

**Article 9. ADMINISTRATOR CERTIFICATION TRAINING PROGRAMS****84090 INITIAL CERTIFICATION TRAINING PROGRAM APPROVAL REQUIREMENTS 84090**

- (a) Initial Certification Training Programs shall be approved by the Department prior to being offered to applicants seeking certification.
- (b) Any vendor applicant seeking approval of an Initial Certification Training Program shall submit a written request to the Department. The request shall contain the following:
- (1) Name, address and phone number of the vendor applicant requesting approval and the name of the person in charge of the program.
  - (2) Subject title, classroom hours, proposed dates, duration, time, location and proposed instructor of each component.
  - (3) Written description and educational objectives for each component.
  - (4) Qualifications of each proposed instructor as specified in Section 84090(i)(6).
  - (5) Geographic areas in which the Training Program will be offered.
  - (6) Types of records to be maintained as required by Section 84090(i)(4) below.
  - (7) A statement of whether or not the vendor applicant held or currently holds a license, certification or other approval as a professional in a specified field and the certificate or license number(s).
  - (8) A statement of whether or not the vendor applicant held or currently holds a community care facility license or was or is employed by a licensed community care facility and the license number.
  - (9) A statement of whether or not the vendor applicant was the subject of any administrative, legal or other action involving licensure, certification or other approvals as specified in (7) and (8) above.
  - (10) A processing fee of one hundred-fifty dollars (\$150).
- (c) Initial Certification Training Program approval shall expire two (2) years from the date the program is approved.
- (d) A written request for renewal of the Initial Certification Training Program shall be submitted to the Department and shall contain the information and processing fee specified in Section 84090(b) above.

**84090 INITIAL CERTIFICATION TRAINING PROGRAM  
APPROVAL REQUIREMENTS (Continued)****84090**

- (e) If a request for approval or renewal of an Initial Certification Training Program is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor applicant that:
- (1) The request is deficient, describing which documents or information are outstanding and/or inadequate, and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of notice.
- (f) If the vendor applicant does not submit the requested information within thirty (30) days, the request for approval or renewal shall be deemed withdrawn provided that the Department has not denied or taken action to deny the request.
- (g) Within thirty (30) days of receipt of a complete request for an approval, the Department shall notify the vendor applicant in writing whether the request has been approved or denied.
- (h) The Initial Certification Training Program shall consist of the following components:
- (1) A minimum of forty (40) classroom hours on a uniform Core of Knowledge with the following basic curriculum:
- (A) Six (6) hours of instruction in laws, regulations, and policies and procedural standards that impact the operations of the type of facility for which the applicant will be an administrator.
- (B) Four (4) hours of instruction in business operations.
- (C) Four (4) hours of instruction in management and supervision of staff.
- (D) Four (4) hours of instruction in the psychosocial and educational needs of the facility residents.
- (E) Four (4) hours of instruction in the use of community and support services to meet residents' needs.
- (F) Two (2) hours of instruction in the physical needs of facility residents.
- (G) Six (6) hours of instruction in the administration, storage, prevention of misuse and interaction of medication used by facility residents.
- (H) Five (5) hours of instruction on admission, retention, and assessment procedures, and nondiscrimination policies, including the child's right to fair and equal access to all available services, placement, care, treatment and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status

**84090 INITIAL CERTIFICATION TRAINING PROGRAM  
APPROVAL REQUIREMENTS (Continued)****84090**

- (I) Four (4) hours of instruction on nonviolent, emergency intervention and reporting requirements.
- (J) One (1) hour of instruction on existing laws and procedures regarding the safety of foster youth at school as contained in the California Student Safety and Violence Prevention Act of 2000.

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Health and Safety Code section 1522.41(c)(1)(J) provides in pertinent part:

"Basic instruction on the existing laws and procedures regarding the safety of foster youth at school and the ensuring of a harassment and violence free school environment contained in the California Student Safety and Violence Prevention Act of 2000...."

Education Code section 32228 provides:

"(a) It is the intent of the Legislature that public schools serving pupils in any of grades 8 to 12, inclusive, have access to supplemental resources to establish programs and strategies that promote school safety and emphasize violence prevention among children and youth in the public schools.

