



TOMÁS J. ARAGÓN, MD, DRPH  
Director and State Public Health Officer

State of California—Health and Human Services Agency  
**California Department of Public Health**



GAVIN NEWSOM  
Governor

November 15, 2021

[REDACTED]  
Santa Clara Valley Medical Center  
751 S Bascom Ave  
San Jose, CA. 95128

**APPROVAL OF PROGRAM FLEXIBILITY**

Dear [REDACTED]

This letter is in response to the request submitted by Santa Clara Valley Medical Center for program flexibility for California Code of Regulations Title 22 (CCR) section T22 DIV5 CH1 ART8-70805.

The alternative means of compliance with Title 22 CCR section T22 DIV5 CH1 ART8-70805 include to use Room 65 (beds A and B) in the Pediatric Intensive Care Unit (PICU), located on the 5th floor of the main hospital, Building M, as an additional pediatric therapy gym for the inpatient pediatric rehabilitation patients temporarily, until a more permanent space is created.

Your request for program flexibility of Title 22 CCRT22 DIV5 CH1 ART8-70805 is approved under the following conditions:

1. Therapy provided: Physical therapy, Occupational Therapy, and some Speech therapy activities.
  - Evaluations: Complete assessments of current functional ability;
  - Therapeutic Interventions: Transitional movements from all levels; progressive ambulation using completely supportive equipment to minimal for gait training; strengthening activities; range of motion for contracture management; ADL (activities of daily living) training; therapeutic play; vision and cognitive training; progression of gross/fine motor milestones;
  - Loss pre-medical event and/or injury; wheelchair assessment, management, and mobility; bracing and splinting assessment and fabrication; and family/patient education and training.



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2. Staffing plan: At a minimum there is one therapist per patient. Some patients require one or more therapists working at the same time. Nurse staffing for pediatric rehabilitation patients remains at a ratio of 1:4. If the space were to be returned to use for pediatric critical care patients the ratio would be 1:2, as required.
3. The hospital will not deny admission to a patient requiring PICU level of care due to the program flexibility approval.
4. Impact of Space use: PICU patients will never be in the therapy gym unless they are receiving acute therapy services.
5. The room will remain unchanged except for the addition of equipment, mats and therapy supplies, allowing for the immediate conversion back to ICU beds if a patient surge occurred.

Either this letter or a true copy thereof shall be posted immediately adjacent to the facility's license.

This approval shall remain in effect from 11/15/2021 until 03/31/2023.

**NOTE:** The Department may revoke the program flexibility if the licensee does not comply with the conditions set forth in the approval or if the department determines the proposed alternative does not adequately meet the intent of the regulations.

If you have any questions, please contact Jie Wang at (408) 277-1784 or by email at Jie.Wang@cdph.ca.gov.

Sincerely,

[REDACTED]  
Jie Wang, District Manager  
San Jose District Office