

89201 Definitions

The following definitions shall apply whenever the terms are used throughout this chapter.

(a)

(1) "Adult" means a person who is 18 or over, except: (A) A "child" who is 18 or 19 as specified in the definition for "child" under subsection (c)(7), and (B) A "child" who is 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(10). (2) "Age or Developmentally Appropriate" means as defined in Welfare and Institutions Code section 362.05(c)(2). (3) "Alternative Caregiver" means a person who cares for a "child" in the caregiver's licensed or approved home when the caregiver is away for more than 24 hours at a time as specified in Section 89378, subsection (a)(1)(B). (4) "Applicant" means any adult who has applied for a foster family home license or to be an approved home. (5) "Approval Agency" means the child-placing agency that is responsible for approving the homes of relative and nonrelative extended family members that meet the same standards as those in Article 3. (6) "Approved Home" means the home of a relative or nonrelative extended family member that is exempt from licensure and is approved as meeting the same standards as those in Article 3. (7) "Authorized Representative" means the person or entity authorized by law to act on behalf of a "child." The person or entity may include, but not be limited to, a parent or attorney of a "child," Court Appointed Special Advocates (CASA), a

legal guardian, a conservator, or a public placement agency.

(1)

"Adult" means a person who is 18 or over, except: (A) A "child" who is 18 or 19 as specified in the definition for "child" under subsection (c)(7), and (B) A "child" who is 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(10).

(A)

A "child" who is 18 or 19 as specified in the definition for "child" under subsection (c)(7), and

(B)

A "child" who is 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(10).

(2)

"Age or Developmentally Appropriate" means as defined in Welfare and Institutions Code section 362.05(c)(2).

(3)

"Alternative Caregiver" means a person who cares for a "child" in the caregiver's licensed or approved home when the caregiver is away for more than 24 hours at a time as specified in Section 89378, subsection (a)(1)(B).

(4)

"Applicant" means any adult who has applied for a foster family home license or to be an approved home.

(5)

"Approval Agency" means the child-placing agency that is responsible for approving the homes of relative and nonrelative extended family members that meet the same standards as those in Article 3.

(6)

"Approved Home" means the home of a relative or nonrelative extended family member that is exempt from licensure and is approved as meeting the same standards as those in Article 3.

(7)

"Authorized Representative" means the person or entity authorized by law to act on behalf of a "child." The person or entity may include, but not be limited to, a parent or attorney of a "child," Court Appointed Special Advocates (CASA), a legal guardian, a conservator, or a public placement agency.

(b)

(1) "Basic Rate" means the amount of money that is paid to the licensed or approved caregiver for providing care and supervision of an Aid to Families with Dependent Children-Foster Care (AFDC-FC) "child" as specified in Welfare and Institutions Code section 11461.

(1)

"Basic Rate" means the amount of money that is paid to the licensed or approved caregiver for providing care and supervision of an Aid to Families with Dependent Children-Foster Care (AFDC-FC) "child" as specified in Welfare and Institutions Code section 11461.

(c)

(1) "California Department of Justice Clearance" means a person has no felony or misdemeanor convictions, other than a minor traffic violation, reported by the California Department of Justice. (2) "Capacity" means the number of "children" for whom the foster family home is licensed to provide care and supervision. (3) "Care and Supervision" is defined in Welfare and Institutions Code section 11460, subsection (b) and includes, but is not limited to, any one or more of the following activities provided by a caregiver to meet the needs of a "child": (A) Assistance

in dressing, grooming, bathing, and other personal hygiene. (B) Central storage for or distribution of medicine, and assistance with taking medicine, as specified in section 89475, subsection (c). (C) Arrangement of and assistance with medical and dental care. This may include transportation. (D) Maintenance of house rules for protection. (E) Supervision of schedules and activities. (F) Maintenance and supervision of the child's cash resources or property where appropriate. (G) Monitoring food intake or special diets. (4) "Caregiver" means the person who is licensed or approved to have authority and responsibility for the care and supervision of a "child" and operation of the home. (5) "Caregiver's Family" means the caregiver's spouse, any relative, adopted child, or person under guardianship or conservatorship of the caregiver who resides in the home. (6) "Cash Resources" means: (A) Gifts of money. (B) Tax credits and/or refunds. (C) Earnings from employment or workshops. (D) Money for personal and incidental need allowances from sources of income including, but not limited to, SSI/SSP. (E) Allowance paid to a "child." (F) Any other similar resources as decided by the licensing agency. (7) "Child" means a person who is under 18 placed with a caregiver in a licensed foster family home or approved home by a regional center, a parent or guardian, or a public child placement agency with or without a court order. "Child" also means a person who is: (A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the caregiver in the home, or (B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(10) and continues to be provided with care and supervision by the caregiver in the home. (8) "Child Abuse Central Index (CACI)" means the California Department of Justice maintained statewide, multi-jurisdictional, centralized index of child abuse investigation reports. These reports pertain to alleged incidents of physical abuse,

sexual abuse, mental/emotional abuse or severe neglect. Each child protection agency (police, sheriff, county welfare and probation departments) is required by law to forward to the California Department of Justice a report of every child abuse incident it investigates, unless an incident is determined to be unfounded. (9)

