

### Temporary Permission for Program Flexibility and for Emergencies

When the Medical Health Coordination Center (MHCC) is activated, Providers and District Offices (DOs) will submit requests to [CHCQDutyOfficer@cdph.ca.gov](mailto:CHCQDutyOfficer@cdph.ca.gov)

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

Providers are required to submit a program flexibility request to the California Department of Public Health (CDPH), Center for Health Care Quality for approval. This form is a mechanism to expedite the request directly to the Medical Health Coordination Center (MHCC) for approval in emergency situations.

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

Facility Name

Fountain View Subacute

Date of Request

1 July 2020

License Number

970000008

Facility Phone

323.461.9961

Facility Fax Number

323.461.1241

Facility Address

5310 Fountain Ave

E-Mail Address

[Redacted]

City

Los Angeles

State

CA

Zip Code

90029

Contact Person's Name

[Redacted]

#### Approval Request

Complete one form total per facility

- Staffing  Other
- Tent use (High patient volume)  Bed Use
- Space Conversion (other than tent use)  Over bedding

#### Duration of Request

Start Date 1 July 2020

End Date 29 September 2020

#### Program Flex Request

What regulation are you requesting program flexibility for? Title 22 - Section 72329.1 and 72329.2

#### 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).

Facility

Fountain View Subacute

License Number

970000008

Request Date

7/1/2020

**Justification for the Request**

Other:

Local school closures and requesting staff with respiratory symptoms to stay home has caused a shortage of qualified direct care staff to meet minimum staffing ratios required, all other resources such as registry and staff recall and working have been exhausted.

**Exhausting Available Alternatives**

The provider 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

**Adequate Staff, Equipment and Space**

The provider 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 alternative 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 used. Attach additional supporting documentation as needed.

Due to closures of our local school districts and the restriction on symptomatic staff to stay away from work we have a critical shortage of qualified direct care staff and we cannot remedy the situation through staff recall and other staffing solutions. We are asking that CDPH waive the requirement to meet 3.5/2.4 for the duration of this event or until we can maintain minimal staffing.

Notify residents and responsible party of staffing plan and changes as needed.

IDT and the facility medical director will communicate daily on staffing issues.

Communicate with CDPH district office regarding staffing levels and follow guidance given by CDPH

Utilize CDPH and MHOAC for support if available

Continue to look for and execute registry contracts to comply with census/overall quality of care of

residents

DON and other assigned RN will assess residents every shift for any change of condition and implement their change of condition policy as needed

Social Services Director will communicate with residents frequently and bring any grievances or concerns tot the IDT to address.

Call in any available non direct care staff and assign them duties to assist in resident safety, dietary, hydration and activity needs.

Continue to exhaust all measure to meet 3.5 and 2.4 staffing requirements

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[Redacted signature]

Administrator

Signature of person requesting program flexibility

Title

[Redacted printed name]

Printed Name

**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 DO; however, a signed written approval must be distributed (faxed) to the facility and filed in the facility's folder.

For CDPH Use Only

**Center for Health Care Quality Approval:**

Permission Granted from: 07/1/2020 to 10/01/2020

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

Comments / Conditions: This is approved with the condition that the facility implements its Mitigation Plan and use registry (staffing agencies) before flexing staffing regulations. The facility must keep the 3.2 NHPP requirement. This program flex includes the (24) Subacute beds.

CHCQ Printed Name: [Redacted]

CHCQ Staff Signature: [Redacted]

Date: [Redacted]

[Redacted signature]

Program Manager

L&C District Office Staff Signature

Title

8/12/2020

Date