

84001 Definitions

In addition to Section 80001 , the following shall apply:

(a)

(1) "Accredited schools, colleges or universities, including correspondence courses offered by the same," means those educational institutions or programs granted public recognition as meeting established standards and requirements of an accrediting agency authorized by the U.S. Secretary of Education. (2) "Affiliated with licensee" means members of board of directors, executive director, officers and individuals paid by the group home licensee as staff, consultant or contractor used to fulfill the plan of operation. (3) "Age or developmentally appropriate" means as defined in Welfare and Institutions Code section 362.05(c)(2). (4) "Approved schools, colleges or universities, including correspondence courses offered by the same," means those approved/authorized by the U.S. Department of Education, Office of Postsecondary Education or by the California Department of Consumer Affairs, Bureau for Private Postsecondary and Vocational Education, pursuant to Education Code Sections 94900 or 94915. (5) "Assaultive Behavior" means violent, physical actions which are likely to cause immediate physical harm or danger to an individual or others.(A) Verbal Assault is not considered a form of assaultive behavior.

(1)

"Accredited schools, colleges or universities, including correspondence courses offered

by the same," means those educational institutions or programs granted public recognition as meeting established standards and requirements of an accrediting agency authorized by the U.S. Secretary of Education.

(2)

"Affiliated with licensee" means members of board of directors, executive director, officers and individuals paid by the group home licensee as staff, consultant or contractor used to fulfill the plan of operation.

(3)

"Age or developmentally appropriate" means as defined in Welfare and Institutions Code section 362.05(c)(2).

(4)

"Approved schools, colleges or universities, including correspondence courses offered by the same," means those approved/authorized by the U.S. Department of Education, Office of Postsecondary Education or by the California Department of Consumer Affairs, Bureau for Private Postsecondary and Vocational Education, pursuant to Education Code Sections 94900 or 94915.

(5)

"Assaultive Behavior" means violent, physical actions which are likely to cause immediate physical harm or danger to an individual or others.(A) Verbal Assault is not considered a form of assaultive behavior.

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(b)

(1) "Behavior Management Consultant", for the purpose of this chapter, means a person who designs and/or implements behavior modification intervention services and meets the requirements specified in California Code of Regulations,

Title 17, Sections 54342(a)(13)(A)1 - 7.

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(c)

(1) "Certificate holder" means a person who has a current administrator's certificate issued by the Department regardless of whether the person is employed as an administrator in a group home. (2) "Child" means a person who is under 18 placed in a licensed group home by a regional center, a parent or guardian, or a public child placement agency with or without a court order. "Child" also means a person who is: (A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the group home, or (B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(3) and continues to be provided with care and supervision by the group home. (3) "Child with Special Health Care Needs" means a person who is 22 years of age or younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions: (A) Has a medical condition that requires specialized in-home health care and (B) Is one of the following: 1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300. 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department. 3. A child with a developmental disability who is receiving services and case management from a regional center. (4) "Classroom

Hour" means fifty (50) to sixty (60) minutes of classroom instruction within a 60-minute period. No credit is given for meal breaks. (5) "Classroom setting" means a setting, conducive to learning and free from distractions, for which the primary purpose is education, instruction, training, or conference. Participants must be able to simultaneously interact with each other as well as with the instructor. (6) "Co-locate" means that a vendor applicant is approved for more than one program type, i.e., ARF, RCFE, GH, and has received approval to teach specific continuing education courses at the same time and at the same location. Co-location is allowed for Continuing Education Training Program vendors only. (7) "Complete Request" means the vendor applicant has submitted and the Department has received all required information and materials necessary to approve or deny the request for certification program and/or course approval. (8) "Continuing Education Training Program Vendor" means a vendor approved by the Department to provide Continuing Education training courses to group home administrators and certificate holders to qualify them for renewal of their group home administrator certificate. (9) "Course" means either, (1) a quarter-or-semester-long structured sequence of classroom instruction covering a specific subject, or (2) a one-time seminar, workshop or lecture of varying duration.