"Child Abuse Central Index (CACI) Clearance" means that the California Department of Justice has conducted a name search of the index and the search did not result in a match, or if there is a match, the allegation(s) was not substantiated by the Department after independent review and investigation pursuant to Health and Safety Code section 1522.1. (10) "Child with Special Health Care Needs" means a person under 18 or 22 and younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions: (A) Has a medical condition that requires specialized in-home health care and (B) Is one of the following: 1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300. 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department. 3. A child with a developmental disability who is receiving services and case management from a regional center. (11)

"Completed Application" means: (A) The applicant has submitted and the licensing agency has received, all required information and materials that are required for a license. A completed application includes an approved fire clearance from the local fire authority, if a fire clearance for the home is required. It also includes a Child Abuse Central Index (CACI) clearance and a California criminal record clearance or exemption, or evidence of compliance with the FBI requirements specified in Health and Safety Code section 1522(d)(4)(D), for the applicant and any other person specified in Section 89219, Criminal Record Clearance, and (B)

The licensing agency has completed a site visit to the home. (12) "Conservator" means a person appointed by the Superior Court pursuant to the provisions commencing with Probate Code section 1800 or Welfare and Institutions Code section 5350, to care for the person, or the estate, or the person and estate, of another. (13) "Control of Property" means the legal right to enter, occupy, and maintain the operation of the home as verified by documents that are provided to the Department or approval agency upon request. Such documents may include: (A) A Grant Deed showing ownership, (B) A lease or rental agreement, (C) A court order or similar document which shows authority to control the property pending the outcome of a probate proceeding or an estate settlement, or (D) Any other document that is acceptable to the Department, to include, but not be limited to, utility bills, insurance statement, etc. (14) "Conviction" means: (A) A criminal conviction in California, or (B) Any criminal conviction of another state, federal, military, or other jurisdiction, which if committed or attempted in California, would have been punishable as a crime in California. (15) "Criminal Record Clearance" means a person has a California Department of Justice clearance and an FBI clearance or evidence of compliance with FBI requirements as specified in Health and Safety Code section 1522, subsection (d)(4)(D).

(1)

"California Department of Justice Clearance" means a person has no felony or misdemeanor convictions, other than a minor traffic violation, reported by the California Department of Justice.

(2)

"Capacity" means the number of "children" for whom the foster family home is licensed to provide care and supervision.

(3)

"Care and Supervision" is defined in Welfare and Institutions Code section 11460, subsection (b) and includes, but is not limited to, any one or more of the following activities provided by a caregiver to meet the needs of a "child": (A) Assistance in dressing, grooming, bathing, and other personal hygiene. (B) Central storage for or distribution of medicine, and assistance with taking medicine, as specified in section 89475, subsection (c). (C) Arrangement of and assistance with medical and dental care. This may include transportation. (D) Maintenance of house rules for protection. (E) Supervision of schedules and activities. (F) Maintenance and supervision of the child's cash resources or property where appropriate. (G) Monitoring food intake or special diets.

(A)

Assistance in dressing, grooming, bathing, and other personal hygiene.

(B)

Central storage for or distribution of medicine, and assistance with taking medicine, as specified in section 89475, subsection (c).

(C)

Arrangement of and assistance with medical and dental care. This may include transportation.

(D)

Maintenance of house rules for protection.

(E)

Supervision of schedules and activities.

(F)

Maintenance and supervision of the child's cash resources or property where appropriate.

(G)

Monitoring food intake or special diets.

(4)

"Caregiver" means the person who is licensed or approved to have authority and responsibility for the care and supervision of a "child" and operation of the home.

(5)

"Caregiver's Family" means the caregiver's spouse, any relative, adopted child, or person under guardianship or conservatorship of the caregiver who resides in the home.

(6)

"Cash Resources" means: (A) Gifts of money. (B) Tax credits and/or refunds. (C) Earnings from employment or workshops. (D) Money for personal and incidental need allowances from sources of income including, but not limited to, SSI/SSP. (E) Allowance paid to a "child." (F) Any other similar resources as decided by the licensing agency.

(A)

Gifts of money.

(B)

Tax credits and/or refunds.

(C)

Earnings from employment or workshops.

(D)

Money for personal and incidental need allowances from sources of income including, but not limited to, SSI/SSP.

(E)

Allowance paid to a "child."

(F)

Any other similar resources as decided by the licensing agency.

(7)

"Child" means a person who is under 18 placed with a caregiver in a licensed foster family home or approved home by a regional center, a parent or guardian, or a public child placement agency with or without a court order. "Child" also means a person who is: (A) 18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the caregiver in the home, or (B) 18-22 as specified in the definition for "child with special health care needs" under subsection (c)(10) and continues to be provided with care and supervision by the caregiver in the home.

(A)

18 or 19, meets the requirements of Welfare and Institutions Code section 11403, and continues to be provided with care and supervision by the caregiver in the home, or

(B)

18-22 as specified in the definition for "child with special health care needs" under subsection (c)(10) and continues to be provided with care and supervision by the caregiver in the home.

(8)

"Child Abuse Central Index (CACI)" means the California Department of Justice maintained statewide, multi-jurisdictional, centralized index of child abuse investigation reports. These reports pertain to alleged incidents of physical abuse, sexual abuse, mental/emotional abuse or severe neglect. Each child protection agency (police, sheriff, county welfare and probation departments) is required by law to forward to the California Department of Justice a report of every child abuse incident it investigates, unless an incident is determined to be unfounded.

