

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 340, MS 3-23  
SACRAMENTO, CA 95814  
TDD 654-2054 (For the Hearing Impaired)  
(916) 916-654-3767

**TITLE 17. CALIFORNIA DEPARTMENT OF DEVELOPMENTAL SERVICES**

**ACTION:** Notice of Proposed Rulemaking  
**SUBJECT:** Item 06-0130-02 Amendments to Family Home Agency (FHA) Regulations

**NATURE OF PROCEEDING**

NOTICE IS HEREBY GIVEN that the Department of Developmental Services (Department) is proposing to amend regulations affecting Family Home Agencies (FHA), as described in the Informative Digest, below.

A public hearing regarding the proposal is scheduled for Tuesday, March 28, 2006, commencing at 10:00 a.m. at the following location:

California Department of Developmental Services  
Room 360  
1600 Ninth Street  
Sacramento, California 95814

At the public hearing any person may present statements or arguments orally or in writing relevant to the proposed action described in this notice. Testimony must be identified by the subject number and title for the item listed above. Persons choosing to deliver a written statement orally are requested to provide a copy of the written statement for the record. The hearing will adjourn following completion of oral testimony by all persons present at the hearing prior to 5:00 p.m. on the hearing date.

Written statements on the proposed regulations must be received no later than 5:00 p.m. on Tuesday, March 28, 2006, which is hereby designated as the close of the written comment period. Please submit written statements to:

Department of Developmental Services  
Community Development Branch  
1600 Ninth Street, Room 340, MS 3-13  
Sacramento, California 95814  
Attention: Ben Monroe  
Community Development Branch

Written comments may be hand delivered to the above address, faxed to 916-654-3020, or e-mailed to [bmonroe@dds.ca.gov](mailto:bmonroe@dds.ca.gov). Inquiries concerning this notice may be made by phone to Ben Monroe, at 916-654-2881 or emailed to [bmonroe@dds.ca.gov](mailto:bmonroe@dds.ca.gov).

**AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF REGULATIONS:**

The Department has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. A copy of the initial statement of reasons and a copy of the text of the proposed regulations are available through the Internet website of the Department of Developmental Services at [www.dds.ca.gov](http://www.dds.ca.gov), or upon request to Ben Monroe of the Community Development Branch at the address, phone number and email address noted above. All public records comprising the rulemaking file, including reports, documentation, and other materials related to the proposed regulations are available for public scrutiny at the Community Development Branch location. Additionally, the final statement of reasons will be made available to the public upon completion of the adoption process.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

AB 2100 (Chapter 831, Statutes of 2004) established “family teaching homes” as an additional community living option for consumers, adding this option to the responsibilities of Family Home Agencies (FHA) through amendment of Welfare and Institutions Code Section 4689.1. In consequence of this legislative action, and to assure federal financial participation in the cost of providing the new living option, the following Title 17 regulation sections are being amended to add family teaching homes as a community living option supervised by the FHA in accordance with the regulatory requirements presently applicable to family homes. These amendments are being made pursuant to the authority vested in the Department by Section 11152 of the Government Code and Section 4689.1 of the Welfare and Institutions Code, for the purpose of implementing, making specific, and interpreting the requirements of Section 4689.1 of the Welfare and Institutions Code.

Section 54342, located in SubChapter 2: Vendorization of the Department’s regulations, is being amended to add family teaching home to the responsibilities of FHA vendors.

Section 56076, located in SubChapter 4.1: Family Home Agency (FHA) Regulations of the Department’s regulations is being amended to define “family teaching home; clarify that all regulations applicable to family homes are equally applicable to family teaching homes; and to renumber some subsections to maintain consistency in numbering.

Regulation text which is being deleted is indicated by strikethrough, and additions or amendments are indicated by underlining, consistent with the requirements of Government Code section 11346.5(b).

### **LOCAL MANDATE**

This proposal does not impose a mandate on local agencies or school districts.

### **FISCAL IMPACT ESTIMATES**

This proposal does not impose new costs to any local agency or school district for which Government Code section 1750-17630 requires reimbursement.

### **COSTS OR SAVINGS TO STATE AGENCIES**

This proposal requires additional expenditures estimated at \$875,000 in the current State Fiscal Year. These costs will be absorbed by regional centers within their existing budgets. State funding costs will rise to \$3,848,000 in FY 2006-2007, and to \$5,591,000 in FY 2007-2008.

### **BUSINESS IMPACT/SMALL BUSINESSES**

This proposal will have no significant, statewide impact directly affecting businesses, including the ability for California businesses to compete with businesses in other states. This proposed regulation will have no effect on small businesses, because it does not impose uncompensated new costs or compliance obligations upon small businesses.

### **ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES**

This proposal will have no effect on the creation of new jobs or businesses, and will not result in the elimination or expansion of existing jobs and businesses.

### **COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action, and therefore believes this proposal has no significant cost impact on any representative person or business.

### **EFFECT ON HOUSING COSTS**

This proposal has no significant cost impact on housing costs.

### **ALTERNATIVES**

The Department must determine that no alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private person than the proposed action. The proposal is confined to directly implementing the requirements of Welfare and Institutions Code Section 4689.1, and is essential for assuring federal financial participation in the cost of adult teaching homes.

### **CONTACT PERSON**

Inquiries concerning the proposed adoption of this proposal, submission of written comments, and requests for materials should be directed to Ben Monroe, Community Development Branch, Department of Developmental Services, at the street address, phone number, and email address noted above, or alternatively, to Marva Hamilton, Chief, Training and Quality Assurance Section, at the street address noted above, by phone at 916-654-3767, or by email at [mhamilto@dds.ca.gov](mailto:mhamilto@dds.ca.gov).

## **CHANGES TO MODIFIED TEXT**

With the exception of solely grammatical or nonsubstantive changes, any sufficiently-related changes to the text as originally proposed will be made available for 15 days prior to the Department's adoption of the regulation. Major or substantial changes to the proposed regulation will go out for a new 45-day notice.