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"Certificate holder" means a person who has a current administrator's certificate issued by the Department regardless of whether the person is employed as an administrator in a group home.

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"Child" means a person who is under 18 placed in a licensed group home by a regional center, a parent or guardian, or a public child placement agency with or without a court

order. "Child" also means a person who is: (A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the group home, or (B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(3) and continues to be provided with care and supervision by the group home.

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18-22 as specified in the definition for "child with special health care needs" under subsection (c)(3) and continues to be provided with care and supervision by the group home.

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"Child with Special Health Care Needs" means a person who is 22 years of age or younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions: (A) Has a medical condition that requires specialized in-home health care and (B) Is one of the following: 1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300. 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department. 3. A child with a developmental disability who is receiving services and case management from a regional center.

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A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300.

2.

A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department.

3.

A child with a developmental disability who is receiving services and case management from a regional center.

(4)

"Classroom Hour" means fifty (50) to sixty (60) minutes of classroom instruction within a 60-minute period. No credit is given for meal breaks.

(5)

"Classroom setting" means a setting, conducive to learning and free from distractions, for which the primary purpose is education, instruction, training, or conference. Participants must be able to simultaneously interact with each other as well as with the instructor.

(6)

"Co-locate" means that a vendor applicant is approved for more than one program type, i.e., ARF, RCFE, GH, and has received approval to teach specific continuing education courses at the same time and at the same location. Co-location is allowed for Continuing Education Training Program vendors only.

(7)

"Complete Request" means the vendor applicant has submitted and the Department has received all required information and materials necessary to approve or deny the request for certification program and/or course approval.

(8)

"Continuing Education Training Program Vendor" means a vendor approved by the Department to provide Continuing Education training courses to group home administrators and certificate holders to qualify them for renewal of their group home administrator certificate.

(9)

"Course" means either, (1) a quarter-or-semester-long structured sequence of classroom instruction covering a specific subject, or (2) a one-time seminar, workshop or lecture of varying duration.

(d)

(1) "Discipline" means a penalty assessed by the facility against a child for their violation of the group home's rules, commitment of illegal actions or damage to property.

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(e)

(1) "Early Intervention" means the use of non-physical, de-escalation interventions to control injurious behavior. Techniques include, but are not limited to, suggesting alternative behavior, crisis communication and evasive techniques. (2)

"Emergency Intervention" means the justified use of early interventions and/or otherwise prohibited manual restraints to protect the child or others from harm.

(3) "Emergency Intervention Plan" means a written plan which addresses how

emergency intervention techniques will be implemented by the licensee in compliance with the requirements specified in Section 84322. (4) "Emergency Intervention Staff Training Plan" means a written plan which specifies the training provided to group home personnel regarding the use of emergency interventions, as specified in Section 84322(g). The emergency intervention staff training plan is a component of the Emergency Intervention Plan.

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(f)

(1) "Facility Manager" as defined in Health and Safety Code section 1522.4(a)(1).

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(g)

(1) "Gender Expression" means a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. (2) "Gender Identity" means a person's identity based on the individual's stated gender identity, without regard to whether the self-identified gender accords with the individual's physical appearance, surgical history, genitalia, legal sex, sex assigned at birth, or name and sex, as it appears in medical records, and without regard to any contrary statement by any other person, including a family member, conservator, or legal representative. An individual who lacks the present ability to communicate their gender identity shall retain the gender identity most recently expressed by that individual. Senate Bill 179 (Atkins, Chapter 853, Statutes of 2017) also known as the Gender Recognition Act, established three equally recognized genders in California: female, male, and nonbinary. (3) "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. (4) "Group Home Program Statement" means a written plan which identifies the client population, program structure and supervision, and provides specific program information. The group home program statement must contain all the elements required in the plan of operation, as specified in Section 84022.

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"Group Home Program Statement" means a written plan which identifies the client population, program structure and supervision, and provides specific program information. The group home program statement must contain all the elements

required in the plan of operation, as specified in Section 84022.