(9)

"Child Abuse Central Index (CACI) Clearance" means that the California Department of Justice has conducted a name search of the index and the search did not result in a

match, or if there is a match, the allegation(s) was not substantiated by the Department after independent review and investigation pursuant to Health and Safety Code section 1522.1.

(10)

"Child with Special Health Care Needs" means a person under 18 or 22 and younger, who meets the requirements of Welfare and Institutions Code section 17710, subsection (a) and all of the following conditions: (A) Has a medical condition that requires specialized in-home health care and (B) Is one of the following: 1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300. 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department. 3. A child with a developmental disability who is receiving services and case management from a regional center.

(A)

Has a medical condition that requires specialized in-home health care and

(B)

Is one of the following: 1. A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300. 2. A child who has not been adjudged a dependent of the court under Welfare and Institutions Code section 300, but who is in the custody of the county welfare department. 3. A child with a developmental disability who is receiving services and case management from a regional center.

1.

A child who has been adjudged a dependent of the court under Welfare and Institutions Code section 300.

2.

A child who has not been adjudged a dependent of the court under Welfare and Institutions Code

section 300, but who is in the custody of the county welfare department.

3.

A child with a developmental disability who is receiving services and case management from a regional center.

(11)

"Completed Application" means: (A) The applicant has submitted and the licensing agency has received, all required information and materials that are required for a license. A completed application includes an approved fire clearance from the local fire authority, if a fire clearance for the home is required. It also includes a Child Abuse Central Index (CACI) clearance and a California criminal record clearance or exemption, or evidence of compliance with the FBI requirements specified in Health and Safety Code section 1522(d)(4)(D), for the applicant and any other person specified in Section 89219, Criminal Record Clearance, and (B) The licensing agency has completed a site visit to the home.

(A)

The applicant has submitted and the licensing agency has received, all required information and materials that are required for a license. A completed application includes an approved fire clearance from the local fire authority, if a fire clearance for the home is required. It also includes a Child Abuse Central Index (CACI) clearance and a California criminal record clearance or exemption, or evidence of compliance with the FBI requirements specified in Health and Safety Code section 1522(d)(4)(D), for the applicant and any other person specified in Section 89219, Criminal Record Clearance, and

(B)

The licensing agency has completed a site visit to the home.

(12)

"Conservator" means a person appointed by the Superior Court pursuant to the

provisions commencing with Probate Code section 1800 or Welfare and Institutions Code section 5350, to care for the person, or the estate, or the person and estate, of another.

(13)

"Control of Property" means the legal right to enter, occupy, and maintain the operation of the home as verified by documents that are provided to the Department or approval agency upon request. Such documents may include: (A) A Grant Deed showing ownership, (B) A lease or rental agreement, (C) A court order or similar document which shows authority to control the property pending the outcome of a probate proceeding or an estate settlement, or (D) Any other document that is acceptable to the Department, to include, but not be limited to, utility bills, insurance statement, etc.

(A)

A Grant Deed showing ownership,

(B)

A lease or rental agreement,

(C)

A court order or similar document which shows authority to control the property pending the outcome of a probate proceeding or an estate settlement, or

(D)

Any other document that is acceptable to the Department, to include, but not be limited to, utility bills, insurance statement, etc.

(14)

"Conviction" means: (A) A criminal conviction in California, or (B) Any criminal conviction of another state, federal, military, or other jurisdiction, which if committed or attempted in California, would have been punishable as a crime in California.

(A)

A criminal conviction in California, or

(B)

Any criminal conviction of another state, federal, military, or other jurisdiction, which if committed or attempted in California, would have been punishable as a crime in California.

(15)

"Criminal Record Clearance" means a person has a California Department of Justice clearance and an FBI clearance or evidence of compliance with FBI requirements as specified in Health and Safety Code section 1522, subsection (d)(4)(D).

(d)

(1) "Deficiency" means any failure to comply with any provision of the Community Care Facilities Act beginning with Health and Safety Code section 1500 or regulations adopted by the Department pursuant to the Act. (2) "Department" is defined in Health and Safety Code section 1502, subsection (b) as the State Department of Social Services. (3) "Director" is defined in Health and Safety Code section 1502, subsection (c) as the Director of the State Department of Social Services. (4) "Disability" means a developmental, mental, or physical condition for which a "child" requires special care and supervision. (5) "Documented Alternative Plan (DAP)" means a written plan that the licensing or approval worker reviews and approves on a case-by-case basis as another, but equally protective, way to meet the intent of a specific regulation in Article 3.

(1)

"Deficiency" means any failure to comply with any provision of the Community Care Facilities Act beginning with Health and Safety Code section 1500 or regulations adopted by the Department pursuant to the Act.

(2)

"Department" is defined in Health and Safety Code section 1502, subsection (b) as the State Department of Social Services.

(3)

"Director" is defined in Health and Safety Code section 1502, subsection (c) as the Director of the State Department of Social Services.

(4)

"Disability" means a developmental, mental, or physical condition for which a "child" requires special care and supervision.

