

FACT SHEET: INFECTION CONTROL INSPECTIONS
OVERVIEW FOR STAKEHOLDERS
COMMUNITY CARE LICENSING DIVISION
February 2021

Introduction

On March 4, 2020, the Governor declared a state of emergency to help the state prepare for the broader spread of COVID-19. This [proclamation](#) granted authority to the Department of Social Services (DSS) to waive provisions of the Health and Safety Code or Welfare and Institutions Code deemed necessary to respond to the threat of the virus.

The CCLD utilized this flexibility to modify monitoring and inspections, including the suspension of annual unannounced inspections, to focus on employing strategies designed to prevent and mitigate the spread of COVID-19. These strategies include:

- Rapid Assistance and Support Team (RAST) tele-visits with all facilities (focusing on infection prevention and control strategies),
- Daily phone calls with facilities that have COVID positive cases, and
- In person investigations of Priority 1 and Priority 2 complaints, which are those that threaten the health and safety of individuals served.

The CCLD also redirected staff from Child Care and Children's Residential programs to support the immediate needs of Adult and Senior Care facilities who were disproportionately impacted by the virus.

Beginning Spring, 2021, the CCLD plans to resume in person inspections, with a continued focus on sustained infection control processes. CCLD's goal during these inspections will be to verify facility compliance with regulations and adhere to guidance that are most relevant to infection control measures. If during the course of the inspections, the Department representative identifies problem areas, the Department will appropriately respond to and cite, if necessary, any noncompliance issues that represent a threat to the health and safety of persons in care.

Licensees have been given the information, tools, and equipment necessary to comply with infection control practices. Therefore, at this point in the pandemic, we must put in place additional monitoring and oversight practices to protect those that are most vulnerable. CCLD intends to utilize the full spectrum of enforcement activities currently available to CCLD, ranging from providing technical assistance, referrals to additional infection prevention resources, to issuing (non)compliance findings and/or civil penalties.

Although most facilities are diligently working to adhere to guidance, there is a need for adding a greater in person presence and enforcement lens in order to have a greater impact on compliance. In the Department's experience, licensees maintain compliance at a higher rate knowing an onsite inspection may result in a citation and/or

civil penalties for noncompliance. Furthermore, the number of complaints in 2020 significantly declined from previous years as follows: 15,696 in 2018, 15,014 in 2019, and 11,754 in 2020. The monthly average number of complaints decreased by 23% when compared to the past two-year average. This decrease is likely related to the pandemic with the lack of interaction with residents based on visitation restrictions and less public outing opportunities, which indicates the critical nature of CCLD resuming onsite inspections and interacting directly with persons in care.

The Department remains committed to taking actions to protect the health, safety and welfare of the people in community care facilities beyond infection control and COVID. Therefore, while onsite doing COVID-19 Inspections, the Licensing Program Analyst (LPA) will also enforce requirements related to any other serious threats to the health and safety of individuals in care as they become aware of them during the inspection.

The resumption of onsite inspections is consistent with practices of other state agencies and with the California Department of Public Health (CDPH) Licensing and Certification mitigation surveys; however, CCLD LPAs are not nurses, so clinical staff will be consulted as needed.

Background

On March 21, 2020, the Department published Provider Information Notice ([PIN](#)) [20-07-CCLD](#), which announced the suspension of all community care licensing annual inspections. A Rapid Assistance and Support Team (RAST) was assembled to provide COVID-19 technical assistance to licensees via tele-visits.

The Department has provided direction to staff regarding the resumption of requirements related to in-person complaint investigations; however, all of the CCLD programs were instructed to maintain discretion for onsite complaint investigation until COVID-19 testing requirements were issued for field staff.

COVID-19 Inspection Process

Onsite Inspections

COVID-19 Inspections will be conducted onsite and these inspections will satisfy the mandated regular inspections or “annual inspections” statutory requirement. The focus will be to assess the strategies facilities are employing for the containment and mitigation of COVID-19, implementation of infection control practices, staff retention, and essential health and safety. One goal is to minimize the overall time LPAs spend on site, throughout the pandemic, while also ensuring enough information is gathered for a meaningful assessment.

Training

The Department will provide training to all programs on conducting these inspections, including the use of infection tools (see below). There has also been ongoing training

for field staff to conduct these onsite inspections. For example, guidance was issued to require a mandatory COVID-19 testing and complete a COVID-19 self-assessment form for field clearance of all staff who make onsite facility visits.

Additional COVID-19 testing, referred to as “surveillance testing”, will be required, as part of this COVID-19 Inspection strategy and for onsite inspections moving forward, of staff who conduct onsite facility visits or have in-person contact with facility staff or persons in care, in order to monitor the spread of the virus and mitigate outbreaks. The Department is currently updating policy guidance and requirements for other Personal Protective Equipment (e.g. fit testing for respirators, donning/doffing, etc.). All of these efforts align with the Department’s commitment to ensuring the health and safety of LPAs, in addition to the vulnerable populations who are cared for and reside in licensed facilities.

The Department has provided guidance for preventive practices that LPAs and investigators can utilize when making in-person visits to a home or facility, including those with positive cases. The Department has also issued guidance for mask fit testing and the use of PPE.

Inspection Process Project (IPP) Tools

Field staff will utilize the [IPP Tools](#) in the Field Automation System (FAS) to complete onsite COVID-19 Inspections. There will be a division-wide training to ensure Analysts understand how to utilize these tools via the COVID-19 Inspection process.

Note: These tools have only been fully implemented in RCFEs, although the tools have been piloted by all Programs for various facility types.

Infection Control Domain

A new “Infection Control” domain is being added to each tool prior to the commencement of these facility inspections. This domain serves as a checklist for specific infection control guidelines and requirements, including COVID-19 specific guidance, that field staff will be required to observe onsite.

Although infection control will be the primary focus, LPAs are required to address any health and safety requirement when they observe any violation, regardless of whether the requirement is on the domain being used. All the other domains will be available in the event that an LPA observes or finds an issue outside of the infection control domain to allow the LPA to document the violation accordingly.

Stakeholder Engagement Plan

The Department will provide stakeholders the opportunity to review and provide feedback on the COVID-19 inspection protocol before publicly releasing the associated policy. The Department will continue to keep stakeholders apprised on inspection protocols via Provider Information Notices (PINs) and Stakeholder meetings. In addition,

the Department will inform the public on what to expect when onsite inspections resume.