(h)

(1) "Health Care Professional" means a physician or an individual who is licensed or certified under Division 2 of the Business and Professions Code to perform the necessary client care procedures prescribed by a physician. Such health care professional include the following: Registered Nurse, Public Health Nurse, Licensed Vocational Nurse, Psychiatric Technician, Physical Therapist, Occupational Therapist and Respiratory Therapist. (2) "Health-related services" shall include, but not be limited to, medical, dental, vision, mental health, substance use disorder services, reproductive and sexual health care. This shall include abortion and contraception related services and gender affirming health care and gender affirming mental health care.

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(2)

"Health-related services" shall include, but not be limited to, medical, dental, vision, mental health, substance use disorder services, reproductive and sexual health care. This shall include abortion and contraception related services and gender affirming health care and gender affirming mental health care.

(i)

(1) "Incident Report" means a written report required by the Department to report

incidents as specified in Sections 80061 and 84061. (2) "Individualized Health Care Plan" means the written plan developed by an individualized health care plan team and approved by the team physician, or other health care professional designated by the physician to serve on the team, for the provision of specialized in-home health care. (3) "Individualized Health Care Plan Team" means those individuals who develop an individualized health care plan for a child with special health care needs. This team must include the child's primary care physician or other health care professional designated by the physician, any involved medical team, the county social worker or regional center caseworker, and any health care professional designated to monitor the specialized in-home health care provided to the child as stated in the child's individualized health care plan. The individualized health care plan team may include, but shall not be limited to, a public health nurse, representatives from the California Children's Services Program or the Child Health and Disability Prevention Program, regional centers, the county mental health department and where reunification is the goal, the parent or parents, if available. In addition, the individualized health care plan team may include the prospective specialized group home licensee who shall not participate in any team determination required by Sections 84065.1(a)(1)(B) and (b)(2). (4) "Initial Certification Training Program Vendor" means a vendor approved by the Department to provide the initial forty (40) hour certification training program to persons who do not possess a valid group home administrator certificate.

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"Incident Report" means a written report required by the Department to report incidents as specified in Sections 80061 and 84061.

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"Individualized Health Care Plan" means the written plan developed by an

individualized health care plan team and approved by the team physician, or other health care professional designated by the physician to serve on the team, for the provision of specialized in-home health care.

(3)

"Individualized Health Care Plan Team" means those individuals who develop an individualized health care plan for a child with special health care needs. This team must include the child's primary care physician or other health care professional designated by the physician, any involved medical team, the county social worker or regional center caseworker, and any health care professional designated to monitor the specialized in-home health care provided to the child as stated in the child's individualized health care plan. The individualized health care plan team may include, but shall not be limited to, a public health nurse, representatives from the California Children's Services Program or the Child Health and Disability Prevention Program, regional centers, the county mental health department and where reunification is the goal, the parent or parents, if available. In addition, the individualized health care plan team may include the prospective specialized group home licensee who shall not participate in any team determination required by Sections 84065.1(a)(1)(B) and (b)(2).

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"Initial Certification Training Program Vendor" means a vendor approved by the Department to provide the initial forty (40) hour certification training program to persons who do not possess a valid group home administrator certificate.

(j)

(Reserved)

(k)

(Reserved)

(l)

(1) "Law enforcement" means any officer, sheriff, or marshal of a city, county, state, or federal law enforcement agency.

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(m)

