

DEPARTMENT OF DEVELOPMENTAL SERVICES

REQUEST FOR EARLY EFFECTIVE DATE UPON GOOD CAUSE

Community Crisis Homes and Enhanced Behavioral Supports Homes

Pursuant to Government Code section 11343.4(b)(3), the Department of Developmental Services (Department) requests that the amendments to California Code of Regulations (CCR), Title 17, 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. Adopt new Articles 5.5 and 6.5 and new Sections 59009.5, 59010.1, 59010.2, 59010.3, 59010.4, and 59010.5 in Subchapter 23. Adopt new Articles 5.5 and 6.5 and new Sections 59059.5, 59060.1, 59060.2, 59060.3, 59060.4, and 59060.5 in Subchapter 24, become effective immediately upon filing with the Secretary of State. The Department's request is based on the following good cause.

The Children's CCH regulations were initially adopted as emergency regulations on June 25, 2021, and subsequently re-adopted twice as emergency regulations on April 25, 2021, and July 25, 2021, for the immediate preservation of the public peace, health and safety, and general welfare of the public.

To continue the development of alternative living arrangements, Senate Bill (SB) 856, (Committee on Budget and Fiscal Review, Chapter 30, Statutes of 2014), required the Department to develop the residential option of Community Crisis Homes, as well as Enhanced Behavioral Supports Homes (EBSH). The Department discovered that it would be beneficial align the two regulations.

The Community Crisis Homes and Enhanced Behavioral Support Homes are required by statute to be an alternative to placements such as an out-of-state placement, a general acute hospital, an acute psychiatric hospital, or an institution for mental disease. More and more consumers are being presented with needs associated with being served in a crisis residential model as well as enhanced behavioral support homes. Regularly, there are requests to the Department for statewide resources that can serve consumers in a crisis. However, quite often, there are few or no residential resources available for

consumers in a crisis. It is important that these regulations are in effect as soon as possible in order to maintain the necessary residential resources available for those consumers in need. Both of these residential models support that need and are currently providing services. Furthermore, since the CCH regulations will be in effect upon approval, the EBSH regulations need to be in effect upon approval as well in order to ensure both the CCH and EBSH regulations are in effect at the same time to avoid confusion for consumers, licensees, and administrators.