

89224 Exceptions and Waivers

(a)

Unless prior written licensing agency approval is received as specified in subsection (d) below, a caregiver shall maintain continuous compliance with the licensing regulations.

(b)

The licensing agency shall have the authority to grant an exception or waiver for a specific regulation(s) if the request: (1) Demonstrates how the intent of the regulation(s) will be met; (2) Is not detrimental to the health and safety of any child; and (3) Is submitted by the applicant or caregiver to the licensing agency as a written request for a waiver or exception, together with substantiating evidence supporting the request.

(1)

Demonstrates how the intent of the regulation(s) will be met;

(2)

Is not detrimental to the health and safety of any child; and

(3)

Is submitted by the applicant or caregiver to the licensing agency as a written request for a waiver or exception, together with substantiating evidence supporting the request.

(c)

No waiver or exception, pursuant to this section, shall be granted for any provision of Article 3, under this chapter.

(d)

The caregiver shall retain the licensing agency's written approval or denial of the exception or waiver request on file in the home.

(e)

A Documented Alternative Plan (LIC 973 and LIC 974), as defined in Section 89201, Definitions, shall only be used for regulations specified in Article 3: (1) Section 89387, Buildings and Grounds for bedrooms, and (2) Section 89373, Telephones.

(1)

Section 89387, Buildings and Grounds for bedrooms, and

(2)

Section 89373, Telephones.