(5)

"Documented Alternative Plan (DAP)" means a written plan that the licensing or approval worker reviews and approves on a case-by-case basis as another, but equally protective, way to meet the intent of a specific regulation in Article 3.

(e)

(1) "Evaluator" means any person who is a duly authorized officer, employee, or agent of the Department, county or other public agency, such as a Licensing Program Analyst (LPA), who makes licensing visits to a foster family home. (2)

"Evidence of Caregiver's Death" shall include, but is not limited to, a copy of the death certificate, obituary notice, certification of death from the decedent's mortuary, or a letter from the attending physician or coroner's office verifying the caregiver's death. (3) "Exception" means a "child"-specific, nontransferable,

written authorization issued by the licensing agency that approves an equally protective manner of complying with the intent of a specific regulation(s) based on documentation of the unique needs or circumstances of a specific "child"

placed in the home. (4) "Exemption" means the granting of an exemption to the disqualification for a license, employment or presence in a home, as allowed

under Health and Safety Code section 1522, subsection (g) for a person who

does not have a criminal records clearance.

(1)

"Evaluator" means any person who is a duly authorized officer, employee, or agent of the Department, county or other public agency, such as a Licensing Program Analyst (LPA), who makes licensing visits to a foster family home.

(2)

"Evidence of Caregiver's Death" shall include, but is not limited to, a copy of the death certificate, obituary notice, certification of death from the decedent's mortuary, or a letter from the attending physician or coroner's office verifying the caregiver's death.

(3)

"Exception" means a "child"-specific, nontransferable, written authorization issued by the licensing agency that approves an equally protective manner of complying with the intent of a specific regulation(s) based on documentation of the unique needs or circumstances of a specific "child" placed in the home.

(4)

"Exemption" means the granting of an exemption to the disqualification for a license, employment or presence in a home, as allowed under Health and Safety Code section 1522, subsection (g) for a person who does not have a criminal records clearance.

(f)

(1) "Family Health Care" means health care which does not require the skills of qualified technical or professional health care personnel and is provided to a "child" by the caregiver in accordance with Section 89475, Health Related Services. (2) "Federal Bureau of Investigation (FBI) Clearance" means a person has no felony or misdemeanor convictions, other than a minor traffic violation, reported by the FBI. (3) "Foster Family Home (FFH)" means the home owned, leased, or rented by the caregiver(s) as their residence and where the caregiver(s)

is licensed or approved to provide 24-hour care and supervision for six or fewer foster children as defined in Health and Safety Code section 1502, subsection (a)(5). A foster family home may provide sibling care for up to eight children provided the requirements of Health and Safety Code section 1505.2 are met.

(1)

"Family Health Care" means health care which does not require the skills of qualified technical or professional health care personnel and is provided to a "child" by the caregiver in accordance with Section 89475, Health Related Services.

(2)

"Federal Bureau of Investigation (FBI) Clearance" means a person has no felony or misdemeanor convictions, other than a minor traffic violation, reported by the FBI.

(3)

"Foster Family Home (FFH)" means the home owned, leased, or rented by the caregiver(s) as their residence and where the caregiver(s) is licensed or approved to provide 24-hour care and supervision for six or fewer foster children as defined in Health and Safety Code section 1502, subsection (a)(5). A foster family home may provide sibling care for up to eight children provided the requirements of Health and Safety Code section 1505.2 are met.

(g)

(1) "Gender Expression" refers to the ways a person communicates their gender identity through clothing, haircut, behavior and interaction with others. (2)

"Gender Identity" means a person's internal identification or self-image as male, female, or other. (3) "Guardian" means a person who is appointed by the

Superior Court pursuant to the provisions commencing with Probate Code section 1500 or Welfare and Institutions Code sections 360 or 366.26 to care for the person, or the estate, or the person and estate, of another.

(1)

"Gender Expression" refers to the ways a person communicates their gender identity through clothing, haircut, behavior and interaction with others.

(2)

"Gender Identity" means a person's internal identification or self-image as male, female, or other.

(3)

"Guardian" means a person who is appointed by the Superior Court pursuant to the provisions commencing with Probate Code section 1500 or Welfare and Institutions Code sections 360 or 366.26 to care for the person, or the estate, or the person and estate, of another.

(h)

(1) "Health and Education Passport" means a summary of health and education information or records for a "child" that includes mental health information or records, as provided in Welfare and Institutions Code section 16010. (2) "Health Care Professional" means a physician or person who is licensed or certified under Business and Professions Code Division 2 to perform necessary care that is prescribed by a physician. These health care professionals include the following: Registered Nurse, Public Health Nurse, Licensed Vocational Nurse, Psychiatric Technician, Physical Therapist, Occupational Therapist, and Respiratory Therapist. (3) "Health-related services" shall include, but not be limited to, medical, dental, vision, mental health, substance use disorder services, reproductive and sexual health care. This shall include abortion and contraception related services and gender affirming health care and gender affirming mental health care. (4) "Home" means a Foster Family Home.

(1)

"Health and Education Passport" means a summary of health and education information or records for a "child" that includes mental health information or records, as provided in Welfare and Institutions Code section 16010.

