

# **California Code of Regulations**

## **Title 17. Public Health**

### **Division 2. Health and Welfare Agency - Department of Developmental Services**

#### **Chapter 3: Community Services**

##### **SubChapter 2: Vendorization**

##### **Article 3: Vendor Numbers and Service Codes**

##### **Section 54342 - Types of Services**

[TEXT ABOVE THIS REMAINS THE SAME]

(28) Family Home Agency (FHA) - Service Code 904. A regional center shall classify a vendor as a family home agency (FHA) if the agency:

(A) Recruits, approves, trains, and monitors family home and family teaching home providers;

(B) Provides services and supports to family home and family teaching home providers; and

(C) Assists consumers in moving into, or relocating from, family homes and family teaching homes.

[TEXT BELOW REMAINS THE SAME]

##### **SubChapter 4.1: Family Home Agency (FHA) Regulations**

##### **Article 1: Definitions**

##### **Section 56076 - Definitions**

(a) As used in this Subchapter, the following phrase shall have the meaning specified in Title 17, Section 54000:

(1) Developmental Disability

(b) As used in this Subchapter, the following words and phrases shall have the meanings specified in Title 17, Section 54302:

(1) Applicant;

(2) Vendor;

(3) Vendorization.

(c) As used in this Subchapter, the following words and phrases shall have the meanings specified in Title 17, Section 56002:

- (1) Authorized Consumer Representative;
- (2) Consumers' Rights;
- (3) Department;
- (4) Director;
- (5) Individual Program Plan (IPP);
- (6) Interdisciplinary Team (ID Team);
- (7) Regional Center;
- (8) Service Coordinator.

(d) As used in this Subchapter, the following words and phrases shall have the meaning specified in Title 17, Section 58501:

- (1) Cost Effective;
- (2) Submit.

(e) The following definitions shall apply to the regulations used in this Subchapter:

(1) "Certificate of Approval" means the certificate issued to a family home upon approval by an FHA.

(2) "Consumer" means a person with a developmental disability who is at least 18 years of age and who does not require continuous skilled nursing care.

(3) "Continuous Skilled Nursing Care" means nursing care which is provided to a consumer whose condition cannot be classified as chronic or stable; or for whom performance of nursing care cannot be termed routine; or for whom the performance of nursing tasks by unlicensed persons would pose potential harm.

(4) "Conviction" means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

(5) "Family Home" means a home that has been approved by an FHA and is owned, leased, or rented by, and is the family residence of, the family home provider and in which services and supports are provided to a maximum of two consumers regardless of their degree of disability, except for those consumers who require continuous skilled nursing care as defined in subsection (e)(3). As used in this subchapter, this term shall be understood to include the term "family teaching home."

(6) "Family Home Agency (FHA)" means a private, not-for-profit agency that is vendored to do all of the following: 1) recruit, approve, train, and monitor family home providers; 2) provide services and supports to family home providers; and 3) assist consumers in moving into or relocating from family homes.

(7) "Family Home Provider" means a person who has been recruited, approved, and trained by an FHA to provide services and supports to a consumer residing in a family home.

(8) "Family Teaching Home" means a home that has been approved by an FHA and is owned, leased, or rented by the family home agency, wherein the family home provider and the consumer(s) have independent residences, either contiguous or attached, and in which services and supports are provided to a maximum of three consumers regardless of their degree of disability, except for those consumers who require continuous skilled nursing care as defined in subsection (e)(3). All requirements in this subchapter applicable to family homes shall apply equally to family teaching homes.

(9) "Person-Centered Planning" means the planning process for consumers as specified in Welfare and Institutions Code Sections 4646 and 4646.5.

- (10) "Positive Behavioral Supports" means the systematic application of proactive and preventative behavioral interventions, excluding interventions which utilize pharmaceuticals or medications to achieve behavioral change, and which result in lasting positive changes in the consumer's behavior, are based upon the positive reinforcement of appropriate consumer behavior, and are designed to support consumers with challenging behaviors and ensure the consumer's right to reside in the least restrictive environment.
- (11) "Relative" means spouse, parent, stepparent, son, daughter, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin, or any such person denoted by the prefix "grand" or "great" or the spouse of any of the persons specified in this definition.
- (12) "Seclusion" means the physical isolation of the consumer.
- (13) "Service Catchment Area" means the geographical area in which a regional center provides services.

Authority: Government Code 11152; Section 4689.1, Welfare and Institutions Code.  
Reference: Sections 4502 and 4689.1, Welfare and Institutions Code.

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