



AB 74 – COMMUNITY CARE FACILITIES: ANNUAL UNANNOUNCED VISITS

BACKGROUND

California’s licensing program performs the essential function of protecting the basic health and safety of children and adults in care. Budget cuts over the past few years and compliance procedures have resulted in a program that provides inadequate oversight and monitoring of community care facilities, which include family child care homes and child care centers, children’s residential facilities, such as foster homes, assisted living facilities, and other special agencies.

Prior to 2003, the required frequency of CCLD facility visits was annually for most facility types (and tri-annually for family child care). Currently, five years or more may elapse between site visits from the licensing program, which is hardly frequent enough to ensure minimum safety in an industry with high staff turnover.

Inspections are completed using key indicator inspection protocol that includes a complete walk-through of the facility and a focus on previously identified key health and safety risk indicators to predict the overall propensity for compliance. If a community is found to be out of compliance with key indicators, a comprehensive inspection is initiated. The key indicator inspection protocol is used in other states across the country and is supported by research done nationwide.

Many recent news reports have highlighted the lack of frequent inspections in facilities across California and the dangers faced by children and elders. Seniors have suffered broken bones, deadly bed sores, sexual assaults and other injuries in assisted living facilities. Children have been victims of neglect, endangerment, unkempt conditions, and injuries. Of course, these are the most severe compliance issues; some facilities may have minor compliance issues but many, if not most, of these issues could be solved by having inspectors in facilities at least once a year.

Increasing the frequency of licensing visits will demonstrate that California is serious about addressing the deficiency in our inspection process and put California on par with the inspection procedures of other states.

EXISTING LAW

The California Community Care Facilities Act provides for the licensure and regulation of community care facilities by the State Department of Social Services.

Existing law requires, except as otherwise specified, that every licensed community care facilities be subject to unannounced visits by the department and requires the department to visit the facilities as often as necessary to ensure the quality of care provided, but no less often than once every 5 years.

SOLUTION

AB 74 will implement a phased in plan to require DSS to conduct annual unannounced inspections of all community care facilities by July 1, 2018. By July 1, 2016 DSS will inspect facilities no less often than once every 3 years with a 30% random sample to be subject to an annual inspection. By July 1, 2017 DSS will inspect facilities no less often than once every 2 years with a 20% random sample. Annual unannounced visits are fundamental in protecting the health and safety of children and adults receiving care through facility or home-based care.

SUPPORT

California Communities United Institute
California Assisted Living Association
California Commission on Aging
California Child Care Resources & Referral Network

STATUS

Introduced- January 5, 2015

FOR MORE INFORMATION

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