

## 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 Stoney Point Healthcare Center			Date of Request 07/01/2020	
License Number 910000019			Facility Phone (818)882-8233	Facility Fax Number (818)822-2260
Facility Address 21820 Craggyview St.			E-mail Address [REDACTED]@plum.com	
City Chatsworth	State CA	Zip Code 91311	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

### Duration of Request

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

### Program Flex Request

What regulation are you requesting program flexibility for?

Health and Safety Code (HSC) section 1276.859(c)(1)(B) and (C) and 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:

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 NHPDP requirement, which at least allows us greater flexibility to deal with the current crisis by replacing CNA hours with 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
<span style="border: 1px solid black; padding: 2px;">Stoney Point Healthcare Center</span>	<span style="border: 1px solid black; padding: 2px;">910000019</span>	<span style="border: 1px solid black; padding: 2px;">04/01/2020</span>

**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.

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. We have had an increase of COVID-19+ employees in a short amount of time. We are complying with CDC, CDPH and LHP guidelines for isolation and/or quarantine of HCP testing positive for COVID-19.

Steps the facility has taken (and continues to take) include:

1. Implementing the facility's Staff Recall Policy and staffing contingency and crisis plans.
2. Asking nursing personnel to work extra hours or pick up extra shifts.
3. 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.
4. Restricting entry to the facility and access to the patients to only essential personnel and regular screening of essential personnel.
5. Utilizing non-CNA's/LN's to supplement the services provided by nursing personnel (hospitality aides 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. . .).
6. Finding and sponsoring people to attend CNA certification courses to grow the pool of available CNA's in the coming months.
7. Supporting staff by providing food/meals/gift cards/thank you notes/etc. . . during the emergency.
8. Following the CDC Crisis Capacity Staffing Strategies for COVID-19.
9. Continue to comply with unusual occurrence reporting requirements specified in Title 22 of the California Code of Regulations section 72541.
10. Report any substantial staffing or supply shortages that jeopardize resident care or disrupt operations.
11. 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.
12. Follow our disaster response plan.
13. Follow infection control guidelines from the Centers for Medicare and Medicaid Services (CMS) and the CDC related to COVID-19.
14. 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.

This list is not exhaustive/all-inclusive. Additional information can be provided if requested. The waiver will only be relied on when necessary and at all times the facility will continue to work hard to ensure patients receive the appropriate level of care.

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[Redacted Signature]

Administrator

Signature of person requesting program flexibility

Title

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 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: 7/11/2020 to 9/30/2020

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

Comments / conditions: Please refer to AFL 20-3201

[Redacted Signature]

PH