



CDSS

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April 13, 2010

CCL INFORMATION RELEASE NO. 2010-02

REASON FOR THIS TRANSMITTAL

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

TO: CHILDREN'S RESIDENTIAL PROGRAM STAFF CONTRACTED COUNTY
FOSTER FAMILY HOME LICENSING PROGRAM

SUBJECT: **FOSTER FAMILY HOMES REGULATIONS**

The Community Care Licensing Division (CCLD) effort to update the Foster Family Homes (FFH) regulations met with Office of Administrative Law approval and will become effective April 3, 2010.

The CCLD developed these updated regulations in collaboration with the Children's Residential Regulations Review Workgroup comprised of children's advocates, county child welfare staff, current and former foster youth, foster parents, foster parent associations, and colleague divisions within the California Department of Social Services. In developing the updated FFH regulations, we relied on four guiding principles:

- Provide for the health, safety, and well-being of children
- Be clear, concise, user-friendly, and simple
- Promote a "normal" childhood experience
- Prepare foster youth for adulthood

The updated regulations will also implement the provisions of Assembly Bill (AB) 408 (Chapter 813, Statutes of 2003); AB 1116 (Chapter 637, Statutes of 2005); AB 1514 (Chapter 120, Statutes of 2007); AB 2096 (Chapter 483, Statutes of 2008); Senate Bill (SB) 358 (Chapter 628, Statutes of 2005); and SB 500 (Chapter 630, Statutes of 2005).

All FFH regulations continue to be standalone regulations in the California Code of Regulations (CCR) Title 22, Division 6, Chapter 9.5, FFH. Some highlights of the updated regulations are as follows:

- Children are permitted to have age- and developmentally appropriate access to cash resources, personal hygiene products, kitchen knives, appliances, disinfectants, and cleaning solutions [(CCR Title 22 Sections 89226(c), 89372(a)(2)(B), and 89387.2(b)(1) through (3)].

- FFH capacity is capped at a total of six children in the home and a total of eight to accommodate sibling groups. Waivers or exceptions are permitted for caregivers who may be able to care for more children [(CCR Title 22 Section 89228(a)(1) through (3)].
- Caregivers are required to provide children with transportation to medical appointments, school, and activities unless otherwise arranged [(CCR Title 22 Section 89374(c)(1) through (3)].
- The Reasonable and Prudent Parent Standard applies in specified situations when caregivers arrange other care for children or allow children to participate in activities in or outside the home [(CCR Title 22 Sections 89378(a)(1)(A), (a)(1)(A)3.a., (a)(1)(B), (a)(1)(D), (a)(1)(F), and (b); 89379(b); 89387(d)(1); and 89387.2(b)(1) through (3)].
- Caregivers are permitted to arrange for occasional short-term babysitters, alternative caregivers, respite care, leaving children alone without adult supervision, licensed child care, and participation in activities [(CCR Section 89378(a)(1)(A) through (F)].
- A Pre-Placement Questionnaire must be completed if caregivers don't receive critical information and required documents when children are placed with them [(CCR Title 22 Section 89468(b)].
- Caregivers are permitted to provide emergency medical assistance, injections, and medications under specified conditions (CCR Section 89475.1).

A copy of the updated FFH regulations is posted on the CCLD website at <http://www.dss.cahwnet.gov/ord/PG1914.htm>. Licensing staff are required to read and become familiar with the updated FFH regulations. Training on these new regulations is currently being developed.

If you have any questions, please contact Fernando Sandoval, Manager of the Children's Residential Policy Unit, at (916) 445-2154 or by e-mail at Fernando.Sandoval@dss.ca.gov.

Sincerely,

Original Signed By Jeffrey Hiratsuka

JEFFREY HIRATSUKA
Deputy Director
Community Care Licensing Division

