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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 6@ Adult Residential Facilities

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Article 9@ Administrator Certification Training Programs

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Section 85097@ Continuing Education Training Program Vendor Requirements

85097 Continuing Education Training Program Vendor Requirements

(a)

Any vendor applicant seeking approval as a vendor of a Continuing Education Training Program shall obtain vendor approval by the Department prior to offering any course to certificate holders.

(b)

Any vendor applicant seeking approval to become a vendor of a Continuing Education Training Program shall submit a written request to the Department's Administrator Certification Section using the Vendor Application/Renewal form LIC 9141. The request shall be signed by an authorized representative of the vendor applicant certifying that the information submitted is true and correct, and contain the following: (1) Name, type of entity, physical address, e-mail address, and phone number of the vendor applicant requesting approval and the name of the person in charge of the Program. (2) A statement of whether or not the vendor applicant held or currently holds a license, certification or other approval as a professional in a specified field and the license or certificate number. (3) A statement of whether or not the vendor applicant held or currently holds a State-issued care facility license or was or is employed by a State-licensed care facility and the license number. (4) A statement of whether or not the vendor applicant was the subject of any legal, administrative, or other action involving

licensure, certification or other approvals as specified in Section 85097(b)(2) and (3) above. (5) A non-refundable processing fee of one hundred dollars (\$100).

(1)

Name, type of entity, physical address, e-mail address, and phone number of the vendor applicant requesting approval and the name of the person in charge of the Program.

(2)

A statement of whether or not the vendor applicant held or currently holds a license, certification or other approval as a professional in a specified field and the license or certificate number.

(3)

A statement of whether or not the vendor applicant held or currently holds a State-issued care facility license or was or is employed by a State-licensed care facility and the license number.

(4)

A statement of whether or not the vendor applicant was the subject of any legal, administrative, or other action involving licensure, certification or other approvals as specified in Section 85097(b)(2) and (3) above.

(5)

A non-refundable processing fee of one hundred dollars (\$100).

(c)

Continuing Education Training Program vendor approval shall expire two (2) years from the date the vendorship is approved by the Department.

(d)

A written request for renewal of the Continuing Education Training Program shall be submitted to the Department's Administrator Certification Section using the

Vendor Application/Renewal form, LIC 9141, and shall contain the information and processing fee specified in Section 85097(b) above. (1) A continuing education vendor must have one or more current approved Adult Residential Facility continuing education courses in order to renew its Adult Residential Facility continuing education program vendorship.

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(e)

If a request for approval or renewal of a Continuing Education Training Program vendorship is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor applicant that: (1) The request is deficient, describing which documents or information are outstanding and/or inadequate and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of the notice.

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(f)

If the vendor applicant does not submit the requested information above within thirty (30) days, the request for approval or renewal shall be deemed withdrawn, provided that the Department has not denied or taken action to deny the request.

(g)

Within thirty (30) days of receipt of a complete request for an approval or renewal,

the Department shall notify the vendor applicant in writing whether the request has been approved or denied.

(h)

Continuing Education Training Program vendors shall: (1) Issue certificates of completion to participants who successfully complete the program. (A) The certificate of completion shall be signed by the vendor or its authorized representative and include the approved vendor's name and vendor number, the approved course name and course number, the approved course hours, and the date(s), time(s) and location(s) of the course(s). (2) Maintain and ensure that records are available for review by Department representatives. Records shall be maintained for three (3) years from the date of vendorship approval, course approval, or course offering, whichever is applicable and most recent. The records shall include the following: (A) Course schedules, dates, descriptions and course outlines. (B) Lists of instructors and documentation of qualifications of each, as specified in Section 85097(h)(3) below. (C) Rosters of Participants (LIC 9142A or other document which includes the same information) and documentation of who completed the courses. (D) Evaluations by participants of courses and instructors. (E) Audio-visual recordings of all Continuing Education Training courses offered outside of California. (3) Have instructors who have verifiable knowledge and/or experience in the subject matter and content to be taught and who meet at least one of the following criteria: (A) Hold a bachelor's or higher degree from an accredited institution in a discipline or field related to the subject(s) to be taught, and have at least two (2) years of experience relevant to the subject(s) to be taught, or (B) Four (4) years of experience relevant to the course to be taught, or (C) Be a professional, in a field related to the subject(s) to be taught, with a valid license or certification to practice in California and at least two (2) years of related

