



980 9th Street, Suite 1450, Sacramento, California 95814 • 916.446.7961 • www.arcanet.org

July 12, 2022

Amy Whiting, Staff Counsel
California Department of Developmental Services
1215 O Street
Sacramento, CA 95814

RE: Children’s Community Crisis Homes - Proposed Regulations (17 CCR sections 59000, 59002, 59006, 59007, 59008, 59009, 59010, 59012, 59022, and 59072)

Dear Ms. Whiting:

California’s regional centers are a network of 21 community-based non-profits, represented by the Association of Regional Center Agencies (ARCA). The regional centers coordinate services for, and advocate on behalf of, nearly 400,000 Californians with developmental disabilities.

ARCA appreciates the opportunity to comment on the Second Readoption of Emergency Rulemaking Action emergency regulations related to Children’s Community Crisis Homes (CCCH).

ARCA would like to acknowledge the work of DDS in developing comprehensive regulations that align with the Welfare and Institutions Code sections 4698 and 4698.1 and promotes placement into least restrictive settings.

With regards to the proposed regulation for Children’s Community Crisis Homes (CCCH), ARCA recommends the following:

Section 59009- Consumer Admission:

The proposed languages would require all Community Crisis Homes to develop a Functional Behavior Assessment for each person within 7 days of admission. Since Functional Behavior Assessments can take longer than a week to complete, ARCA recommends it not be included in the requirements to be met within the first week and that the existing regulatory language remain unchanged.

ARCA recommends modifying the proposed section 59009(e)(2) as follows: The administrator, with input from the Individual Behavior Supports Team, shall ensure completion of ~~(A) A written Functional Behavior Assessment; and (B) A~~ a written Individual Behavior Supports Plan.

Section 59022-Establishment of Rates:

The proposed language requires continued residency for consumers residing at a Children’s Community Crisis Home beyond 12 months to be approved by the Department. Due to the limited number of step-

down resources available to support children, ARCA believes the maximum time in which a consumer can reside at a Children's Community Crisis Home should match that of adult Community Crisis Homes, which is 18 months. This will allow more time for children to stabilize and regional centers to develop resources for them to transition into. To achieve this change, ARCA recommends the existing regulatory language remain unchanged.

ARCA recommends modifying proposed section 59022(b)(3)(D) as follows: If the consumer resides at a Community Crisis Home ~~licensed as an adult residential facility~~ beyond 18 months, ~~or at a Community Crisis Home licensed as a group home beyond 12 months~~, any additional day(s) must be approved by the Department and reviewed monthly thereafter.

Section 59010.4 Debriefing After the Use of Physical Restraint

The proposed language requires a facility to conduct a debriefing no later than 24 hours following every incident involving the use of physical restraint ARCA recommends that a copy of the debriefing report be submitted to the regional center.

ARCA recommends modifying Section 59010.4(f) to read as follows: Documentation of the debriefing meeting must be sent to the regional center within three days of the debriefing and shall include...

ARCA appreciates the opportunity to provide comments to strengthen the delivery of services in this new model of care for children. If you have any questions regarding our position, please do not hesitate to contact Darline Dupree in our office at ddupree@arcanet.org or (916) 446-7961.

Sincerely,
/s/
Amy Westling
Executive Director