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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 86161@ Reporting Requirements

86161 Reporting Requirements

(a)

Each licensee or applicant shall furnish to the licensing agency reports as required by the Department, including, but not limited to, those specified in this section.

(b)

Upon the occurrence, during the operation of the facility, of any of the events specified in (1) below, a report shall be made to the licensing agency within the agency's next working day during its normal business hours. In addition, a written report containing the information specified in (2) below shall be submitted to the licensing agency within seven days following the occurrence of such event. (1) Events reported shall include the following: (A) Death of any participant from any cause. (B) Death of any participant as a result of injury, abuse, or other than natural causes, regardless of where the death occurred. This includes a death that occurred outside the facility such as at a day program, workshop, job, hospital, en route to or from a hospital, or visiting away from the facility. 1. The licensee shall obtain a certified copy of the participant's death certificate as soon as it is available, maintain it in the participant's file, and shall send a copy to the Department as soon as it is obtained. 2. For Regional Center participants, the licensee shall also send a copy of the death certificate to the Regional Center. (C) Any injury to any participant which requires medical treatment. (D) Any unusual incident or participant absence which threatens the physical or emotional health

or safety of any participant. 1. A pregnancy or termination of a pregnancy does not, in and of itself, constitute an unusual incident unless it meets criteria specified for mandated reporting in Penal Code section 11166(a). (E) Any suspected psychological abuse of any participant. (F) Any suspected physical abuse of any minor. 1. A pregnancy or termination of a pregnancy does not, in and of itself, constitute an unusual incident unless it meets criteria specified for mandated reporting in Penal Code section 11166(a). (G) Epidemic outbreaks. (H) Poisonings. (I) Catastrophes. (J) Fires or explosions which occur in or on the premises. (2) Information provided shall include the following: (A) Participant's name, age, sex, and date of admission. (B) Date and nature of event. (C) Attending physician's name, findings, and treatment, if any. (D) Disposition of the case.

(1)

Events reported shall include the following: (A) Death of any participant from any cause. (B) Death of any participant as a result of injury, abuse, or other than natural causes, regardless of where the death occurred. This includes a death that occurred outside the facility such as at a day program, workshop, job, hospital, en route to or from a hospital, or visiting away from the facility. 1. The licensee shall obtain a certified copy of the participant's death certificate as soon as it is available, maintain it in the participant's file, and shall send a copy to the Department as soon as it is obtained. 2. For Regional Center participants, the licensee shall also send a copy of the death certificate to the Regional Center. (C) Any injury to any participant which requires medical treatment. (D) Any unusual incident or participant absence which threatens the physical or emotional health or safety of any participant. 1. A pregnancy or termination of a pregnancy does not, in and of itself, constitute an unusual incident unless it meets criteria specified for mandated reporting in Penal Code section 11166(a). (E) Any suspected psychological abuse of any participant. (F) Any suspected

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(D)

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(G)

Epidemic outbreaks.

(H)

Poisonings.

(I)

Catastrophes.

(J)

Fires or explosions which occur in or on the premises.

(2)

Information provided shall include the following: (A) Participant's name, age, sex, and date of admission. (B) Date and nature of event. (C) Attending physician's name, findings, and treatment, if any. (D) Disposition of the case.

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Participant's name, age, sex, and date of admission.

(B)

Date and nature of event.

(C)

Attending physician's name, findings, and treatment, if any.

(D)

Disposition of the case.

(c)

The items below shall be reported to the licensing agency within 10 working days following the occurrence. (1) The organizational changes specified in section 86034(a)(2). (2) Any change in the licensee's or applicant's mailing address. (3) Any change of the chief executive officer of a corporation or association. (A) Such notification shall include the new chief executive officer's name and address. (B) Fingerprints shall be submitted as specified in section 86019(d). (4) Any changes in the plan of operation which affect the services to participants.

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Any change in the licensee's or applicant's mailing address.

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(B)

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(4)

Any changes in the plan of operation which affect the services to participants.

(d)

All THPP personnel, volunteers, licensees, and child care custodians are required to report suspected child abuse and neglect to a child protective agency and this licensing agency in accordance with Penal Code Section 11164 et seq. (1) All THPP personnel and volunteers, licensees, and child care custodians shall sign a statement acknowledging their reporting responsibilities.

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(e)

The licensee shall notify the THPP participant's authorized representative and placement entity when it is necessary to relocate the participant.

(f)

The licensee shall notify the THPP participant's authorized representative and placement entity no later than the next business day when the participant has been removed from the THPP participant living unit under emergency circumstances without the authorized representative's participation.(1) Within three business days following relocation, the licensee shall notify the THPP participant's authorized representative and placement entity of the THPP participant's new address and telephone number.

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(g)

The licensee shall notify the THPP participant's authorized representative and placement entity of all incidents reported to the licensing agency as required in Section 86161(b)(1)(A) through (I).

(h)

The licensee shall notify the licensing agency, within ten business days, of a change of administrator. The notification shall include the following: (1) The name and mailing and residence address of the new administrator; (2) Date the administrator assumed the position; (3) Verification of the administrator's required education, experience and qualifications.

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(2)

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(3)

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(i)

The licensee shall report to the licensing agency, the participant's authorized representative, and placement entity within 24 hours, any unexplained absence of a THPP participant, unless otherwise specified in the participant's needs and services plan.

(j)

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 participant residing in a THPP living unit. (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 items (A) through (E) of Section 86161(j)(2) 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 participant residing in the facility. (C) Whether staff, participants, or both were involved. (D) The gender, race, ethnicity, and age of participants involved. (E) The outcome of the incident, if known, including arrests, removals of participants from placement, termination or suspension of staff, the filing of a 602 petition for the child, or revocation of or changes to the terms of probation. (3) 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. (4) A licensee reporting an incident under this paragraph shall not be required to report the same incident under any other provision of this Section, or under Section 86061, if all information required to be reported by the other provision is provided. (5) For the purposes of this subsection, "contact with law enforcement" means contact by police officers, sheriffs and others, as defined in Section 86001(l)(1), with a participant residing in a THPP living unit, which does not include routine contact with a probation officer who is supervising the placement of a participant in a THPP.

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(B)

Whether the incident involved an alleged violation of any crime, other than an age-based curfew law, by a participant residing in the facility.

(C)

Whether staff, participants, or both were involved.

(D)

The gender, race, ethnicity, and age of participants involved.

(E)

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

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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.

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A licensee reporting an incident under this paragraph shall not be required to report the same incident under any other provision of this Section, or under Section 86061, if 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 86001(I)(1), with a participant residing in a THPP living unit, which does not include routine contact with a probation officer who is supervising the placement of a participant in a THPP.

(k)

The items specified in (b)(1)(A) through (G) above shall also be reported to the participant's authorized representative, if any.

(l)

The items specified in (b)(1)(D) through (F) above shall also be reported to the local health officer when appropriate pursuant to title 17, California Administrative Code, sections 2500, 2502 and 2503.

(m)

The item specified in (b)(1)(G) shall also be reported immediately to the local fire authority. In areas not having organized fire services a report shall be made to the State Fire Marshal within 24 hours.

(n)

Licensees shall send copies of all substantiated complaints to board members of the licensed facility, parents, legal guardians, conservators, participant rights advocates or placement agencies, as designated in each participant's placement agreement in accordance with Health and Safety Code section 1538.5.