

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Developmental Services**

**Regulatory Action:**

**Title 17, California Code of Regulations**

**Adopt sections:** 59009.5, 59010.1, 59010.2,  
59010.3, 59010.4, 59010.5,  
59059.5, 59060.1, 59060.2,  
59060.3, 59060.4, 59060.5

**Amend sections:** 59000, 59001, 59002,  
59004, 59005, 59006,  
59007, 59008, 59009,  
59010, 59011, 59012,  
59013, 59022, 59050,  
59051, 59052, 59054  
(renumbered to 59060),  
59055 (renumbered to  
59063), 59056  
(renumbered to 59059),  
59057 (renumbered to  
59064), 59058  
(renumbered to 59065),  
59059 (renumbered to  
59066), 59060  
(renumbered to 59054),  
59061 (renumbered to  
59055), 59062  
(renumbered to 59056),  
59063 (renumbered to  
59057), 59064  
(renumbered to 59058),  
59065 (renumbered to  
59067), 59066  
(renumbered to 59068),  
59067 (renumbered to  
59069), 59068  
(renumbered to 59070),  
59069 (renumbered to  
59071), 59070  
(renumbered to 59061),  
59071 (renumbered to  
59062), and 59072

**NOTICE OF APPROVAL OF CERTIFICATE OF  
COMPLIANCE**

**Government Code Sections 11349.1 and  
11349.6(d)**

**OAL Matter Number: 2023-0530-01**

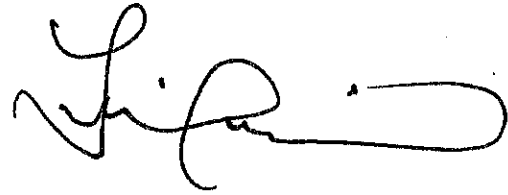
**OAL Matter Type: Certificate of Compliance  
Resub (CR)**

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This certificate of compliance by the Department of Developmental Services makes permanent the changes approved in OAL File No. 2021-0615-08ER, 2022-0415-01EE, and 2022-0715-01EE. Those actions updated facility program plan requirements, staff training requirements, continuing education requirements, and individual behavior

supports plan requirements for Community Crisis Homes licensed as adult residential facilities and group homes. Those actions also updated Form DS 6023 and Form DS 6024, which pertain to rate development for Community Crisis Homes. This action also seeks to update facility program plan requirements, staff training requirements, continuing education requirements, and individual behavior supports plan requirements for Enhanced Behavioral Support Homes.

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code.



Date: July 12, 2023

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Lindsey S. McNeill  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Nancy Bargmann, Director  
Copy: Amy Whiting

# CERT RESUBMITTAL

(See instructions on reverse)

**ENDORSED - FILED**  
 For use by the Office of the Secretary of State of the State of California

**JUL 12 2023**  
**1:38 PM**

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2022-0524-07</b>	REGULATORY ACTION NUMBER <b>2023-0530-01</b>	EMERGENCY NUMBER <b>CL</b>
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Department of Developmental Services			AGENCY FILE NUMBER (If any)

OFFICE OF ADMIN. LAW  
 2023 MAY 30 PM 2:02

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1 SUBJECT OF NOTICE Community Crisis Homes/Enhanced Behavioral	TITLE(S) 17	FIRST SECTION AFFECTED 59000	2 REQUESTED PUBLICATION DATE April 14, 2023
3 NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4 AGENCY CONTACT PERSON Amy Whiting	TELEPHONE NUMBER (916) 654-4418	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2022, 22-7	PUBLICATION DATE 6/3/22	

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a SUBJECT OF REGULATION(S) <b>Children's Community Crisis Homes and Enhanced Behavioral Support Homes - Restraint and Containment</b>	1b ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) See Attachment A
2 SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) 17	ADOPT See Attachment A AMEND See Attachment A REPEAL

**7/11/23**  
**PER AGENCY REQUEST**  
**LSM**

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input checked="" type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input checked="" type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify)		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs title 1, §44 and Gov. Code §11347.1)  
 August 15, 2022 through August 30, 2022 and April 14, 2023 through April 29, 2023

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)  Fair Political Practices Commission  State Fire Marshal

Other (Specify) **WIC 4684.86 and 4698.1 System Stakeholder Meetings held on 12/3/19 and 12/5/19**

7 CONTACT PERSON Amy Whiting	TELEPHONE NUMBER (916) 654-4418	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) regulationsmailing@dds.ca.gov
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8 I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

**JUL 12 2023**

**Office of Administrative Law**

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Carla Castañeda</i>	DATE May 26, 2023
TYPED NAME AND TITLE OF SIGNATORY Carla Castañeda, Chief Deputy Director	

# Attachment A

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

Std. 400 (REV. 10/2019)

### B. SUBMISSION OF REGULATIONS

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBERS

2021-0615-08E, 2022-0415-01EE, 2022-0715-02EE, 2022-1017-01C, 2020-0904-01E

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S)

<p><b>SECTION(S)          AFFECTED</b>          (List all section          number(s)          Individually.          Attach          additional sheet if          needed.)</p>	<p>ADOPT          59009.5, 59010.1, 59010.2, 59010.3, 59010.4, 59010.5, 59059.5,          59060.1, 59060.2, 59060.3, 59060.4, and 59060.5</p> <p>AMEND          59000, 59001, 59002, 59004, 59005, 59006, 59007, 59008, 59009,          59010, 59011, 59012, 59013, 59022, 59050, 59051, 59052,          59054 (renumbered to 59060), 59055 (renumbered to 59063),          59056 (renumbered to 59059), 59057 (renumbered to 59064),          59058 (renumbered to 59065), 59059 (renumbered to 59066),          59060 (renumbered to 59054), 59061 (renumbered to 59055),          59062 (renumbered to 59056), 59063 (renumbered to 59057),          59064 (renumbered to 59058), 59065 (renumbered to 59067),          59066 (renumbered to 59068), 59067 (renumbered to 59069),          59068 (renumbered to 59070), 59069 (renumbered to 59071),          59070 (renumbered to 59061), 59071 (renumbered to 59062), and          59072</p>
<p>TITLE(S)          17</p>	<p>REPEAL</p>