



CDSS

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TO: ALL CHILDREN'S RESIDENTIAL PROGRAM STAFF
ALL CRISIS NURSERIES

FROM: *Original signed by Pam Dickfoss*
PAMELA DICKFOSS
Deputy Director
Community Care Licensing Division

SUBJECT: **REVISED CRISIS NURSERIES REGULATIONS**

The Department has revised its regulations governing crisis nurseries to reflect statutory changes made through a series of bills over the past few years. These revisions were made through a Section 100 rulemaking package, as they incorporate statutory changes without interpreting the law or adding any requirements beyond those made through the legislative process. The regulations became effective August 17, 2016 and include the following changes resulting from three recent laws:

Senate Bill 1214 (Chapter 519, Statutes of 2010) limited the use of crisis nurseries to “voluntary placements” of children by a parent or guardian and prohibited crisis nurseries from serving children receiving Aid to Families with Dependent Children – Foster Care reimbursement. Accordingly, numerous references to county placements, as well as words and phrases that are specific to the child welfare system (such as “admission agreement” and “basic rate”), have been removed. This bill also revised monthly reporting requirements and eliminated restrictions that allowed crisis nurseries to be licensed only in specified counties rather than statewide.

Senate Bill 1319 (Chapter 663, Statutes of 2012) repealed sunset dates, making crisis nurseries a permanent licensing category as well as permanently excluding crisis nurseries from application of the Child Day Care Facilities Act.

Assembly Bill (AB) 2228 (Chapter 735, Statutes of 2014) clarified that a crisis nursery may provide both a crisis residential overnight program and “crisis day services,” a term that replaces the use of “crisis day care services” in law. Further, AB 2228 revised

requirements related to staff training and qualifications, staff-to-child ratios, and prescription and non-prescription medications. It also added provisions limiting capacity, exceptions, and hours of operation, and allowed the limit on crisis day services to be calculated as either 30 whole days or 360 total hours over a six month period.

Licensing staff should read and become familiar with the revised regulations which amend the following sections of the California Code of Regulations, Title 22, Division 6: 86500, 86501, 86501.5, 86505.1, 86506, 86522, 86524, 86528, 86561, 86565, 86565.5, 86568.1, 86568.2, 86568.4, 86570, 86575, 86577, 86580, 86587, and 86587.1.

These regulations, as well as revised forms and an editorial justification document can be viewed on the CDSS website at: <http://www.cdss.ca.gov/ord/PG4906.htm>. The Field Automation System has also been updated with the revised regulations.

If you have any questions or need additional information about crisis nurseries regulations, please contact Marisa Sanchez, Children's Residential Program Manager, at (916) 651-5380 or via email at Marisa.Sanchez@dss.ca.gov.

Attachment