

Temporary Permission for Program Flexibility for Minimum Staffing Ratios

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 Monrovia Post Acute			Date of Request June 29, 2020	
License Number 950000073			Facility Phone 626-359-6618	Facility Fax Number 626-301-0330
Facility Address 1220 E. Huntington Dr.			E-mail Address administrator@monroviahealth.com	
City Duarte	State CA	Zip Code 91010	Contact Person Name Administrator	

Approval Request

Complete one form for each request

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

Duration of Request

Start Date: July 1, 2020
 End Date: September 30, 2020

Program Flex Request

What regulation are you requesting program flexibility for? **CCR 22 §72329; §72329.2; H&S Code §1599.**

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:

Please see Attachment A

On March 04, 2020 Gov. Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies

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:

Other:

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: see Attachment

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.

Please see Attachment B

CCR 22 §72329; §72329.2; H&S Code §1599.1(a)

Our facility is experiencing COVID-19 related issues that is directly impacting our staffing levels. The steps the facility has taken (and continues to take) includes:

1. Implementing the facility ' s Staff Recall Policy and staffing contingency plans.
2. Asking nursing personnel to work extra hours or pick up extra shifts. Some staff are working 12 to 16 hours per day to meet the resident needs.
3. DON and DSD are assisting with medication pass and charge nurse duties when short of staffing.
4. Hazard pay for staff working in facilities with COVID-19 outbreak.
5. 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.
6. Restricting entry to the facility and access to the patients to only essential personnel and regular screening of essential personnel.

Current Situation of COVID-19:

Initial Testing - completed and residents/staff were negative.

Surveillance Testing - completed. 1 staff member tested positive when tested at her second job. Facility initiated mass testing on 6/19/2020 as response to staff testing positive for covid-19 on 6/18/2020.

Outbreak - Result for mass testing done on 6/19/2020 came back 6/27/2020 7 residents tested positive. Positive staff we have a total of 5. 3 lvn's, 1 cna, and 1 maintenance. Symptomatic staff 4 cna's. Due to staff being out we are having a difficult time being in compliance with the NHPPD requirements.

[Redacted Signature] _____
Signature of person requesting program flexibility
[Redacted Name] _____
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: 7/21/2020 to 10/21/2020

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

Comments / conditions: This program flex is approved effective 7/21/2020 for 90 days from the approved date. For regulation 72329.2 Nursing Service staffing ratios. It is approved with the condition of a minimum 3.2 DHPPD overall rating

CHCQ Printed Name: _____

CHCQ Staff Signature: _____

[Redacted Signature], RN, BSN, RA _____ 7/21/2020

L&C DO staff Signature Title Date

Attachment A

Justification for the Request

On March 04, 2020 Gov. Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19. Since the initial declaration of a State of Emergency, the situation has only become more serious. Our Facility is experiencing COVID-19 related issues that directly impact our staffing related to, surge of patients or staffing shortages resulting from COVID-19 and impacts including, increased community spread and school closures. Additionally, as testing has become more widely available, more and more staff members who work in skilled nursing facilities are testing positive and becoming unavailable to work. Others are scared away by the situation. It is for these reasons and the additional information provided below, that we respectfully request a waiver from the state mandated staffing ratios of 3.5 / 2.4. Alternatively, 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 with Licensed Nurse hours.

Attachment B

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.

CCR 22 §72329; §72329.2; H&S Code §1599.1(a)

Our facility is experiencing COVID-19 related issues that is directly impacting our staffing levels. The steps the facility has taken (and continues to take) includes:

1. Implementing the facility's Staff Recall Policy and staffing contingency plans.
2. Asking nursing personnel to work extra hours or pick up extra shifts. Some staff are working 12 to 16 hours per day to meet the resident needs.
3. DON and DSD are assisting with medication pass and charge nurse duties when short of staffing.
4. Hazard pay for staff working in facilities with COVID-19 outbreak.
5. 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.
6. Restricting entry to the facility and access to the patients to only essential personnel and regular screening of essential personnel.
7. Utilizing non-CNA's/LN's to supplement the services provided by nursing personnel (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).
8. Supporting staff by providing food/meals/gift cards/thank you notes/etc. . . during the emergency.
9. Our corporate office has created an internal pool of employees willing to work in COVID units and COVID facilities for higher pay. This program was implemented June 1st and has proven to be successful thus far.
10. We offer Covid Sick Pay to our employees to support and sustain them during times that they are out sick so they can return to work.
11. Following the CDC Crisis Capacity Staffing Strategies for COVID-19.
12. Continue to comply with unusual occurrence reporting requirements specified in Title 22 of the California Code of Regulations section 72541.
13. Report any substantial staffing or supply shortages that jeopardize resident care or disrupt operations.