

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

June 14, 2018

2. Department

Social Services

3. Organizational Placement (Division/Branch/Office Name)

Community Care Licensing/ Central Operations Branch

4. CEA Position Title

Chief- Central Operations Branch

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The Central Operations Branch (COB) Chief is responsible for compliance of health and safety requirements at licensed facilities by formulating, implementing and evaluating COB policies and procedures of statewide impact. Provides statewide policy direction to the Division's Administrative Support, Information Technology Liaison and Centralized Complaint and Information Bureaus. Serves as the Community Care Licensing Division's Disaster Recovery Coordinator and will be responsible for coordinating efforts of community care facilities during a disaster.

6. Reports to: (Class Title/Level)

Deputy Director - CEA level B

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): The Branch chief confers with, makes recommendations to and advises the Assistant Deputy Director and/or Deputy Director on strategic policy and procedural changes.

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Central Operations Branch (COB) Chief, CEA level A, develops, implements and evaluates policies and procedures of statewide impact. Provides administrative direction to the Division's Administrative Support, Information Technology Liaison and Centralized Complaint and Information Bureaus and is the Disaster Recovery Coordinator for the Community Care Licensing Division (CCLD).

Responsibilities include:

Develops and oversees the implementation of COB statewide program policies, goals, objectives, and procedures. Advises the Assistant Deputy Director on needed regulation, policy, and procedural changes specific to the functioning of the COB and its programs.

Provides policy direction on complaints affecting children and adults in community care facilities such as the physical or sexual abuse of an adult or child; care and supervision; provision of services, including medication administration; or any number of personal rights violations.

Provides operational policy direction to the Division's program managers and field offices to ensure staff are knowledgeable of existing statutes, regulations, policies, procedures and interpretive material for all CCLD programs.

Ensures program management track bureau wide performance and that the collection of statistics and other tasks designed to improve the overall performance of the program are completed and analyzed in support of the provisions of quality customer service.

Oversees the management of the special funds used to support the licensing program, including analysis of fund condition statements, and monitoring of fee and civil penalty collection. Provides regular administrative reports to Executive management detailing overall fund conditions, recommendations to increase spending authority and projected shortfalls or the need for fee increases.

Testifies on critical sensitive program issues before the legislative committees and budget committees.

Provides state and federal policy direction to program and field offices on new and existing statutes, regulations, policies and procedures and legal decisions related to disaster preparedness, response, recovery and information system needs for community care facilities. Coordinates the Department's disaster responses to ensure all residents are accounted for and safe.

Facilitates multi-agency disaster planning to ensure residents in community care licensed facilities with multiple service needs are identified and met, and submits reports to the Governor's Office.

Responsible for the development of language to be included in the Governor's Disaster Declarations that will ensure the continued ability of licensees to operate or provide services.

Communicates with industry representatives, advocacy groups, the general public, and private organizations to promote and enhance the goals and objectives of the Division's disaster preparedness and response program as it relates to community care facilities and the safety and well being of its residents.

The Chief of the COB is also responsible for managerial and administrative tasks, including:

1. Supervises two Staff Services Manager IIs, one Licensing Program Manager II and oversees 59 staff throughout the seven units of the COB to ensure policies, procedures, guidelines and regulations are adhered to.
2. Provides operational direction to the COB Bureau Chiefs to ensure that the oversight and auxiliary functions are achieved and consistent with the strategic goals of the Community Care Licensing Division and overall mission of the Department.
3. Provides administrative support for the timely completion and accuracy of the allocation and monitoring of the Branch budget; fiscal analysis of proposed legislation, Budget Change Proposals; Spring Finance Letters; changes to Division information systems; solvency audits of facilities; Division contracts; Division personnel related matters; and fee and civil penalty collections.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The mission of the California Department of Social Services is to serve, aid, and protect needy and vulnerable children and adults in ways that strengthen and preserve families, encourage personal responsibility, and foster independence.

The mission of the Community Care Licensing Division is to promote the health, safety, and quality of life of each person in community care through the administration of an effective collaborative regulatory enforcement system.

The Central Operations Branch (COB) is responsible for the compliance of health and safety requirements at community care licensed facilities by formulating, implementing and evaluating policies and procedures of statewide impact to ensure the safety of California's most vulnerable population in community care facilities. The COB must also facilitate the safety of residents in community care facilities during a disaster.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

Currently the work of the Caregiver Background Check Bureau (CBCB) is in two different Branches within the Community Care Licensing Division (CCLD). The CBCB is housed in the Central Operations Branch (COB), but staff work closely with the Investigators in the Investigations Branch (IB). Recent report findings and underlying processing delays, necessitate a reorganization. The CCLD will be reorganizing and transferring the CBCB from the COB to the IB. This move will consolidate the arrest only processes, and processes for identifying the presence of registered sex offenders in community care facilities under one Branch; and, will eliminate duplicative administrative functions including tracking, analysis of findings and investigatory referrals.

In late 2016, an audit was conducted on the process for licensing and monitoring community care facilities throughout California. The audit focused on the Department's criminal background check process and the process for monitoring the presence of registered sex offenders in community care facilities. The audit was to confirm that the Department was receiving and assessing all necessary background check information on new and current licensees.

In 2017, the California State Auditor released its report findings on criminal background checks. The report found inconsistencies and untimely delays. In the past nine months, the CCLD has implemented a number of processes to improve the evaluations of criminal background check information.

With the movement of the CBCB, the COB Chief will continue to oversee and provide policy direction to the Division's Administrative Support, Information Technology Liaison and Central Complaint and Information Bureaus. In addition, the COB Chief will oversee the CCLD's policies and procedures for the new disaster response and recovery program.