field experience, or (D) Have at least four (4) years of experience in California as an administrator of an adult residential facility, within the last six (6) years, with a record of administering the facility(ies) in substantial compliance as defined in Section 80001(s)(7)), and have verifiable training in the subject(s) to be taught. (4) Upon request, submit to the Department's Administrator Certification Section a schedule for at least the next calendar quarter specifying the subject title, approved course number, classroom hours, proposed dates, time, duration, location and proposed instructor for each future course. (5) Before adding or replacing an approved instructor, obtain the Department's approval by submitting a completed Request to Add or Replace Instructor form LIC 9140A and supporting documentation to the Department's Administrator Certification Section. (6) Encourage course instructors to elicit and respond appropriately to participants' questions. (7) Develop and provide to each course participant an end-of-course evaluation requesting feedback on, at minimum, instructor(s) knowledge of the subject(s), quality of instruction provided, attainment of learning objectives, and opportunity of participants to ask questions. (8) Report any changes of the information in 85097(b)(1) within thirty (30) days to the Department's Administrator Certification Section.

(1)

Issue certificates of completion to participants who successfully complete the program.

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(2)

Maintain and ensure that records are available for review by Department representatives. Records shall be maintained for three (3) years from the date of vendorship approval, course approval, or course offering, whichever is applicable and most recent. The records shall include the following: (A) Course schedules, dates, descriptions and course outlines. (B) Lists of instructors and documentation of qualifications of each, as specified in Section 85097(h)(3) below. (C) Rosters of Participants (LIC 9142A or other document which includes the same information) and documentation of who completed the courses. (D) Evaluations by participants of courses and instructors. (E) Audio-visual recordings of all Continuing Education Training courses offered outside of California.

(A)

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(B)

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(C)

Rosters of Participants (LIC 9142A or other document which includes the same information) and documentation of who completed the courses.

(D)

Evaluations by participants of courses and instructors.

(E)

Audio-visual recordings of all Continuing Education Training courses offered outside of

California.

(3)

Have instructors who have verifiable knowledge and/or experience in the subject matter and content to be taught and who meet at least one of the following criteria: (A) Hold a bachelor's or higher degree from an accredited institution in a discipline or field related to the subject(s) to be taught, and have at least two (2) years of experience relevant to the subject(s) to be taught, or (B) Four (4) years of experience relevant to the course to be taught, or (C) Be a professional, in a field related to the subject(s) to be taught, with a valid license or certification to practice in California and at least two (2) years of related field experience, or (D) Have at least four (4) years of experience in California as an administrator of an adult residential facility, within the last six (6) years, with a record of administering the facility(ies) in substantial compliance as defined in Section 80001(s)(7)), and have verifiable training in the subject(s) to be taught.

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(C)

Be a professional, in a field related to the subject(s) to be taught, with a valid license or certification to practice in California and at least two (2) years of related field experience, or

(D)

Have at least four (4) years of experience in California as an administrator of an adult residential facility, within the last six (6) years, with a record of administering the facility(ies)

in substantial compliance as defined in Section 80001(s)(7)), and have verifiable training in the subject(s) to be taught.

(4)

Upon request, submit to the Department's Administrator Certification Section a schedule for at least the next calendar quarter specifying the subject title, approved course number, classroom hours, proposed dates, time, duration, location and proposed instructor for each future course.

(5)

Before adding or replacing an approved instructor, obtain the Department's approval by submitting a completed Request to Add or Replace Instructor form LIC 9140A and supporting documentation to the Department's Administrator Certification Section.

(6)

Encourage course instructors to elicit and respond appropriately to participants' questions.

(7)

Develop and provide to each course participant an end-of-course evaluation requesting feedback on, at minimum, instructor(s) knowledge of the subject(s), quality of instruction provided, attainment of learning objectives, and opportunity of participants to ask questions.

(8)

Report any changes of the information in 85097(b)(1) within thirty (30) days to the Department's Administrator Certification Section.

(i)

Courses approved for continuing education credit shall require the physical presence of the certificate holder in a classroom setting, as defined in Section 85001(c)(4), except that: (1) The Department may approve online courses

pursuant to Health and Safety Code section 1522.41(h)(7) where technology permits the interactive participation of the certificate holder and such participation is verifiable. Interactive online training courses require the participant to respond to prompts and receive feedback at various intervals throughout the course in order to progress through the training and to successfully pass a test at the conclusion of the course in order to receive a certificate of completion for the course. (A) A Webinar or similar type of live broadcast of a training course may be approved by the Department for online continuing education hours pursuant to Health and Safety Code section 1562.3(h)(7) where the technology permits interactive participation of the certificate holder and such participation is verifiable, and where it can be verified that the certificate holder was logged on and interacting throughout the entire length of the Webinar. (B) All online training courses shall be designed to ensure participation for the actual number of hours approved and to ensure that participants cannot print a certificate of completion until the approved course hours have been completed.

