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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 9.5@ Foster Family Homes

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Article 3@ Core Requirements for Caregivers, Relatives, and Nonrelative Extended Family Members

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Section 89370@ Children's Records

89370 Children's Records

(a)

For each "child" in the home, the caregiver shall maintain a separate, complete, and current record or file that includes the following: (1) The name of the "child," birth date, and date of placement in the home. (2) If provided, a summary of the health and education information and records, including mental health information or records as described in Welfare and Institutions Code section 16010. (A) The summary may be maintained in the form of a health and education passport as defined in Section 89201, subsection (h)(1), or a comparable format designed by the placing county. (B) The caregiver shall be responsible for maintaining information and records provided by physicians and educators including, but not limited to, immunization records and any official grade or progress reports. (3) Written authorization for the caregiver to obtain medical and dental care in an emergency if the person or agency responsible for placing a "child" cannot be reached. (4) If provided, a written plan identifying the specific needs and services of the "child." (5) If the written plan identifying the specific needs and services of the "child" is not provided at the time of placement, pre-placement information as specified in Section 89468, subsection (b). This information shall be kept on file regardless of whether the written plan is received at a later date. (6) Itemized inventory list of cash resources, personal property, and valuables of a "child" as specified in Section 89226, subsections (a) and (d).

(7) A copy of the current court order, or written authorization of the child's parent or guardian, for each psychotropic medication, as defined in Section 89201(p)(9).

(A) Written authorization of the child's parent or guardian may only be documented in lieu of a court order if the child is not a dependent or ward of the court, or it is documented in the child's record that the county placing agency has verified a court order is not required. (B) This section shall not apply when the child's record contains documentation from the child's prescribing physician that the psychotropic medication has been provided in an emergency situation, as described in California Rules of Court, rule 5.640. (8) A separate log for each psychotropic medication prescribed to the child documenting all of the following:

(A) The name of the medication. (B) The date of the prescription. (C) The quantity of medication and number of refills initially prescribed. (D) When applicable, any additional refills prescribed. (E) The prescribed dosage and directions for use as specified in writing by the physician prescribing the medication, including any changes directed by the physician. (F) The date and time of each dose taken by the child. (G) Documentation of each refusal. 1. Documentation shall include the name of the medication refused, date and time of the refusal, the reason for the refusal, who was notified of the refusal, and any observed results of the refusal. (H) Caregiver initials for each time a psychotropic medication is taken by a child, as an indication that they supervised the child self-administering their psychotropic medication. 1. Initials shall not be pre-filled on the log.

(1)

The name of the "child," birth date, and date of placement in the home.

(2)

If provided, a summary of the health and education information and records, including mental health information or records as described in Welfare and Institutions Code

section 16010. (A) The summary may be maintained in the form of a health and education passport as defined in Section 89201, subsection (h)(1), or a comparable format designed by the placing county. (B) The caregiver shall be responsible for maintaining information and records provided by physicians and educators including, but not limited to, immunization records and any official grade or progress reports.

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The summary may be maintained in the form of a health and education passport as defined in Section 89201, subsection (h)(1), or a comparable format designed by the placing county.

(B)

The caregiver shall be responsible for maintaining information and records provided by physicians and educators including, but not limited to, immunization records and any official grade or progress reports.

(3)

Written authorization for the caregiver to obtain medical and dental care in an emergency if the person or agency responsible for placing a "child" cannot be reached.

(4)

If provided, a written plan identifying the specific needs and services of the "child."

(5)

If the written plan identifying the specific needs and services of the "child" is not provided at the time of placement, pre-placement information as specified in Section 89468, subsection (b). This information shall be kept on file regardless of whether the written plan is received at a later date.

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Itemized inventory list of cash resources, personal property, and valuables of a "child" as specified in Section 89226, subsections (a) and (d).

(7)

A copy of the current court order, or written authorization of the child's parent or guardian, for each psychotropic medication, as defined in Section 89201(p)(9). (A) Written authorization of the child's parent or guardian may only be documented in lieu of a court order if the child is not a dependent or ward of the court, or it is documented in the child's record that the county placing agency has verified a court order is not required. (B) This section shall not apply when the child's record contains documentation from the child's prescribing physician that the psychotropic medication has been provided in an emergency situation, as described in California Rules of Court, rule 5.640.

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(B)

This section shall not apply when the child's record contains documentation from the child's prescribing physician that the psychotropic medication has been provided in an emergency situation, as described in California Rules of Court, rule 5.640.

(8)

A separate log for each psychotropic medication prescribed to the child documenting all of the following: (A) The name of the medication. (B) The date of the prescription. (C) The quantity of medication and number of refills initially prescribed. (D) When applicable, any additional refills prescribed. (E) The prescribed dosage and directions for use as specified in writing by the physician prescribing the medication, including any changes directed by the physician. (F) The date and time of each dose taken by the child. (G) Documentation of each refusal. 1. Documentation shall include the name of the medication refused, date and time of the refusal, the reason for the refusal, who

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(B)

The date of the prescription.

(C)

The quantity of medication and number of refills initially prescribed.

(D)

When applicable, any additional refills prescribed.

(E)

The prescribed dosage and directions for use as specified in writing by the physician prescribing the medication, including any changes directed by the physician.

(F)

The date and time of each dose taken by the child.

(G)

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(b)

All records for a "child" shall be available to the Department, licensing or approval agency to inspect, audit, and copy upon demand during business hours. Records may be removed if necessary for copying. Removal of records shall be subject to the following requirements: (1) The Department, licensing or approval agency representatives shall not remove any current emergency or health-related records for a "child" unless the same information is readily available in another document or format. (2) Prior to removing any records, the Department, licensing or approval agency representative shall prepare a list of the records to be removed, sign and date the list upon removal of the records, and leave a copy of the list with the caregiver. (3) The Department, licensing or approval agency representatives shall return the records to the home undamaged and in good order within three business days following the date the records were removed.

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The Department, licensing or approval agency representatives shall return the records to the home undamaged and in good order within three business days following the date the records were removed.

(c)

All information and records regarding a "child" shall be confidential except as otherwise authorized by law.