(b) It is also the intent of the Legislature that public schools have access to supplemental resources to combat bias on the basis of race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, as defined in subdivision (q) of Section 12926 of the Government Code, and to prevent and respond to acts of hate violence and bias related incidents. Sexual orientation shall not include pedophilia.

(c) It is further the intent of the Legislature that schoolsites receiving funds pursuant to this article accomplish all of the following goals:

- (1) Teach pupils techniques for resolving conflicts without violence.
- (2) Train school staff and administrators to support and promote conflict resolution and mediation techniques for resolving conflicts between and among pupils.
- (3) Reduce incidents of violence at the schoolsite with an emphasis on prevention and early detection.
- (4) Provide age-appropriate instruction in domestic violence prevention, dating violence prevention, and interpersonal violence prevention."

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**84090 INITIAL CERTIFICATION TRAINING PROGRAM APPROVAL REQUIREMENTS (Continued) 84090**

- (2) A standardized test administered by the Department.
  - (A) Individuals completing an Initial Certification Training Program must pass the test with a minimum score of seventy percent (70%).
  - (B) The test questions shall reflect the hour value of the nine (9) Core of Knowledge areas specified in Sections 84090(h)(1)(A) through (I) above.
- (i) Initial Certification Training Program vendors shall:
  - (1) Offer all forty (40) of the classroom hours required for certification.
    - (A) A minimum of ten (10) hours of instruction must be provided by an instructor(s) who meets the criteria specified in Section 84090(i)(6)(D).
  - (2) Establish a procedure to allow participants to make up any component necessary to complete the program.
  - (3) Submit to the Department within seven (7) days of determination the names of individuals who have completed forty (40) hours of classroom instruction.
  - (4) Maintain and ensure that written records are available for review by Department representatives. Records shall be maintained for three (3) years. The records shall include the following information:
    - (A) Course schedules, dates and descriptions.
    - (B) List of instructors and documentation of qualifications of each, as specified in Section 84090(i)(6).
    - (C) Names of registered participants and documentation of completion of the program.

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**84090 INITIAL CERTIFICATION TRAINING PROGRAM APPROVAL REQUIREMENTS (Continued) 84090**

- (5) Ensure that all classes are open to monitoring and inspection by Department representatives.
- (6) Have instructors who have knowledge and/or experience in the subject area to be taught and who meet the following criteria:
  - (A) Possession of a four (4) year college degree and two (2) years experience relevant to the course(s) to be taught, or
  - (B) Four (4) years experience relevant to the course to be taught, or
  - (C) Be a professional, in a related field, with a valid license to practice in California, or
  - (D) Have at least four (4) years experience in California as an administrator of a group home, within the last eight (8) years, and with a record of administering facilities in substantial compliance, as defined in Section 80001(s)(6).
- (j) Initial Certification Training Program vendors shall allow Department representatives to monitor and inspect training programs.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Section 1 of Assembly Bill (AB) 458 (Chapter 331, Statutes of 2003); Sections 1501, 1522.41, and 1531, Health and Safety Code; Section 16001.9, Welfare and Institutions Code; and Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code.

**84090.1 DENIAL OF REQUEST FOR APPROVAL OF AN INITIAL CERTIFICATION TRAINING PROGRAM 84090.1**

- (a) The Department may deny a request for approval of an Initial Certification Training Program in accordance with Section 1522.41(h)(1) of the Health and Safety Code. The Department shall provide the applicant with a written notice of the denial.

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Section 1522.41(h)(1) of the Health and Safety Code provides in part:

- (h)(1) The Department may deny vendor approval to any agency or person in any of the following circumstances:

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**84090.1 DENIAL OF REQUEST FOR APPROVAL OF AN INITIAL  
CERTIFICATION TRAINING PROGRAM (Continued)****84090.1**

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- (A) The applicant has not provided the Department with evidence satisfactory to the Department of the ability of the applicant to satisfy the requirements of vendorization set out in the regulations adopted by the Department pursuant to Subdivision (j).
- (B) The applicant person or agency has a conflict of interest in that the person or agency places its clients in group home facilities.
- (C) The applicant public or private agency has a conflict of interest in that the agency is mandated to place clients in group homes and to pay directly for the services. The Department may deny vendorization to this type of agency only as long as there are other vendor programs available to conduct the certification training programs and conduct education courses.