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(B)

All online training courses shall be designed to ensure participation for the actual number of hours approved and to ensure that participants cannot print a certificate of completion until the approved course hours have been completed.

(j)

Any changes to courses previously approved by the Department must be submitted and approved by the Department prior to being offered.

(k)

Continuing Education Training Program vendors shall allow Department representatives to monitor and inspect Training Courses and Programs. (1) Any duly authorized Department representative may, upon proper identification and upon stating the purpose of his/her visit, enter, inspect, and monitor continuing education training courses with or without advance notice. Such representatives may also request information and copies of records in advance of such visits and/or for desk monitoring. (2) The vendor shall ensure that provisions are made

for the private interview of any participant or instructor, and for the examination of any records relating to the program. (3) The Department shall have the authority to inspect, audit, and copy all program records upon demand. Records may be removed if necessary for copying. (4) Department representatives shall not remove any current emergency or health related personnel records unless the same information is otherwise readily available in another document or format. Department representatives shall return the records undamaged and in good order within three business days following the date the records were removed.

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Department representatives shall not remove any current emergency or health related personnel records unless the same information is otherwise readily available in another document or format. Department representatives shall return the records undamaged and in good order within three business days following the date the records were

removed.

(I)

If, as a result of an investigation or inspection, the Department determines that a deficiency exists, the Department shall issue a notice of deficiency, unless the deficiency is minor and corrected immediately, and shall provide Continuing Education Training Program Vendor with the notice of deficiency in person or by registered mail. (1) The notice of deficiency shall be in writing and shall include: (A) A reference to the statute or regulation upon which the deficiency is premised. (B) A factual description of the nature of the deficiency fully stating the manner in which the Vendor failed to comply with the specified statute or regulation. (C) The amount of penalty pursuant to Section 85098 which shall be assessed if the deficiency is not corrected and the date the penalty begins. (D) The appeal process as specified in Section 85099. (2) The Department and the Vendor shall develop a plan for correcting each deficiency which shall be added to the notice of deficiency. (3) Absent prior Department approval, all course deficiencies shall be corrected prior to the next offering of the deficient course(s), and all other deficiencies (e.g., recordkeeping) shall be corrected within the number of days agreed to in the corrective action plan.

(1)

The notice of deficiency shall be in writing and shall include: (A) A reference to the statute or regulation upon which the deficiency is premised. (B) A factual description of the nature of the deficiency fully stating the manner in which the Vendor failed to comply with the specified statute or regulation. (C) The amount of penalty pursuant to Section 85098 which shall be assessed if the deficiency is not corrected and the date the penalty begins. (D) The appeal process as specified in Section 85099.

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A reference to the statute or regulation upon which the deficiency is premised.

(B)

A factual description of the nature of the deficiency fully stating the manner in which the Vendor failed to comply with the specified statute or regulation.

(C)

The amount of penalty pursuant to Section 85098 which shall be assessed if the deficiency is not corrected and the date the penalty begins.

(D)

The appeal process as specified in Section 85099.

(2)

The Department and the Vendor shall develop a plan for correcting each deficiency which shall be added to the notice of deficiency.

(3)

Absent prior Department approval, all course deficiencies shall be corrected prior to the next offering of the deficient course(s), and all other deficiencies (e.g., recordkeeping) shall be corrected within the number of days agreed to in the corrective action plan.

(m)

Continuing Education Training Program vendors who teach courses that the Department has approved for more than one program type (Adult Residential Facility, Group Home, Residential Care for the Elderly), may provide "multiple crediting," that is, more than one certification for the course, to participants who complete the course satisfactorily.

(n)

Continuing Education Training Program vendors that the Department has approved for more than one program type (Adult Residential Facility, Group Home, Residential Care for the Elderly), may "co-locate" or instruct specified

courses for more than one program type. (1) The approved hours for co-located courses may differ depending on the content pertinent to each program type.

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(o)

Continuing Education Training Program vendors and their instructors who are also certificate holders shall not be permitted to receive credit for attending the vendor's own Continuing Education Training Program courses.