(2)

"Health Care Professional" means a physician or person who is licensed or certified under Business and Professions Code Division 2 to perform necessary care that is prescribed by a physician. These health care professionals include the following: Registered Nurse, Public Health Nurse, Licensed Vocational Nurse, Psychiatric Technician, Physical Therapist, Occupational Therapist, and Respiratory Therapist.

(3)

"Health-related services" shall include, but not be limited to, medical, dental, vision, mental health, substance use disorder services, reproductive and sexual health care. This shall include abortion and contraception related services and gender affirming health care and gender affirming mental health care.

(4)

"Home" means a Foster Family Home.

(i)

(1) "Inconclusive" means that although the allegation may have happened or is valid, there is not a preponderance of the evidence to prove that the alleged violation occurred. (2) "Independent Living Program (ILP)" means the program authorized under 42 USC section 677 to provide services and activities to assist children 16 or older in foster care in making the transition from foster care to independent living. (3) "Individualized Health Care Plan" means the written plan developed by an individualized health care plan team and approved by the team physician, or other health care professional designated by the physician to serve on the team, for the provision of specialized in-home health care to a "child with

special health care needs." A hospital discharge plan may be used in place of the individualized health care plan as specified in Section 89569.1, subsection (c).

(4) "Individualized Health Care Plan Team" means those persons who develop an individualized health care plan for a "child with special health care needs." These persons include the primary care physician for a "child" or other health care professional chosen by the physician to serve on the team, the county social worker or regional center caseworker for the "child," and any health care professional chosen to monitor the specialized in-home health care provided to a "child" pursuant to the individualized health care plan. (5) "Infant" means a child under 2.

(1)

"Inconclusive" means that although the allegation may have happened or is valid, there is not a preponderance of the evidence to prove that the alleged violation occurred.

(2)

"Independent Living Program (ILP)" means the program authorized under 42 USC section 677 to provide services and activities to assist children 16 or older in foster care in making the transition from foster care to independent living.

(3)

"Individualized Health Care Plan" means the written plan developed by an individualized health care plan team and approved by the team physician, or other health care professional designated by the physician to serve on the team, for the provision of specialized in-home health care to a "child with special health care needs." A hospital discharge plan may be used in place of the individualized health care plan as specified in Section 89569.1, subsection (c).

(4)

"Individualized Health Care Plan Team" means those persons who develop an

individualized health care plan for a "child with special health care needs." These persons include the primary care physician for a "child" or other health care professional chosen by the physician to serve on the team, the county social worker or regional center caseworker for the "child," and any health care professional chosen to monitor the specialized in-home health care provided to a "child" pursuant to the individualized health care plan.

(5)

"Infant" means a child under 2.

(j)

(Reserved)

(k)

(Reserved)

(l)

(1) "Licensing Agency" means the California Department of Social Services (CDSS) or any state, county or other public agency that is authorized by the Department to assume specific licensing responsibilities pursuant to Health and Safety Code section 1511. (2) "Licensed Home" means a home that is licensed by the California Department of Social Services (CDSS), Community Care Licensing Division or a county.

(1)

"Licensing Agency" means the California Department of Social Services (CDSS) or any state, county or other public agency that is authorized by the Department to assume specific licensing responsibilities pursuant to Health and Safety Code section 1511.

(2)

"Licensed Home" means a home that is licensed by the California Department of Social Services (CDSS), Community Care Licensing Division or a county.

(m)

(1) "Medical Assessment" means a written medical evaluation by a health care professional which documents the health of a "child", including any possible medical problems. (2) "Medical Conditions That Require Specialized In-Home Health Care" means health conditions that a "child" may have that a caregiver who has received training can care for safely when in the home. (3) "Medical Professional" means a health care professional as defined in subsection (h)(2).

(1)

"Medical Assessment" means a written medical evaluation by a health care professional which documents the health of a "child", including any possible medical problems.

(2)

"Medical Conditions That Require Specialized In-Home Health Care" means health conditions that a "child" may have that a caregiver who has received training can care for safely when in the home.

(3)

"Medical Professional" means a health care professional as defined in subsection (h)(2).

(n)

(1) "Nonrelative Extended Family Member (NREFM)" means any adult caregiver as defined in Welfare and Institutions Code section 362.7. (2) "Nonambulatory Person" means a person as defined in Health and Safety Code section 13131. (A) A person who uses postural supports as specified in section 89475.2, subsection (a)(1) is nonambulatory. (B) A person is not considered nonambulatory solely because he or she is deaf, blind, or prefers to use an aid for assistance.

(1)

"Nonrelative Extended Family Member (NREFM)" means any adult caregiver as defined in Welfare and Institutions Code section 362.7.

(2)

"Nonambulatory Person" means a person as defined in Health and Safety Code section 13131. (A) A person who uses postural supports as specified in section 89475.2, subsection (a)(1) is nonambulatory. (B) A person is not considered nonambulatory solely because he or she is deaf, blind, or prefers to use an aid for assistance.

(A)

A person who uses postural supports as specified in section 89475.2, subsection (a)(1) is nonambulatory.

(B)

A person is not considered nonambulatory solely because he or she is deaf, blind, or prefers to use an aid for assistance.

(o)

(1) "Occasional Short-Term Babysitter" means a person who cares for a "child" in or out of the caregiver's licensed or approved home on an occasional basis for no more than 24 hours at a time as specified in Section 89378, subsection (a)(1)(A).

