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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 7@ Transitional Housing Placement Program

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Subchapter 1@ Transitional Housing Placement Program for Minor Foster Children

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Section 86187@ Buildings and Grounds

86187 Buildings and Grounds

(a)

The licensee shall ensure the THPP participant living unit meets, at a minimum, the following requirements: (1) No more than two THPP participants shall share a bedroom. (2) THPP participants of different sexes shall not share a bedroom unless: (A) A minor parent may share a bedroom with their child of a different sex. (B) A THPP participant is exercising their right to share a bedroom consistent with their gender identity regardless of the gender or sex listed on the court or child welfare documents. (3) No area commonly used for other purposes shall be used as a bedroom. (A) Such areas include but are not limited to halls, stairways, unfinished attics or basements, garages, storage areas or sheds, or similar detached buildings. (4) No bedroom shall be used as a public or general passageway to another room.

(1)

No more than two THPP participants shall share a bedroom.

(2)

THPP participants of different sexes shall not share a bedroom unless: (A) A minor parent may share a bedroom with their child of a different sex. (B) A THPP participant is exercising their right to share a bedroom consistent with their gender identity regardless of the gender or sex listed on the court or child welfare documents.

(A)

A minor parent may share a bedroom with their child of a different sex.

(B)

A THPP participant is exercising their right to share a bedroom consistent with their gender identity regardless of the gender or sex listed on the court or child welfare documents.

(3)

No area commonly used for other purposes shall be used as a bedroom. (A) Such areas include but are not limited to halls, stairways, unfinished attics or basements, garages, storage areas or sheds, or similar detached buildings.

(A)

Such areas include but are not limited to halls, stairways, unfinished attics or basements, garages, storage areas or sheds, or similar detached buildings.

(4)

No bedroom shall be used as a public or general passageway to another room.

(b)

A THPP participant may share a bedroom with their own child(ren), regardless of the ages of the participant and their own child(ren). (1) THPP participants shall not share a bedroom with an adult who is not a THPP participant unless the adult is a THP-Plus participant. (2) The licensing agency may approve an exception when all of the following conditions are met: (A) Two minor THPP participants have been sharing a bedroom and one of the participants turns 18 years of age; (B) One of the participants otherwise meets all of the requirements of Welfare and Institutions Code Section 11403; (C) Both are participants; (D) The participants remain compatible. (3) Subsections 86187(a)(1) through 86187(b)(4) apply to all bedrooms used by all persons residing in the THPP, including the participants in placement and their own children, and the THPP employees. (4) THPP employees shall not share a bedroom with THPP participants.

(1)

THPP participants shall not share a bedroom with an adult who is not a THPP participant unless the adult is a THP-Plus participant.

(2)

The licensing agency may approve an exception when all of the following conditions are met: (A) Two minor THPP participants have been sharing a bedroom and one of the participants turns 18 years of age; (B) One of the participants otherwise meets all of the requirements of Welfare and Institutions Code Section 11403; (C) Both are participants; (D) The participants remain compatible.

(A)

Two minor THPP participants have been sharing a bedroom and one of the participants turns 18 years of age;

(B)

One of the participants otherwise meets all of the requirements of Welfare and Institutions Code Section 11403;

(C)

Both are participants;

(D)

The participants remain compatible.

(3)

Subsections 86187(a)(1) through 86187(b)(4) apply to all bedrooms used by all persons residing in the THPP, including the participants in placement and their own children, and the THPP employees.

(4)

THPP employees shall not share a bedroom with THPP participants.

(c)

When a THPP participant has a disability, the licensee shall make necessary specific provisions, including but not limited to, alterations to the building and grounds as required to protect and to assist the participant and maximize the participant's potential for self sufficiency.

(d)

Firearms and other weapons shall not be stored in the THPP participant living units.

(e)

Disinfectants, cleaning solutions, poisons and other items that could pose a danger when accessible shall be stored where inaccessible when the following conditions exist: (1) The child(ren) of a THPP participant resides in the THPP participant living unit; or, (2) When required by a participant's needs and services plan.

(1)

The child(ren) of a THPP participant resides in the THPP participant living unit; or,

(2)

When required by a participant's needs and services plan.

(f)

The licensee shall prohibit smoking in the facility and on the grounds of the facility.

(g)

Each approved housing model shall have one or more carbon monoxide detectors that meets the standards established in Health and Safety Code Chapter 8 (commencing with Section 13260) of Part 2 of Division 12.

(h)

In every situation where children share a bedroom, the licensee shall document

that the bedroom sharing arrangement ensures the health and safety of each child and that the children are compatible. When considering compatibility a licensee shall consult with children in their care, in an age and developmentally appropriate manner, regarding the child's sexual orientation and gender identity and gender expression and what information the child wishes to disclose and to whom. A licensee shall not disclose information about the child's sexual orientation and/or gender identity and gender expression against the child's wishes, unless compelled to do so by law or court order, or disclosure is required to protect the child's health and safety. This documentation shall be maintained in the child's record.