(1) "Manual Restraint" means the use of a hands-on or other physically applied technique to physically limit the freedom of movement of a child. Techniques include, but are not limited to, forced escorts; holding; prone restraints; or other containment techniques, including protective separation. (2) "Manual Restraint Plan" means a written plan which address how manual restraints will or will not be implemented by the licensee in compliance with the requirements specified in Sections 84322(e) and (f). The manual restraint plan is a component of the emergency intervention plan. (3) "Mechanical Restraint" means any physical device or equipment which restricts the movement of the whole or a portion of a child's body, including, but not limited to, handcuffs, restraining sheets, restraining chairs, leather cuffs and belts or any other similar method. (4) "Medical Conditions Requiring Specialized In-Home Health Care" means, provided that care may be safely and adequately administered in the home: (A) A dependency upon one or more of the following: enteral feeding tube, total parenteral feeding, a cardiorespiratory monitor, intravenous therapy, a ventilator, oxygen support, urinary catheterization, colostomy, ileostomy, ileal conduit, or other medical or surgical procedures or special medication regimens, including injection, and intravenous medication; or (B) Conditions such as AIDS, premature birth, congenital defects, severe seizure disorders, severe asthma, bronchopulmonary

dysplasia, and severe gastroesophageal reflux when their condition could rapidly deteriorate causing permanent injury or death. (5) "Minor parent program" means a group home program that serves pregnant minors and minor parents with children younger than six years of age, who are dependents of the court, nondependents, voluntary and/or regional center placements, and reside in the group home with the minor parent, who is the primary caregiver of the young child.

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"Mechanical Restraint" means any physical device or equipment which restricts the movement of the whole or a portion of a child's body, including, but not limited to, handcuffs, restraining sheets, restraining chairs, leather cuffs and belts or any other similar method.

(4)

"Medical Conditions Requiring Specialized In-Home Health Care" means, provided that care may be safely and adequately administered in the home: (A) A dependency upon one or more of the following: enteral feeding tube, total parenteral feeding, a

cardiorespiratory monitor, intravenous therapy, a ventilator, oxygen support, urinary catheterization, colostomy, ileostomy, ileal conduit, or other medical or surgical procedures or special medication regimens, including injection, and intravenous medication; or (B) Conditions such as AIDS, premature birth, congenital defects, severe seizure disorders, severe asthma, bronchopulmonary dysplasia, and severe gastroesophageal reflux when their condition could rapidly deteriorate causing permanent injury or death.

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Conditions such as AIDS, premature birth, congenital defects, severe seizure disorders, severe asthma, bronchopulmonary dysplasia, and severe gastroesophageal reflux when their condition could rapidly deteriorate causing permanent injury or death.

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"Minor parent program" means a group home program that serves pregnant minors and minor parents with children younger than six years of age, who are dependents of the court, nondependents, voluntary and/or regional center placements, and reside in the group home with the minor parent, who is the primary caregiver of the young child.

(n)

(1) "Needs and Services Plan" means a time-limited, goal-oriented written plan, implemented by the licensee, which identifies the specific needs of an individual

child, including those items specified in Sections 84068.2 and 84168.3; and delineates those services necessary in order to meet the child's identified needs.

(2) "Nonbinary" is an umbrella term for people with gender identities that fall somewhere outside of the traditional conceptions of strictly either female or male. People with nonbinary gender identities may or may not identify as transgender, may or may not have been born with intersex traits, may or may not use gender-neutral pronouns, and may or may not use more specific terms to describe their genders, such as agender, genderqueer, gender fluid, Two Spirit, bigender, pangender, gender nonconforming, or gender variant.

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(o)

(Reserved)

(p)

(1) "Physical Restraining Device" means any physical or mechanical device,

material, or equipment attached or adjacent to a child's body which the child cannot remove easily and which restricts the child's freedom of movement.

Restraining devices include leg restraints, arm restraints, soft ties or vests, wheel chair safety bars. and full length bedrails. (2) "Protective Separation" means the voluntary or involuntary removal of a child for the purpose of protecting the child from injuring themselves or others. (3) "Protective Separation Room" means an unlocked room specifically designated and designed for the involuntary separation of a child from other children for a limited time period for the purpose of protecting the child from injuring or endangering themselves or others. (4)

"Psychotropic medication(s)" are those medications as defined in Sections 369.5(d) and 739.5(d) of the Welfare and Institutions Code.

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"Psychotropic medication(s)" are those medications as defined in Sections 369.5(d) and 739.5(d) of the Welfare and Institutions Code.