(1)

"Occasional Short-Term Babysitter" means a person who cares for a "child" in or out of the caregiver's licensed or approved home on an occasional basis for no more than 24 hours at a time as specified in Section 89378, subsection (a)(1)(A).

(p)

(1) "Personal Property" means items that a "child" brings to or obtains while in foster care, such as clothes, gifts, and personal effects. (2) "Physician" means a person who is licensed by the Medical Board of California or by the Osteopathic

Medical Board of California as a physician or surgeon. (3) "Postural Support" means appliances or devices that are used to achieve proper body position and balance for a "child," improve mobility and independent functioning for a "child," position a "child," or prevent a "child" from falling or injury as specified in Section 89475.2, Postural Supports and Protective Devices. (4) "Pre-Placement Questionnaire" means the set of questions specified in Section 89468, Admission Procedures and the Pre-Placement Questionnaire (LIC 9225). (5) "PRN Medication" (pro re nata) means any nonprescription or prescription medication that is to be taken as needed. (6) "Protective Devices" means items that protect a "child" from getting hurt and are prescribed by a physician as specified in Section 89475.2, Postural Supports and Protective Devices. (7) "Provision" or "Provide" means whenever any regulation requires that provision be made for or that there be provided any service, personnel, or other requirement, the caregiver shall do so directly or present evidence to the licensing agency that the requirement has been met by some other means. (8) Psychotropic medication(s) are those medications as defined in Sections 369.5(d) and 739.5(d) of the Welfare and Institutions Code.

(1)

"Personal Property" means items that a "child" brings to or obtains while in foster care, such as clothes, gifts, and personal effects.

(2)

"Physician" means a person who is licensed by the Medical Board of California or by the Osteopathic Medical Board of California as a physician or surgeon.

(3)

"Postural Support" means appliances or devices that are used to achieve proper body position and balance for a "child," improve mobility and independent functioning for a

"child," position a "child," or prevent a "child" from falling or injury as specified in Section 89475.2, Postural Supports and Protective Devices.

(4)

"Pre-Placement Questionnaire" means the set of questions specified in Section 89468, Admission Procedures and the Pre-Placement Questionnaire (LIC 9225).

(5)

"PRN Medication" (pro re nata) means any nonprescription or prescription medication that is to be taken as needed.

(6)

"Protective Devices" means items that protect a "child" from getting hurt and are prescribed by a physician as specified in Section 89475.2, Postural Supports and Protective Devices.

(7)

"Provision" or "Provide" means whenever any regulation requires that provision be made for or that there be provided any service, personnel, or other requirement, the caregiver shall do so directly or present evidence to the licensing agency that the requirement has been met by some other means.

(8)

Psychotropic medication(s) are those medications as defined in Sections 369.5(d) and 739.5(d) of the Welfare and Institutions Code.

(q)

(Reserved)

(r)

(1) "Reasonable and prudent parent" or "reasonable and prudent parent standard" means as defined in Welfare and Institutions Code section 362.05(c)(1). (2)

"Rehabilitation" means that period of time, together with any education,

counseling or therapy, training, stable employment, restitution, remorse, changes in lifestyle, or community service, which assist a person in reestablishing good character. (3) "Relative" means: (A) A person related to the "child" by birth or adoption within the fifth degree of kinship who, regardless of whether a parent's rights to a "child" have been terminated or relinquished, is one of the following: 1. Parent (mother, father), sibling (brother, sister), half-sibling (half-brother, half-sister), nephew, niece, uncle, aunt, first cousin, first cousin once removed, or is in an earlier generation denoted by the prefixes grand, great, great-great, or great-great-great. (B) Stepfather, stepmother, stepbrother, or stepsister; or (C) The spouse of any person named in (A) or (B) above, even if the marriage has been terminated by death or dissolution. (4) "Restraining Device" means any physical or mechanical item that is attached or next to the body of a "child" that a "child" cannot remove easily and keeps the "child" from moving freely as specified in Section 89475.2, Postural Supports and Protective Devices.

(1)

"Reasonable and prudent parent" or "reasonable and prudent parent standard" means as defined in Welfare and Institutions Code section 362.05(c)(1).

(2)

"Rehabilitation" means that period of time, together with any education, counseling or therapy, training, stable employment, restitution, remorse, changes in lifestyle, or community service, which assist a person in reestablishing good character.

(3)

"Relative" means: (A) A person related to the "child" by birth or adoption within the fifth degree of kinship who, regardless of whether a parent's rights to a "child" have been terminated or relinquished, is one of the following: 1. Parent (mother, father), sibling (brother, sister), half-sibling (half-brother, half-sister), nephew, niece, uncle,

aunt, first cousin, first cousin once removed, or is in an earlier generation denoted by the prefixes grand, great, great-great, or great-great-great. (B) Stepfather, stepmother, stepbrother, or stepsister; or (C) The spouse of any person named in (A) or (B) above, even if the marriage has been terminated by death or dissolution.

(A)

A person related to the "child" by birth or adoption within the fifth degree of kinship who, regardless of whether a parent's rights to a "child" have been terminated or relinquished, is one of the following: 1. Parent (mother, father), sibling (brother, sister), half-sibling (half-brother, half-sister), nephew, niece, uncle, aunt, first cousin, first cousin once removed, or is in an earlier generation denoted by the prefixes grand, great, great-great, or great-great-great.

