

84061 Reporting Requirements

(a)

In addition to Section 80061, the following shall apply.

(b)

The licensee shall ensure that the child's authorized representative is notified no later than the next business day if the following circumstances have occurred without the authorized representative's participation:(1) The child has been placed in the facility under emergency circumstances. (2) The child has been removed from the facility. (3) Each time the child has been placed in a manual restraint, to be reported as required in Section 84361.

(1)

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(2)

The child has been removed from the facility.

(3)

Each time the child has been placed in a manual restraint, to be reported as required in Section 84361.

(c)

The licensee shall ensure that the child's authorized representative is sent prior written notification regarding the need for nonemergency relocation of the child to another facility, including a satellite home.

(d)

The licensee shall ensure that the child's authorized representative is notified if the child is not enrolled in or regularly attending school.

(e)

Effective January 1, 2000, the licensee shall notify the Department, in writing, within ten (10) days of any change in the facility administrator.

(f)

The licensee shall notify the licensing agency in writing within ten business days of acquiring a new member of the board of directors. The notification shall include the following: (1) Name and mailing address of the new member of the board of directors; (2) Date he or she joined the board of directors, and (3) A copy of the LIC 9165 signed by the new member of the board of directors.

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(2)

Date he or she joined the board of directors, and

(3)

A copy of the LIC 9165 signed by the new member of the board of directors.

(g)

The licensee shall notify the Department, in writing, within ten (10) days of the hiring of a new administrator. The notification shall include the following: (1) Name, and residence and mailing addresses of the new administrator. (2) Date he/she assumed his/her position. (3) Description of his/her background and qualifications, including documentation of required education and administrator certification. (A) A photocopy of the documentation shall be permitted.

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(2)

Date he/she assumed his/her position.

(3)

Description of his/her background and qualifications, including documentation of required education and administrator certification. (A) A photocopy of the documentation shall be permitted.

(A)

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(h)

Incident Reports must include the following: (1) Date, time, duration and location of the incident. (2) A detailed narrative, describing the incident and the events leading up to incident. (3) Analysis of the incident: (A) Other reportable incidents involving the same child in the preceding six months. (B) Description of other incidents. 1. Dates of previous incidents. 2. Types of incidents. 3. Action taken by facility personnel in response to incidents. (C) Are there commonalities between this incident and other incidents involving the same child in the preceding six months. (4) Description of the facility's plan for the child, in response to the incident, including modifications to the child's needs and services plan. If the child has been involved in previous incidents, explain what the previous modifications were to the child's needs and services plan. (5) What action was taken by facility personnel to re-integrate the child into the general population after the incident. (6) When the Incident Report is used to report the use of manual restraints, the report must include the following: (A) Date and time of other manual restraints involving the same child in the past 24 hours. (B) A description of the child's behavior that required the use of manual restraints, and description of the

precipitating factors which led to the intervention. (C) Description of what manual restraints were used, and how long the child was restrained. (D) Description of what non-physical interventions were utilized prior to the restraint; explanation of why more restrictive interventions were necessary. (E) Description of injuries sustained by the child or facility personnel. What type of medical treatment was sought and where was child taken. Explanation if medical treatment not sought for injuries. (F) Name(s) of facility personnel who provided the manual restraint. (G) Name(s) of facility personnel who witnessed the child's behavior and the restraint. (H) The child's verbal response and physical appearance, including a description of any injuries at the completion of the restraint. (I) If it is determined by the post incident review, as required in Section 84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective action will be taken or not taken and why. (J) If law enforcement was involved, a detailed description of the incident. (K) Documentation that the child's authorized representative has been notified of the incident. (7) When the Incident Report is used to report a runaway situation, the report must include the following: (A) When and how was the child's absence first noted. (B) If known, child's last known activities. (C) What were the circumstances surrounding the child's absence. (D) What action did the facility personnel take to discourage the child from leaving; and what interventions were utilized, if any. (E) What action was taken by facility personnel to locate the child. (F) If a manual restraint was used, and if it is determined by the post incident review, as required in Section 84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective

action will be taken or not taken and why. (G) If law enforcement was involved in the incident, a detailed description of the incident. (H) Documentation that the child's authorized representative has been notified of the incident.

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Date, time, duration and location of the incident.

(2)

A detailed narrative, describing the incident and the events leading up to incident.

(3)

Analysis of the incident: (A) Other reportable incidents involving the same child in the preceding six months. (B) Description of other incidents. 1. Dates of previous incidents. 2. Types of incidents. 3. Action taken by facility personnel in response to incidents. (C) Are there commonalities between this incident and other incidents involving the same child in the preceding six months.

(A)

Other reportable incidents involving the same child in the preceding six months.

(B)

Description of other incidents. 1. Dates of previous incidents. 2. Types of incidents. 3. Action taken by facility personnel in response to incidents.

1.

Dates of previous incidents.

2.

Types of incidents.

3.

Action taken by facility personnel in response to incidents.

(C)

Are there commonalities between this incident and other incidents involving the same child

in the preceding six months.

(4)

Description of the facility's plan for the child, in response to the incident, including modifications to the child's needs and services plan. If the child has been involved in previous incidents, explain what the previous modifications were to the child's needs and services plan.

(5)

What action was taken by facility personnel to re-integrate the child into the general population after the incident.

