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Scott Logan
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Office of Income Security Programs
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SUBJECT: KEYS AMENDMENT SECTION 1616(e) OF THE SOCIAL SECURITY ACT – CERTIFICATION FOR FISCAL YEAR 2023-2024

Dear Scott Logan:

This is to certify that the California Department of Social Services (CDSS), Community Care Licensing Division (CCLD), meets the requirements of the Keys Amendment (Section 1616(e) of the Social Security Act). The California Department of Developmental Services (CDDS) is also submitting the enclosed letter to certify their compliance with the Keys Amendment.

CDSS establishes, maintains, and enforces licensing standards for residential facilities. These standards govern such matters as admission policies, safety, sanitation, and the protection of residents' rights. CDSS oversees the following facility types where a significant number of residents receiving Supplemental Security Income (SSI) reside or are likely to reside: Adult Residential Facilities; Adult Residential Facilities for Persons with Special Health Care Needs; Community Crisis Homes; Enhanced Behavioral Support Homes; Group Homes; Residential Care Facilities for the Chronically Ill; Residential Care Facilities for the Elderly; Resource Family Approved Homes; Short Term Residential Therapeutic Programs; Small Family Homes; Social Rehabilitation Facilities; Temporary Shelter Care Facilities; and Transitional Housing Placement Programs.

As required by subdivision (e)(2) and (3) of Section 1616 of the Social Security Act (the Keys Amendment), CDSS certifies the standards established pursuant to subdivision (e)(1) of Section 1616 of the Social Security Act (the Keys Amendment) as well as licensing, enforcement, waiver, and deficiency procedures are made available to the public and any interested person for review.

You specified that you would like any new or revised standards and enforcement procedures that have been implemented since our last submission to you in 2022.

Enclosed are three regulation packages that CDSS has filed since our last submission:

- **Small Family Home Regulations in the implementation of Family First Prevention Services Act (FFPSA)**
Effective April 1, 2023, revised regulations governing Small Family Homes in response to the United States Department of Health and Human Services, Administration for Children and Families' implementation of FFPSA. These regulations clarify that Small Family Homes are a type of foster family home, not a congregate care facility, and implement necessary changes to align Small Family Homes with requirements for Resource Families.
- **CCLD Adult and Senior Care Facilities: Infection Control Requirements**
Effective July 1, 2023, the Infection Control regulations for Adult and Senior Care licensees were permanently adopted. The Infection Control Requirements are intended to ensure that infection control practices are maintained by licensees, staff and volunteers. These regulations require facilities to have a specific infection control plan to be included in their plan of operation. These plans are required to specify measures to prevent, mitigate and contain the spread of infectious diseases. These regulations created an Infection Control section for the California Code of Regulations (CCR) Title 22, Chapter 2, Social Rehabilitation Facilities, Chapter 3, Adult Day Programs, Chapter 6, Adult Residential Facilities including Community Crisis Homes and Enhanced Behavioral Support Homes, Chapter 8, Residential Care Facilities for the Elderly, and Chapter 8.5, Residential Care Facilities for the Chronically III, all of which are licensed by CDSS.
- **Regulations on Injection Medication and Administration of Medication**
Effective July 1, 2023, these regulations address emergency medical assistance, injections, and self-administration of medications for children and nonminor dependents in Small Family Homes and Group Homes. These regulations allow staff of Small Family Homes and Group Homes to administer and/or assist children and nonminor dependents with injections of medications, such as insulin, as prescribed by a physician, and to perform related necessary supportive activities, as specified.

Also enclosed are two Interim Licensing Standards (ILS) packages issued by CDSS in 2023:

- **Foster Family Agency ILS, Version 6**
Effective February 1, 2023, Foster Family Agency ILS regulating Foster Family Agencies and Resource Families was approved by Foster Family Agencies. Changes include updated language on tribal involvement in Resource Family Approval (developed through tribal consultation), personal rights updates, and

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background check requirement updates. Other conforming changes were made as necessary, for example, to incorporate new federal “safe sleep” laws.

- **Short-Term Residential Therapeutic Program ILS, Version 5**

Effective November 1, 2023, Short-Term Residential Therapeutic Program ILS changes include updated personal rights language, program statement and plan of operation updates, changes to intake, admission, and removal requirements, and many others. Other conforming changes were made as necessary, for example, to incorporate updated regulation language on medical assistance.

The above referenced enforcement procedures can be accessed by using the hyperlinks below:

- CCR Title 22, Division 6: Scroll down to the licensing category referenced above:
[Residential Regulations: California Code of Regulations, Title 22, Division 6](#)
- Office of Regulations Development (ORD):
 - [Standard Regulations](#), which lists standard non-emergency regulations processed by ORD; and
 - [2023 Completed Regulations](#), which lists regulations that have completed processing by ORD.
- Interim Licensing Standards: [Children's Residential Program Laws and Regulations](#)

If you have questions regarding our submission, I can be reached at (916) 657-2598 or you may contact Kevin Gaines, Deputy Director of CCLD, at (916) 657-2346.

In partnership,



KIM JOHNSON
Director

Enclosures