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- (b) The applicant may appeal the denial of the application in accordance with Section 1551 of the Health and Safety Code.
- (c) Any request for approval submitted by a vendor applicant whose application has been previously denied shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3(b).

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Health and Safety Code Section 1520.3(b) provides:

(b) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall, except as provided in Section 1569.22, cease further review of the application as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall cease review of the application until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall cease further review of the application until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

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**84090.1 DENIAL OF REQUEST FOR APPROVAL OF AN INITIAL  
CERTIFICATION TRAINING PROGRAM (Continued)****84090.1**

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(3) The department may continue to review the application if it has determined that the reasons for the denial of the applications were due to circumstances and conditions which either have been corrected or are no longer in existence.

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NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1520.3(b), 1522.41(h), and 1551, Health and Safety Code.

**84090.2 REVOCATION OF AN INITIAL CERTIFICATION  
TRAINING PROGRAM****84090.2**

- (a) The Department may revoke an Initial Certification Training Program approval and remove the vendor from the list of approved vendors if the vendor does not provide training consistent with Section 84090 or:
- (1) Is unable to provide training due to lack of staff, funds, or resources, or
  - (2) Misrepresents or makes false claims regarding the training provided, or
  - (3) Demonstrates conduct in the administration of the program that is illegal, inappropriate, or inconsistent with the intent or requirements of the program, or
  - (4) Misrepresents or makes false statements in the vendor application.
- (b) The vendor may appeal the revocation in accordance with Health and Safety Code Section 1551.
- (c) Any application for approval of an Initial Certification Training Program submitted by a vendor applicant whose approval has been previously revoked shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3.

**84090.2 REVOCATION OF AN INITIAL CERTIFICATION  
TRAINING PROGRAM (Continued)****84090.2**

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Health and Safety Code Section 1520.3 in pertinent part provides:

(a)(1) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant previously was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.3 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall cease any further review of the application until two years have elapsed from the date of the revocation. The cessation of review shall not constitute a denial of the application for purposes of Section 1526 or for any other provision of law.

(3) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant was excluded from a facility licensed by the department pursuant to Section 1558, 1568.092, 1569.58, or 1596.8897, the department shall cease any further review of the application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code by the department.

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NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1520.3, 1522.41(h) and 1551 Health and Safety Code.

**84091 CONTINUING EDUCATION TRAINING PROGRAM  
VENDOR REQUIREMENTS****84091**

- (a) Any vendor applicant seeking approval as a vendor of a Continuing Education Training Program shall obtain vendor approval by the Department prior to offering any course to certificate holders.
- (b) Any vendor applicant seeking approval to become a vendor of a Continuing Education Training Program shall submit a written request to the Department. The request shall contain the following:
  - (1) Name, address and phone number of the vendor applicant requesting approval and the name of the person in charge of the Program.
  - (2) A statement of whether or not the vendor applicant held or currently holds a license, certification, or other approval as a professional in a specified field and the license or certificate number.
  - (3) A statement of whether or not the vendor applicant held or currently holds a community care facility license or was or is employed by a licensed community care facility and the license number.
  - (4) A statement of whether or not the vendor applicant was the subject of any administrative, legal or other action involving licensure, certification or other approvals as specified in Sections 84091(b)(2) and (3) above.
  - (5) A processing fee of one hundred dollars (\$100).
- (c) Continuing Education Training Program vendor approval shall expire two (2) years from the date the vendorship is approved by the Department.
- (d) A written request for renewal of the Continuing Education Training Program shall be submitted to the Department and shall contain the information and processing fee specified in Section 84091(b).
- (e) If the request for approval or renewal of a Continuing Education Training Program is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor applicant that:

**84091 CONTINUING EDUCATION TRAINING PROGRAM** **84091**  
**VENDOR REQUIREMENTS (Continued)**

- (1) The request is deficient, describing which documents or information are outstanding and/or inadequate and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of the notice.
- (f) If the vendor applicant does not submit the requested information above within thirty (30) days, the request for approval or renewal shall be deemed withdrawn, provided that the Department has not denied or taken action to deny the request.
- (g) Within thirty (30) days of receipt of a complete request for an approval or renewal, the Department shall notify the vendor applicant in writing whether the request has been approved or denied.
- (h) Continuing Education Training Program vendors shall:
- (1) Maintain and ensure that written records are available for review by Department representatives. Records shall be maintained for three (3) years. The records shall include the following:
- (A) Course schedules, dates and descriptions.
- (B) List of instructors and documentation of qualifications of each, as specified in Section 84091(h)(2).
- (C) Names of registered participants and documentation of completion of the courses.
- (2) Have instructors who have knowledge and/or experience in the subject area to be taught and who meet at least one of the following criteria:
- (A) Possession of a four (4) year college degree and two (2) years experience relevant to the course(s) to be taught, or
- (B) Four (4) years experience relevant to the course to be taught, or
- (C) Be a professional, in a related field, with a valid and current license to practice in California, or
- (D) Have at least four (4) years experience in California as an administrator of a group home, within the last eight (8) years, and with a record of administering facilities in substantial compliance as defined in Section 80001(s)(6).
- (i) Courses approved for continuing education credit shall require the physical presence of the certificate holder in a classroom setting, except that:

**84091 CONTINUING EDUCATION TRAINING PROGRAM** **84091**  
**VENDOR REQUIREMENTS (Continued)**

- (1) The Department may approve courses where technology permits the simultaneous and interactive participation of the certificate holder, provided that such participation is verifiable.
- (j) Any changes to courses previously approved by the Department must be submitted and approved by the Department prior to being offered.
- (k) Continuing Education Training Program vendors shall allow Department representatives to monitor and inspect Training Programs.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Section 1522.41(h), Health and Safety Code.

**84091.1 CONTINUING EDUCATION TRAINING PROGRAM COURSE** **84091.1**  
**APPROVAL REQUIREMENTS**

- (a) Any Continuing Education Training Program course shall be approved by the Department prior to being offered to certificate holders.
- (b) Any vendor seeking approval of a Continuing Education Training Program course shall submit a written request to the Department. The request shall contain the following:
- (1) Subject title, classroom hours, scheduled dates, duration, time, location, and proposed instructor of each course.
  - (2) Written description and educational objectives for each course.
  - (3) Qualifications of each proposed instructor, as specified in Section 84091(h)(2).
  - (4) Types of records to be maintained as required by Section 84091(h)(1).
  - (5) A statement of whether or not the proposed instructor held or currently holds a license, certification or other approval as a professional in a specified field and the license or certificate number.
  - (6) A statement of whether or not the proposed instructor held or currently holds a community care facility license or was or is employed by a licensed community care facility and the license number.
  - (7) A statement of whether or not the proposed instructor was the subject of any administrative, legal or other action involving licensure, certification or other approvals as specified in Sections 84091.1(b)(5) and (6) above.

**84091.1 CONTINUING EDUCATION TRAINING PROGRAM COURSE APPROVAL REQUIREMENTS (Continued) 84091.1**

- (c) Course approval shall expire on the expiration date of the vendor's Continuing Education Training Program vendorship approval as provided in Section 84091(c).
- (1) To renew a course, the vendor shall submit a written request to the Department which shall contain the information specified in Section 84091.1(b).
- (d) If a request for approval or renewal of a Continuing Education Training Program course is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor applicant that:
- (1) The request is deficient, describing which documents or information are outstanding and/or inadequate and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of the notice.
- (e) If the vendor applicant does not submit the requested information within thirty (30) days, the request for approval or renewal shall be deemed withdrawn, provided that the Department has not denied or taken action to deny the request.
- (f) Within thirty (30) days of receipt of a complete request for an approval or renewal, the Department shall notify the vendor applicant in writing whether the course has been approved or denied.
- (g) Any changes to previously approved courses must be submitted to the Department for approval prior to being offered.
- (h) Continuing Education Training Program vendors shall allow Department representatives to monitor and inspect Training Courses.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Section 1522.41(h), Health and Safety Code.