(q)

(1) "Qualified Mental Retardation Professional" means a person described in Title 22, division 5, chapter 8, section 76834.

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(r)

(1) "Reasonable and prudent parent" or "reasonable and prudent parent standard" means as defined in Welfare and Institutions Code section 362.05 (c)(1). (2)

"Runaway" means a child who absents themselves from the facility without permission from facility personnel. (3) "Runaway Plan" means a written plan which addresses how the licensee will respond to runaway situations.

(1)

"Reasonable and prudent parent" or "reasonable and prudent parent standard" means as defined in Welfare and Institutions Code section 362.05 (c)(1).

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"Runaway" means a child who absents themselves from the facility without permission from facility personnel.

(3)

"Runaway Plan" means a written plan which addresses how the licensee will respond to runaway situations.

(s)

(1) "Satellite Home" means a facility which is owned by, contracted with, or otherwise controlled by the licensee of another group home. The primary function

of the satellite home is to provide residential services to children who are former clients of the primary group home and/or to children who receive direct services from the primary group home. As specified in section 80008(b), each satellite home is required to independently meet regulations applicable to its licensed category. (2) "Self-administer" means the act of a "child" administering or giving themselves medicine or injections as specified in Sections 84075.1, Emergency Medical Assistance, Injections, and Self-Administration of Medications. (3) "Sexual Orientation" describes a person's emotional, romantic or sexual attraction to others, which may be shaped at an early age. (4) "Social Work Staff" means at least one social worker or other professional person trained in the behavioral sciences who provides, either through employment or alternative means, those services specified in this chapter. (5) "Specialized Group Home" means a licensed group home which provides specialized in-home health care to children. (6) "Specialized In-Home Health Care" means health care identified by the child's physician as appropriately administered in the facility by a health care professional or by a licensee or staff trained by health care professionals pursuant to the child's individualized health care plan. For a child with special health care needs placed in a group home after November 1, 1993, these services must be provided by a health care professional.(A) Such alternative means shall include services provided by the social work staff of placement agencies only when such services are within the scope of the duties assigned to the worker by their agency.

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home. As specified in section 80008(b), each satellite home is required to independently meet regulations applicable to its licensed category.

(2)

"Self-administer" means the act of a "child" administering or giving themselves medicine or injections as specified in Sections 84075.1, Emergency Medical Assistance, Injections, and Self-Administration of Medications.

(3)

"Sexual Orientation" describes a person's emotional, romantic or sexual attraction to others, which may be shaped at an early age.

(4)

"Social Work Staff" means at least one social worker or other professional person trained in the behavioral sciences who provides, either through employment or alternative means, those services specified in this chapter.

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"Specialized Group Home" means a licensed group home which provides specialized in-home health care to children.

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"Specialized In-Home Health Care" means health care identified by the child's physician as appropriately administered in the facility by a health care professional or by a licensee or staff trained by health care professionals pursuant to the child's individualized health care plan. For a child with special health care needs placed in a group home after November 1, 1993, these services must be provided by a health care professional.(A) Such alternative means shall include services provided by the social work staff of placement agencies only when such services are within the scope of the duties assigned to the worker by their agency.

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Such alternative means shall include services provided by the social work staff of placement agencies only when such services are within the scope of the duties assigned to the worker by their agency.

(t)

(1) "Transgender" means a person whose gender identity differs from the person's assigned or presumed sex at birth. (2) "Trauma Informed" means program interventions, practices, services, and supports that recognize and respond to the varying impact of traumatic stress on children, nonminor dependents, and their families, certified parents, Resource Families, and those who have contact with the child welfare system.

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(u)

(Reserved)

(v)

(1) "Vendor" means a Department-approved institution, association, individual(s), or other entity that assumes full responsibility or control over a Department-approved Initial Certification Training Program and/or a Continuing Education Training Program. (2) "Vendor Applicant" means any institution, association, individual(s), or other entity that submits a request for approval of an

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(w)

(Reserved)

(x)

(Reserved)

(y)

(Reserved)

(z)

(Reserved)