

Temporary Permission for Program Flexibility for 3.5 and/or 2.4 Staffing Requirements

This form is to be used ONLY for program flexibility requests when hospitals temporarily need to comply with licensing requirements by using alternative concepts, methods, procedures, techniques, equipment, or personnel.

Hospitals are required to submit a program flexibility request to the California Department of Public Health (CDPH), Licensing & Certification (L&C) Program through their local district office (DO) for written approval. This form is a mechanism to expedite the request and approval process in emergency situations.

<https://www.cdph.ca.gov/Programs/CHCQ/LCP/Pages/DistrictOffices.aspx>

Facility Name Clearwater Healthcare Center			Date of Request 7/1/2020	
License Number 100000349			Facility Phone 2099574539	Facility Fax Number 2099575831
Facility Address 1517 Knickerbocker drive				
City Stockton	State CA	Zip Code 95210	E-mail Address [REDACTED]	
			Contact Person Name [REDACTED]	

Approval Request

Complete one form for each request

- Tent use (High patient volume) Bed use
 Space conversion (other than tent use) Over bedding

Start Date: July 1, 2020

End Date: September 30, 2020

Program Flex Request

What regulation are you requesting program flexibility for? Title 22 ,(CCR) section 72329.2 (a)

Justification for the Request

A disease outbreak (verifiable through sources such as the local emergency medical service agency (LEMSA), local Public Health Officer, CDPH Division of Communicable Disease Control, the Centers for Disease Control and Prevention) is present in the community where the hospital is located or in a contiguous area(s) causing a rapid influx (surge) of patients to the hospital. Examples of this type of surge include: Increased cases of seasonal influenza, onset of a severe acute respiratory syndrome-type or other highly contagious virus requiring acute care, an epidemic/pandemic, a bioterrorism agent, or a declared public health emergency.

An emergency resulting in the need for increased patient accommodations has occurred in the community where the hospital is located or in a contiguous area(s) causing a rapid influx (surge) of patients to the hospital. Examples of this type of surge include: A natural or human-caused disaster, a crime incident or transportation accident resulting in numerous mass casualties, an emergency causing the evacuation of patients or diversions from another hospital (LEMSA diversion has been implemented).

Justification for the Request

Other:

March 13,2020, Clearwater HC had the first COVID + resident after a +COVID paramedic transported a resident for admission, from then on we had + resident and staff in our facility. We had to place staff on quarantine and other SNF in our area are not allowing employees to continue their work with other facilities who have COVID positive staff and resident. It is for these reason that we respectfully request a waiver from the state mandated staffing ratios of 2.4. We are requesting a waiver from the 2.4 CNA NHPPD requirement, which at least allows us greater flexibility to deal with the current crisis by replacing CNA hours w/ Licensed Nurse hours.

Exhausting Available Alternatives

The hospital must exhaust available alternatives before requesting increased patient accommodations. Check all that apply:

- Rescheduling non-emergent surgeries and diagnostic procedures.
- Transferring patients to other beds or discharge as appropriate.
- Setting clinics for non-emergency cases (if possible).
- Requesting ambulance diversion from LEMSA, if appropriate.
- Other: See below

Facility Name	License Number	Request Date

Adequate Staff, Equipment and Space

The hospital must make arrangements for adequate staffing, equipment and space for increased patient accommodations. Check all that apply:

- A plan is in place for staff if the request is for use of alternate space.
- A plan is in place for equipment if the request is for use of alternate space.
- The proposed space for care of patients provides sufficient square footage to ensure access for safe care.
- Other:

Additional Information

Provide a brief description of your conditions and explain the need for program flexibility. Provide a brief description of the alternative concepts, methods, procedures, techniques, equipment or personnel to be used, and the conditions under which this program flexibility will be utilized. Attach additional supporting documentation as needed.

Clearwater has taken the following action:

- * Implementing the facility's Staff Recall Policy and staffing contingency plans.
- * Asking nursing personnel to work extra hours or pick up extra shifts.
- * Working with staffing agencies to supplement facility staffing, while also working hard to limit staff who might be working at (and potentially transferring the disease from or to) other facilities.
- * Restricting entry to the facility and access to the patients to only essential personnel and regular screening of essential personnel.
- * Created the Care Support Team Members (CSTM) working closely with CNA's, department heads helping with meals, staff from other departments answering call lights and assisting with services that do not require a CNA or Licensed Nurse, etc.
- * Finding and sponsoring people to attend CNA certification courses to grow the pool of available CNA's in the coming months.
- * Supporting staff by providing food/meals/gift cards/thank you notes/etc. . . during the emergency.
- *Following the CDC Crisis Capacity Staffing Strategies for COVID-19.
- *Continue to comply with unusual occurrence reporting requirements specified in Title 22 of the CCRs section 72541.
- *Report any substantial staffing or supply shortages that jeopardize resident care or disrupt operations.
- *We will continue to provide necessary care in accordance with residents' needs and make all reasonable efforts to act in the best interest of residents.
- * Follow our disaster response plan and infection control guidelines from the Centers for Medicare and Medicaid Services (CMS) and the CDC related to COVID-19.
- *Comply with directives from our local public health department, to the extent that there is no conflict with federal or state law or directives or CDPH AFLs.

Clearwater has taken the following action:

- * Implementing the facility's Staff Recall Policy and staffing contingency plans.
- * Asking nursing personnel to work extra hours or pick up extra shifts.
- * Working with staffing agencies to supplement facility staffing, while also working hard to limit staff who might be working at (and potentially transferring the disease from or to) other facilities.
- * Restricting entry to the facility and access to the patients to only essential personnel and regular screening of essential personnel.
- * Created the Care Support Team Members (CSTM) working closely with CNA's, department heads helping with meals, staff from other departments answering call lights and assisting with services that do not require a CNA or Licensed Nurse, etc.
- * Finding and sponsoring people to attend CNA certification courses to grow the pool of available CNA's in the coming months.
- * Supporting staff by providing food/meals/gift cards/thank you notes/etc. . . during the emergency.
- * Following the CDC Crisis Capacity Staffing Strategies for COVID-19.
- * Continue to comply with unusual occurrence reporting requirements specified in Title 22 of the CCRs section 72541.
- * Report any substantial staffing or supply shortages that jeopardize resident care or disrupt operations.
- * We will continue to provide necessary care in accordance with residents' needs and make all reasonable efforts to act in the best interest of residents.
- * Follow our disaster response plan and infection control guidelines from the Centers for Medicare and Medicaid Services (CMS) and the CDC related to COVID-19.
- * Comply with directives from our local public health department, to the extent that there is no conflict with federal or state law or directives or CDPH AFLs.

 Signature of person requesting program flexibility

 Printed name

Administrator
 Title

Note: Approval for tent use, space conversion, bed use and over-bedding will be time limited and dependent on the facts presented that substantiate the emergency. Initial approval may be given verbally by the local L&C DO; however, a signed written approval must be distributed (faxed) to the hospital and filed in the hospital's facility folder.

For CDPH Use Only:
CDPH Licensing and Certification Approval:

Permission Granted from: July 1, 2020 to September 28, 2020

Permission Denied: Briefly describe why request was denied in comments / conditions below:

Comments / conditions: _____

7/21/2020