**84091.2 ADMINISTRATIVE REVIEW OF DENIAL OF A REQUEST FOR APPROVAL OF A CONTINUING EDUCATION COURSE 84091.2**

- (a) A vendor may seek administrative review of the denial of course approval as follows:
- (1) The vendor must request administrative review, in writing, within ten (10) days of the receipt of the Department's notice denying course approval.
- (2) The administrative review shall be conducted by a higher-level staff person than the person who denied course approval.

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**84091.2 ADMINISTRATIVE REVIEW OF DENIAL OF A REQUEST FOR APPROVAL OF A CONTINUING EDUCATION COURSE (Continued) 84091.2**

- (3) If the reviewer determines that the denial of course approval was not issued in accordance with applicable statutes and regulations of the Department, or that other circumstances existed, he/she shall have the authority to amend the denial of course approval.
- (4) The decision of the higher-level staff person shall be final.

NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Section 1522.41(h), Health and Safety Code.

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**84091.3 DENIAL OF A REQUEST FOR APPROVAL OF A CONTINUING EDUCATION TRAINING PROGRAM 84091.3**

- (a) The Department may deny a request for approval of a Continuing Education Training Program in accordance with Health and Safety Code Section 1522.41(h)(1). The Department shall provide the applicant with a written notice of the denial.

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Section 1522.41(h)(1) of the Health and Safety Code provides in part:

- (h)(1) The Department may deny vendor approval to any agency or person in any of the following circumstances:
  - (A) The applicant has not provided the Department with evidence satisfactory to the Department of the ability of the applicant to satisfy the requirements of vendorization set out in the regulations.
  - (B) The applicant person or agency has a conflict of interest in that the person or agency places its clients in group home facilities.
  - (C) The applicant public or private agency has a conflict of interest in that the agency is mandated to place clients in group home facilities and to pay directly for the services. The Department may deny vendorization to this type of agency only as long as there are other vendor programs available to conduct the certification training programs and conduct education courses.

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- (b) The vendor applicant may appeal the denial in accordance with Health and Safety Code Section 1551.
- (c) Any request for approval submitted by a vendor applicant whose application has been previously denied shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3(b).

**84091.3 DENIAL OF A REQUEST FOR APPROVAL OF A CONTINUING  
EDUCATION TRAINING PROGRAM (Continued)****84091.3**

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Health and Safety Code Section 1520.3(b) provides:

(b) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall, except as provided in Section 1569.22, cease further review of the application as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall cease review of the application until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall cease further review of the application until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

(3) The department may continue to review the application if it has determined that the reasons for the denial of the applications were due to circumstances and conditions which either have been corrected or are no longer in existence.

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NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1520.3(b), 1522.41(h)(1), and 1551 Health and Safety Code.

**84091.4 REVOCATION OF A CONTINUING EDUCATION TRAINING PROGRAM****84091.4**

- (a) The Department may revoke a Continuing Education Training Program approval and remove the vendor from the list of approved vendors if the vendor does not provide training consistent with Sections 84091 and 84091.1, or:
- (1) Is unable to provide training due to lack of staff, funds, or resources; or
  - (2) Misrepresents or make false claims regarding the training provided; or
  - (3) Demonstrates conduct in the administration of the program that is illegal, inappropriate, or inconsistent with the intent of the program; or
  - (4) Misrepresents or makes false statements in the vendor application.
- (b) The vendor may appeal the revocation in accordance with Health and Safety Code Section 1551.
- (c) Any application for approval of an Continuing Education Training Program submitted by a vendor applicant whose approval has been previously revoked shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3.

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Health and Safety Code Section 1520.3 in pertinent part provides:

(a)(1) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant previously was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.3 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall cease any further review of the application until two years have elapsed from the date of the revocation. The cessation of review shall not constitute a denial of the application for purposes of Section 1526 or for any other provision of law.

(3) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant was excluded from a facility licensed by the department pursuant to Section 1558, 1568.092, 1569.58, or 1596.8897, the department shall cease any further review of the application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code by the department.

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NOTE: Authority cited: Sections 1522.41(j) and 1530, Health and Safety Code. Reference: Sections 1520.3, 1522.41(h), and 1551, Health and Safety Code.