



KIM JOHNSON
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

December 30, 2022

PIN 22-14-CCLD

TO: ALL ADULT AND SENIOR CARE LICENSEES
ALL CHILD CARE LICENSEES AND PROVIDERS
ALL PROSPECTIVE AND CERTIFIED ADMINISTRATORS
ALL ADMINISTRATOR CERTIFICATION PROGRAM TRAINING
VENDORS
ALL REGISTERED HOME CARE AIDES
ALL HOME CARE ORGANIZATION LICENSEES
Original signed by Kevin Gaines

FROM: KEVIN GAINES
Deputy Director
Community Care Licensing Division

SUBJECT: **ASSEMBLY BILL (AB) 1720 IMPLEMENTATION**

REFERENCE: ASSEMBLY BILL (AB) 1720 (CHAPTER 581, STATUTES OF 2022); HEALTH AND SAFETY CODE (HSC) SECTIONS [1522](#), [1522.7](#), [1568.09](#), [1569.17](#), [1596.871](#), [1796.19](#), [1796.23](#), [1796.24](#), [1796.25](#), and [1796.26](#)

Provider Information Notice (PIN) Summary

PIN 22-14-CCLD provides updated guidance to applicants, providers, and agencies regarding the Criminal Record Statement and the addition of simplified criminal record exemption criteria to the Health and Safety Code. These changes are effective January 1, 2023.

NOTE: PIN 22-14-CCLD does not apply to Children's Residential Programs, see PIN 22-16-CRP for guidance.

The Department of Social Services (CDSS) Community Care Licensing Division (CCLD), Care Provider Management Bureau (CPMB) is providing updated guidance based on the implementation of [Assembly Bill \(AB\) 1720 \(Holden\)](#).

As part of the background check process, existing law requires CDSS to obtain state and federal criminal history information on any individual applying for a license, certification, registration, or approval; or seeking to work or be present in a licensed facility, including Community Care Facilities, Residential Care Facilities for the Chronically Ill, Residential Care Facilities for the Elderly, Family Child Care Homes, Child Care Centers, and Home Care Organizations. This includes specified individuals connected with these facilities, including Licensees, administrators, employees, volunteers, members of the board of directors/officers, registered Home Care Aides, and adults residing in a facility, not including clients. Prior to January 1, 2023, background check procedures required these individuals to also complete a Criminal Record Statement & Out-of-State Disclosure (LIC 508) form.

CHANGES AS A RESULT OF AB 1720 - Effective January 1, 2023

1. CRIMINAL RECORD STATEMENT FORM (LIC 508)

- [Assembly Bill \(AB\) 1720 \(Holden\)](#) amends Health and Safety Code (HSC) sections [1522](#), [1568.09](#), [1569.17](#), [1596.871](#), [1796.19](#), [1796.23](#), [1796.24](#), [1796.25](#), and [1796.26](#). The amendments remove references to the self-disclosure of criminal history information and prohibit CDSS from requiring an individual to disclose their criminal history information prior to receipt of Live Scan results.
- The LIC 508 (Criminal Record Statement) is **discontinued** and shall no longer be used to collect criminal history information as part of the background check process.

2. SIMPLIFIED EXEMPTIONS

The simplified exemption process, which was previously only specified in regulations, has been revised and codified, adding it into the new Health and Safety Code section 1522.7.

Health and Safety Code section 1522.7 provides that a simplified exemption may be granted to individuals who meet **all** of the following criteria:

1. The individual has not been convicted of a violent crime.
2. The individual has not been convicted of a crime in the last five years.
3. The individual has not been convicted of a felony in the last ten (10) years.
4. The individual has five or fewer misdemeanor convictions.
5. The individual has a maximum of one felony conviction.
6. The individual has not been convicted of a non-exemptible crime.

CDSS may require an individual, who is otherwise eligible for a simplified exemption, to go through the standard exemption process if doing so will

protect the health and safety of a client in care.

ADDITIONAL INFORMATION/RESOURCES

If you have questions regarding this PIN, please contact CPMB at 888-422-5669 or Guardian@dss.ca.gov for assistance.

The Department will convey all new information through PINs. [Please sign up to be notified here](#) and [visit the Department's website for the latest PINs](#).