1.

Parent (mother, father), sibling (brother, sister), half-sibling (half-brother, half-sister), nephew, niece, uncle, aunt, first cousin, first cousin once removed, or is in an earlier generation denoted by the prefixes grand, great, great-great, or great-great-great.

(B)

Stepfather, stepmother, stepbrother, or stepsister; or

(C)

The spouse of any person named in (A) or (B) above, even if the marriage has been terminated by death or dissolution.

(4)

"Restraining Device" means any physical or mechanical item that is attached or next to the body of a "child" that a "child" cannot remove easily and keeps the "child" from moving freely as specified in Section 89475.2, Postural Supports and Protective Devices.

(s)

(1) "Self Administer" means the act of a "child" administering or giving him or herself medicine or injections as specified in Sections 89475.1, Emergency Medical Assistance, Injections, and Self-Administration of Medications and 89475, Health Related Services. (2) "Serious Deficiency" means any deficiency that presents an immediate or substantial threat to the physical health, mental health, or safety of any child in a home. (3) "Sexual Orientation" describes a person's emotional, romantic, and physical feelings of attraction to another person, whether a person is bisexual, gay, lesbian, straight, or other. (4) "Shared Responsibility Plan" means a written plan that describes the duties, rights, and responsibilities of the teen parent and the caregiver with regard to the teen parent's child as defined in Welfare and Institutions Code section 16501.25 and specified in Section 89378, Responsibility for Providing Care and Supervision. (5) "Social Worker" means a person who: (A) Has a graduate degree from an accredited school of social work, or (B) Is employed by a public agency and designated by that agency as a social worker providing services to a "child" and his or her family. (6) "Specialized Foster Family Home" means a licensed foster family home that provides specialized in-home health care to a "child" pursuant to Health and Safety Code section 1507 and Welfare and Institutions Code section 17710, subsection (i). (7) "Specialized In-Home Health Care" means health care identified by the child's primary physician as appropriately administered in the home by a health care professional, a caregiver, or any person trained by health care professionals as defined in Welfare and Institutions Code section 17710, subsection (h). (8) "SSI/SSP" means the Supplemental Security Income/State Supplemental Program, which is a federal or state government program that provides financial assistance to aged, blind or disabled residents of California. (9) "Substantiated" means that the allegation is valid because the preponderance of

the evidence standard has been met.

(1)

"Self Administer" means the act of a "child" administering or giving him or herself medicine or injections as specified in Sections 89475.1, Emergency Medical Assistance, Injections, and Self-Administration of Medications and 89475, Health Related Services.

(2)

"Serious Deficiency" means any deficiency that presents an immediate or substantial threat to the physical health, mental health, or safety of any child in a home.

(3)

"Sexual Orientation" describes a person's emotional, romantic, and physical feelings of attraction to another person, whether a person is bisexual, gay, lesbian, straight, or other.

(4)

"Shared Responsibility Plan" means a written plan that describes the duties, rights, and responsibilities of the teen parent and the caregiver with regard to the teen parent's child as defined in Welfare and Institutions Code section 16501.25 and specified in Section 89378, Responsibility for Providing Care and Supervision.

(5)

"Social Worker" means a person who: (A) Has a graduate degree from an accredited school of social work, or (B) Is employed by a public agency and designated by that agency as a social worker providing services to a "child" and his or her family.

(A)

Has a graduate degree from an accredited school of social work, or

(B)

Is employed by a public agency and designated by that agency as a social worker providing services to a "child" and his or her family.

(6)

"Specialized Foster Family Home" means a licensed foster family home that provides specialized in-home health care to a "child" pursuant to Health and Safety Code section 1507 and Welfare and Institutions Code section 17710, subsection (i).

(7)

"Specialized In-Home Health Care" means health care identified by the child's primary physician as appropriately administered in the home by a health care professional, a caregiver, or any person trained by health care professionals as defined in Welfare and Institutions Code section 17710, subsection (h).

(8)

"SSI/SSP" means the Supplemental Security Income/State Supplemental Program, which is a federal or state government program that provides financial assistance to aged, blind or disabled residents of California.

(9)

"Substantiated" means that the allegation is valid because the preponderance of the evidence standard has been met.

(t)

(1) "Transgender" means a person whose gender identity does not correspond with their anatomical sex. A transgender girl or woman is a girl or woman whose birth sex was male but who understands herself to be female. A transgender boy or man is a boy or man whose birth sex was female but who understands himself to be male. (2) "Transitional Independent Living Plan (TILP)" means the written plan that describes programs, services, and activities that a "child" is participating in to prepare to make the transition from foster care to independent living.

(1)

"Transgender" means a person whose gender identity does not correspond with their

anatomical sex. A transgender girl or woman is a girl or woman whose birth sex was male but who understands herself to be female. A transgender boy or man is a boy or man whose birth sex was female but who understands himself to be male.

(2)

"Transitional Independent Living Plan (TILP)" means the written plan that describes programs, services, and activities that a "child" is participating in to prepare to make the transition from foster care to independent living.

