program intent of the regulation or regulations.

(2) An explanation as to why the identified regulation or regulations would create duplication of effort with an interagency collaborative approach.

(3) An explanation as to how a waiver of the regulation or regulations would not hinder the ability of the involved state agency's fiscal accountability or responsibility for federal moneys, and how granting of the waiver would support achievement of estimated cost avoidance, and result in decreased use of group homes, children and adolescent state hospital programs, nonpublic school residential placement, and juvenile justice reincarcerations, and in improved school attendance or performance.

(Added by Stats. 1992, Ch. 1229, Sec. 2. Effective January 1, 1993.)

**5878.** (a) (1) The Secretary of California Health and Human Services, the Superintendent of Public Instruction, or the Secretary of the Department of Corrections and Rehabilitation may waive any state regulatory obstacles to the integration of public responsibilities and resources required for counties which have been approved as system of care counties.

(2) The waiver shall remain in effect as long as the local program continues to meet standards as specified in the scope of work plan approved by the State Department of Health Care Services.

(b) The Secretary of California Health and Human Services, the Superintendent of Public Instruction, and the Secretary of the Department of Corrections and Rehabilitation, and those departments designated as single state agencies administering federal programs, shall make every effort to secure federal waivers and any other changes in federal policy or law necessary to support interagency collaboration and coordination in a system of care service delivery system.

(Amended by Stats. 2012, Ch. 34, Sec. 207. (SB 1009) Effective June 27, 2012.)