

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



July 31, 2007

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Initiated by CCL

CCL INFORMATION RELEASE NO. 2007-06**TO: ALL COMMUNITY CARE LICENSING DIVISION STAFF****SUBJECT: TIMELY AND THOROUGH COMPLAINT INVESTIGATIONS AND
CLEARING COMPLAINTS – LICENSING PROGRAM MANAGER
APPROVAL**

Conducting timely and thorough complaint investigations resulting in accurate findings, appropriate citations, and understandable, measurable, and verifiable plans of correction (POC) is essential to ensuring the health and safety of clients in care.

The Bureau of State Audits review of our Child Care Program raised questions regarding our oversight related to the timeliness and thoroughness of our complaint investigations. They also found that we were inconsistent as to when Licensing Program Managers (LPM) were approving complaint investigations. Child Care conducted a pilot to determine the most effective point at which managers should sign off on the complaint and it was determined that management approval should occur after the investigation is completed and the findings are delivered to the licensee. A team of representatives from all programs and policy reviewed the findings and concur that the following process is the most effective to implement.

Timely and Thorough Complaint Investigations

Upon receipt of a complaint, the Licensing Program Analyst (LPA) must begin preliminary investigative work, as necessary: contact the complainant, review the facility file, and plan the investigation. The LPA must also initiate the following activities as appropriate: conduct collateral visits and witness interviews, collect reports from law enforcement, protective service agencies, and medical professionals, etc. A facility site visit must be conducted within 10 calendar days of receipt of a complaint alleging a violation of licensing laws or regulations, except under limited circumstances.

After the facility visit, the LPA is to complete any subsequent facility and collateral visits, finish outstanding interviews, obtain outstanding reports, and complete CCL documentation on the LIC 812s (Detail Supportive forms). Once evidence is gathered, the LPA is to determine if there is sufficient evidence to make a finding and consult with his or her LPM, Regional Manager, Investigations, or Legal as needed.

Upon conclusion of the investigation, the LPA is to prepare the Complaint Investigation Report(s) and deliver the findings to the licensee. If the alleged violation(s) are substantiated, the LPA must issue citation(s) and ensure proper POCs are developed.

As soon as possible after the findings are delivered to the licensee, the LPA must finish any supplemental documents and complete the remaining sections of the LIC 802 (Complaint Report). At this point, the LPA is to route the LIC 802 with the accompanying documents to the LPM for review. Community Care Licensing Division (CCLD) staff will accomplish this process via the Field Automation System (FAS).

Clearing the Complaint – LPM Approval

The LPM is to review and approve the complaint investigation after the investigation is completed and the findings are delivered to the licensee. The LPA is responsible to ensure that the POC is completed and verified, and this can be reviewed at the monthly LPA/Supervisor meeting. The benefits to this approach are: (1) an earlier review by the LPM who can return the complaint for additional work or corrections, if necessary, in a more timely fashion; (2) a decreased likelihood of exceeding timeframes for completion of complaints (90-day goal); (3) an increased likelihood that all POCs are completed (monthly review); and (4) an improvement in efficiencies and consistency.

LPMs are responsible to review the complaint documentation to ensure there was a thorough investigation, the findings are appropriate, any related citations and POCs are appropriate, and civil penalties are assessed appropriately. If the LPM determines that other work, such as corrections or additional investigation, is necessary, the LPM must return the complaint to the LPA with instructions including a date for completion.

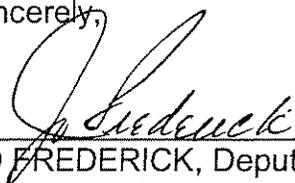
The LPM approves the complaint investigation and findings by signing the LIC 802. CCLD staff will accomplish this process via FAS. The LPA is responsible for timely follow up to ensure the facility has completed the POC.

The Evaluator Manual section 3-2400, Clearing the Complaint has been amended to include these LPM responsibilities and can be found at http://ccl.dss.cahwnet.gov/EvaluatorM_2338.htm

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If you have any questions regarding this memo, please contact either Thomas Stahl, Chief of the Policy Development Bureau at (916) 322-5528, or Linda Inglett, Chief of the Child Care Policy and Support Bureau at (916) 229-4504.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jo Frederick", written over a horizontal line.

JO FREDERICK, Deputy Director
Community Care Licensing Division