The CEA must develop and implement new disaster and recovery policies and procedures for the community care facilities, the CCLD staff and ensure all staff are trained. This will require a macro level evaluation of the statutory framework for licensees to identify necessary changes to promote better reporting and clear evacuation processes that are practiced in each licensed facility.

Previously, the procedures for the CCLD's response to a disaster were vague and cumbersome. Several lists would be compiled and distributed to the Disaster Services Bureau to compile one list and relay the information to the Office of Emergency Services. This proved to be ineffective as evident during some major disasters. In 2017, the Oroville Dam spillway collapse in which over 100,000 residents were required to evacuate; as well as, the 13 wildfires that burned across the state, including urban wildfires in Napa, Sonoma and Los Angeles counties that impacted over 100,000 citizens.

These back to back disasters were devastating to California, and the Governor's Office requested detailed information regarding the impacted community care facilities in order to assess the damage. These disasters required coordination with other state agency executives, quick decision making as to how to respond, what regulatory waivers were needed and the overall accountability to the Governor's Office.

The Branch Chief will be responsible for the coordination among the COB, the Department, other state agencies, emergency managers and accountability to the Governor's Office; and ensure all resident's are safe, accounted for and their basic needs are met.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The Community Care Licensing Division (CCLD) is a regulatory Division responsible for monitoring compliance of health and safety requirements at licensed sites. The Central Operations Branch (COB) Chief, CEA level A, is integral to the coordination of a wide range of administrative and support activities. The Chief ensures the licensing programs have the funding necessary to support the statewide field staff in their efforts to ensure residents and consumers of services by community care licensed facilities are healthy and safe.

The COB Chief, is responsible for the development, implementation, and oversight of statewide policy related to the Centralized Complaint and Information Bureau (CCIB), the Information Technology Liaison Bureau, the administrative direction for the Division's Administrative Support Bureau and the Disaster Recovery Coordinator for facilities licensed or approved by the CCLD. The COB Chief sets program goals and implements disaster response and recovery policy within a complex environment involving stakeholders, advocates, legislative staff and other state and county agencies.

The COB Chief must oversee statewide policy clarification and new policies for the COB in the following areas:

1. Responsible for maintaining policy affecting the CCIB who are accountable for receiving complaints and incident reports for the Children's Residential, Child Care, Adult and Senior Care, Home Care Services and Caregiver Background Check Bureaus. The CCIB staff must collect information to assist with making determinations about the severity of a complaint and the need to initiate a complaint investigation. Complaints can be for a variety of issues including the physical or sexual abuse of an adult or child; care and supervision of an adult or child; provision of services, including medication administration; or any number of personal rights violations. One example of a complaint was when a facility owner was not paying the facility staff's wages. Upon further investigation, it was determined the owner was redirecting funds from one program to another facility. This left the first facility understaffed with inadequate supervision and care for the residents. This is just one example of the of why adequate policy direction must be in place to protect California's most vulnerable population.
2. Developing, implementing, and monitoring policy regarding the Division's disaster response and recovery efforts for all licensing categories. Recent major disasters of 2017, were the Oroville Dam spillway collapse and the 13 wildfires burning across California in which a facility in Sonoma had to be evacuated. It is imperative to have proper policies and procedures in place to identify areas of weakness in order to promote better reporting and clear evacuation processes that are practiced in each licensed facility for the safety and well being of residents.
3. Developing, implementing and maintaining policy for the collection of fees and civil penalties, including raising fees as necessary. This includes the analysis of fund condition statements, monitoring of fee and civil penalty collections and recommendations to increase spending authority or fee amounts. Some examples of why a civil penalty may be imposed are: the death of a resident that is attributed to the failure of the licensee to provide care and supervision; or, when a facility does not seek medical attention for serious injuries, including broken bones and burns or pressure ulcers, and the injuries result in infection or surgery.
4. Oversight of the process for management of the "Special Funds" used to support the licensing programs. This includes state and federal funding. The CCLD's budget is largely made up of special funds and the revenue is generated by annual licensing fees and civil penalties. Any significant changes in the special funds that result in less revenue being generated, has a direct impact on the Division's ability to provide necessary services to the public.
5. Setting policy regarding county and departmental participation in the maintenance, improvement and administration of the Licensing Information System (LIS), Field Automations System (FAS), and soon to be developed Certification Approval and Licensing System (CALs) and CALs Plus System. The LIS and FAS are legacy systems used to capture data on individuals who are authorized to be in licensed facilities during operating hours. These systems also provide complaint and statistical reports for licensed facilities, allows the public greater transparency about a facility being considered for a loved one, and stores and maintains licensing data to track facilities, licensees, workers and adults residing in a facility caring for individuals. The new CALs will not only capture the data in the legacy systems, but will also be able to identify the needs of foster children being placed in a facility and ensure those needs are being met in and out of home care. The new CALs Plus will mirror the CALs, but will also meet the business needs for Adult and Senior Care and Child Care. Each of these systems play a significant role in the care, supervision, and well being of California's most vulnerable population.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The COB Chief has primary responsibility for prioritizing and developing fee and civil penalty policies for all community care licensed facilities across the state. The COB Chief must oversee the coordination of the Division's response to statewide disasters, including prioritizing and developing policies for all community care licensed facilities across the state.

The COB Chief advises the Deputy Director and Department Directorate on highly critical and sensitive issues related to policy and procedural changes of the Community Care Licensing Division, Statewide Disasters, Special Funds and information systems. The COB Chief must interact with representatives from the advocate community in establishing policies to support emerging community issues.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

Both. The COB Chief will continue to implement, set and maintain policy for the Division's Administrative Support, Information Technology Liaison and Centralized Complaint and Information Bureaus, and will develop and implement statewide policy as the Disaster Recovery Coordinator. The Chief will also develop and implement policy for the new Certification Approval and Licensing System (CALs) and CALs Plus systems.