

## **86524 Waivers and Exceptions**

### **(a)**

Unless prior written Department approval is received as specified in Section 86524(d), the licensee shall maintain continuous compliance with the licensing regulations.

### **(b)**

The Department shall have the authority to waive or grant an exception to a specific regulation(s) if the request demonstrates how the intent of the regulation(s) will be met and under the following circumstances: (1) A waiver or exception shall in no instance be detrimental to the health and safety of any child. (2) The Administrator or Administrator Designee shall submit to the Department a written request for a waiver or exception, together with substantiating evidence supporting the request.

#### **(1)**

A waiver or exception shall in no instance be detrimental to the health and safety of any child.

#### **(2)**

The Administrator or Administrator Designee shall submit to the Department a written request for a waiver or exception, together with substantiating evidence supporting the request.

### **(c)**

Within 30 days of receipt of a request for a waiver or an exception, except for requests made pursuant to subsection (e), the Department shall notify the crisis nursery, in writing, of one of the following: (1) The request with substantiating evidence has been received and accepted for consideration. (2) The request is deficient, needing additional information as described for the request to be acceptable and a time frame for submitting this information.(A) Failure to submit the requested information within the time specified shall result in denial of the request.

**(1)**

The request with substantiating evidence has been received and accepted for consideration.

**(2)**

The request is deficient, needing additional information as described for the request to be acceptable and a time frame for submitting this information.(A) Failure to submit the requested information within the time specified shall result in denial of the request.

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**(d)**

Within 30 days of the Department's acceptance of a completed request for a waiver or an exception, except for requests made pursuant to subsection (e), the Department shall notify the applicant or licensee, in writing, whether the request has been approved or denied. (1) The licensee shall retain the Department's written approval or denial of the request in the crisis nursery file.

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the crisis nursery file.

**(e)**

A crisis nursery may request an exception from the Department to allow a child to receive crisis day services at the crisis nursery beyond the limit of 30 calendar days, maximum of 12 hours per day, or a total of 360 hours in a six-month period as specified in Section 86580. The Department, upon receipt of an exception request pursuant to this subsection and supporting documentation as required by the Department, shall respond within five working days to approve or deny the request.(1) No more than two exceptions, in seven-calendar day or 84 hour increments, may be granted per child in a six-month period. (2) The licensee shall retain the Department's written approval or denial of the request in the crisis nursery file, as well as in the record of the child for whom the exception was requested, as specified in Section 86570(h).

**(1)**

No more than two exceptions, in seven-calendar day or 84 hour increments, may be granted per child in a six-month period.

**(2)**

The licensee shall retain the Department's written approval or denial of the request in the crisis nursery file, as well as in the record of the child for whom the exception was requested, as specified in Section 86570(h).