(u)

(1) "Unfounded" means that the allegation is false, could not have happened, or is without a reasonable basis. (2) "Unlicensed Community Care Facility" means a facility as defined in Health and Safety Code section 1503.5, subsection (a) and section 1505. (A) A home which is providing "care and supervision" as defined in subsection (c)(3) includes, but is not limited to, one in which an unemancipated minor has been placed for temporary or permanent care. (B) A home which is held out as or represented as providing "care and supervision" includes, but is not limited to: (1) A home which has been revoked or denied as follows: a. a license, if licensed as a foster family home; or b. an approval, if approved as a relative or nonrelative extended family member home; or c. a certificate, if certified by a Foster Family Agency as a foster home; and, d. the person continues to provide care for the same or different clients with similar needs. (2) A home where change of ownership has occurred and the same clients are retained. (3) A licensed home that moves to a new location. (C) A home which "accepts or retains residents who demonstrate the need for care and supervision" includes, but is not limit to a home which houses unemancipated minors, even though the home is providing board and room only, or board only, or room only.

(1)

"Unfounded" means that the allegation is false, could not have happened, or is without a reasonable basis.

(2)

"Unlicensed Community Care Facility" means a facility as defined in Health and Safety Code section 1503.5, subsection (a) and section 1505. (A) A home which is providing "care and supervision" as defined in subsection (c)(3) includes, but is not limited to, one in which an unemancipated minor has been placed for temporary or permanent care. (B) A home which is held out as or represented as providing "care and supervision" includes, but is not limited to: (1) A home which has been revoked or denied as follows: a. a license, if licensed as a foster family home; or b. an approval, if approved as a relative or nonrelative extended family member home; or c. a certificate, if certified by a Foster Family Agency as a foster home; and, d. the person continues to provide care for the same or different clients with similar needs. (2) A home where change of ownership has occurred and the same clients are retained. (3) A licensed home that moves to a new location. (C) A home which "accepts or retains residents who demonstrate the need for care and supervision" includes, but is not limited to a home which houses unemancipated minors, even though the home is providing board and room only, or board only, or room only.

(A)

A home which is providing "care and supervision" as defined in subsection (c)(3) includes, but is not limited to, one in which an unemancipated minor has been placed for temporary or permanent care.

(B)

A home which is held out as or represented as providing "care and supervision" includes, but is not limited to: (1) A home which has been revoked or denied as follows: a. a license, if licensed as a foster family home; or b. an approval, if approved as a relative or nonrelative

extended family member home; or c. a certificate, if certified by a Foster Family Agency as a foster home; and, d. the person continues to provide care for the same or different clients with similar needs. (2) A home where change of ownership has occurred and the same clients are retained. (3) A licensed home that moves to a new location.

(1)

A home which has been revoked or denied as follows: a. a license, if licensed as a foster family home; or b. an approval, if approved as a relative or nonrelative extended family member home; or c. a certificate, if certified by a Foster Family Agency as a foster home; and, d. the person continues to provide care for the same or different clients with similar needs.

a.

a license, if licensed as a foster family home; or

b.

an approval, if approved as a relative or nonrelative extended family member home; or

c.

a certificate, if certified by a Foster Family Agency as a foster home; and,

d.

the person continues to provide care for the same or different clients with similar needs.

(2)

A home where change of ownership has occurred and the same clients are retained.

(3)

A licensed home that moves to a new location.

(C)

A home which "accepts or retains residents who demonstrate the need for care and supervision" includes, but is not limit to a home which houses unemancipated minors, even though the home is providing board and room only, or board only, or room only.

(v)

(1) "Volunteer" means a person who provides unpaid support services to the home and does not replace required staff.

(1)

"Volunteer" means a person who provides unpaid support services to the home and does not replace required staff.

(w)

(1) "Waiver" means a home-wide nontransferable written authorization issued by the licensing agency that approves an equally protective manner of complying with the intent of a specific regulation and which is based on a demonstration of the unique needs or circumstances of the home. (2) "Whole Family Foster Home (WFFH)" means a licensed or approved foster family home or certified family home where the caregiver provides care for a minor parent and the minor parent's child as defined in Welfare and Institutions Code section 11400, subsection (t). (3) "Written Plan Identifying the Specific Needs and Services of the Child", formerly referred to as the "Needs and Services Plan", means a time-limited, goal-oriented written plan that identifies the specific needs of an individual "child". This plan shall contain information on the background and needs of a "child" that the placing social worker deems necessary for the effective care of the "child."

(1)

"Waiver" means a home-wide nontransferable written authorization issued by the licensing agency that approves an equally protective manner of complying with the intent of a specific regulation and which is based on a demonstration of the unique needs or circumstances of the home.

(2)

"Whole Family Foster Home (WFFH)" means a licensed or approved foster family home or certified family home where the caregiver provides care for a minor parent and the

minor parent's child as defined in Welfare and Institutions Code section 11400, subsection (t).

(3)

"Written Plan Identifying the Specific Needs and Services of the Child", formerly referred to as the "Needs and Services Plan", means a time-limited, goal-oriented written plan that identifies the specific needs of an individual "child". This plan shall contain information on the background and needs of a "child" that the placing social worker deems necessary for the effective care of the "child."

(x)

(Reserved)

(y)

(Reserved)

(z)

(Reserved)