(6)

When the Incident Report is used to report the use of manual restraints, the report must include the following: (A) Date and time of other manual restraints involving the same child in the past 24 hours. (B) A description of the child's behavior that required the use of manual restraints, and description of the precipitating factors which led to the intervention. (C) Description of what manual restraints were used, and how long the child was restrained. (D) Description of what non-physical interventions were utilized prior to the restraint; explanation of why more restrictive interventions were necessary. (E) Description of injuries sustained by the child or facility personnel. What type of medical treatment was sought and where was child taken. Explanation if medical treatment not sought for injuries. (F) Name(s) of facility personnel who provided the manual restraint. (G) Name(s) of facility personnel who witnessed the child's behavior and the restraint. (H) The child's verbal response and physical appearance, including a description of any injuries at the completion of the restraint. (I) If it is determined by the post incident review, as required in Section 84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident.

What corrective action will be taken or not taken and why. (J) If law enforcement was involved, a detailed description of the incident. (K) Documentation that the child's authorized representative has been notified of the incident.

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Date and time of other manual restraints involving the same child in the past 24 hours.

(B)

A description of the child's behavior that required the use of manual restraints, and description of the precipitating factors which led to the intervention.

(C)

Description of what manual restraints were used, and how long the child was restrained.

(D)

Description of what non-physical interventions were utilized prior to the restraint; explanation of why more restrictive interventions were necessary.

(E)

Description of injuries sustained by the child or facility personnel. What type of medical treatment was sought and where was child taken. Explanation if medical treatment not sought for injuries.

(F)

Name(s) of facility personnel who provided the manual restraint.

(G)

Name(s) of facility personnel who witnessed the child's behavior and the restraint.

(H)

The child's verbal response and physical appearance, including a description of any injuries at the completion of the restraint.

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If it is determined by the post incident review, as required in Section 84368.3, that facility

personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective action will be taken or not taken and why.

(J)

If law enforcement was involved, a detailed description of the incident.

(K)

Documentation that the child's authorized representative has been notified of the incident.

(7)

When the Incident Report is used to report a runaway situation, the report must include the following: (A) When and how was the child's absence first noted. (B) If known, child's last known activities. (C) What were the circumstances surrounding the child's absence. (D) What action did the facility personnel take to discourage the child from leaving; and what interventions were utilized, if any. (E) What action was taken by facility personnel to locate the child. (F) If a manual restraint was used, and if it is determined by the post incident review, as required in Section 84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective action will be taken or not taken and why. (G) If law enforcement was involved in the incident, a detailed description of the incident. (H) Documentation that the child's authorized representative has been notified of the incident.

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(B)

If known, child's last known activities.

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What were the circumstances surrounding the child's absence.

(D)

What action did the facility personnel take to discourage the child from leaving; and what interventions were utilized, if any.

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What action was taken by facility personnel to locate the child.

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If a manual restraint was used, and if it is determined by the post incident review, as required in Section 84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective action will be taken or not taken and why.

(G)

If law enforcement was involved in the incident, a detailed description of the incident.

(H)

Documentation that the child's authorized representative has been notified of the incident.

(i)

The licensee shall submit reports to the Department, using form LIC 624-LE or a report containing all the information required in LIC 624-LE, regarding any incident that involves law enforcement contact with a child residing in the facility. (1) The licensee shall make an initial report to the Department no later than the next business day following each incident. The initial report shall include all information described in Section 84061(i)(2)(A) through (F) that is known to the licensee at the time the report is made. (2) Within six months of the incident, the licensee shall provide a follow-up report for each incident that includes the following information: (A) The type of incident. (B) Whether the incident involved an alleged violation of any crime, other than an age-based curfew law, by a child residing in the facility. (C) Whether staff, children, or both were involved in the

incident. (D) The gender, race, ethnicity, and age of children involved in the incident. (E) The outcome of the incident, if known, including arrests, removals of children from placement, termination or suspension of staff, the filing of a Welfare and Institutions Code Section 602 petition for the child, or revocation of or changes to the terms of probation. (3) The licensee may file the follow-up report at any time within six months of the incident, including with the initial report, if all outcomes and required information are known. (4) The licensee may be required to provide follow-up reports beyond the first six months if the Department determines that the information provided in either the initial or follow-up reports is incomplete, or if outcomes required to be reported are not known until later than six months after the initial report. (5) A licensee reporting an incident under this subsection shall not be required to report the same incident under any other provision of this Section, or under Section 80061, so long as all information required to be reported by the other provision is provided. (6) For the purposes of this subsection, "contact with law enforcement" means contact by police officers, sheriffs and others as defined in Section 84001 (l)(1), with a child residing in the facility, which does not include routine contact with a probation officer who is supervising the placement of a child in the facility.

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Within six months of the incident, the licensee shall provide a follow-up report for each incident that includes the following information: (A) The type of incident. (B) Whether

the incident involved an alleged violation of any crime, other than an age-based curfew law, by a child residing in the facility. (C) Whether staff, children, or both were involved in the incident. (D) The gender, race, ethnicity, and age of children involved in the incident. (E) The outcome of the incident, if known, including arrests, removals of children from placement, termination or suspension of staff, the filing of a Welfare and Institutions Code Section 602 petition for the child, or revocation of or changes to the terms of probation.

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(B)

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The outcome of the incident, if known, including arrests, removals of children from placement, termination or suspension of staff, the filing of a Welfare and Institutions Code Section 602 petition for the child, or revocation of or changes to the terms of probation.

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follow-up reports is incomplete, or if outcomes required to be reported are not known until later than six months after the initial report.

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A licensee reporting an incident under this subsection shall not be required to report the same incident under any other provision of this Section, or under Section 80061, so long as all information required to be reported by the other provision is provided.

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For the purposes of this subsection, "contact with law enforcement" means contact by police officers, sheriffs and others as defined in Section 84001 (l)(1), with a child residing in the facility, which does not include routine contact with a probation officer who is supervising the placement of a child in the facility.