

Health Care Program for Children in Foster Care (HCPCFC) Program Activities: Applicable Statutes and Regulations

HCPCFC Training Modules

» Program Activities

- Program Guidance
- **Applicable Statutes and Regulations**
- Program Measures
- Scope of Work
- Tools, Databases & Resources
- Confidentiality & Consent
- Psychotropic Medication Monitoring & Oversight (PMM&O)
- Navigating Health Care Services
- Understanding Child Welfare & Probation

Applicable Statutes and Regulations

» Program Definition

- [Welfare and Institution Code \(WIC\) 16501.3](#) enacted in 1999 established the HCPCFC program and provides the framework for the operation of HCPCFC. Per WIC 16501.3, CDSS and DHCS established and maintain a program of public health nursing in the child welfare services program that meets the federal requirements for the provision of health care to minor and nonminor dependents in foster care. The purpose of the public health nursing program shall be to promote and enhance the physical, mental, dental, and developmental well-being of children in the child welfare system.

Access to Information & Authorization of Services

- » [WIC 5328.04](#) Lanterman-Petris-Short Confidential Record Disclosure
- » [Civil Code 56.103](#) Disclosure of Medical Information
- » [WIC 369](#) Medical, Surgical, Dental Care
- » [WIC 16010](#) Health and Education Records of Minors

Social Services

- » [WIC 16010, 16501, 358.1, 361.5, 366.1, 366.22\(b\)](#) and [366.22\(d\)](#).
- » [Child Welfare Services Program Standards](#) CDSS Manual of Policies and Procedures
- » [WIC 16001.9\(a\)](#): Minors and non-minors of 12 years or older have the right to age-appropriate, medically accurate information about reproductive health care, the prevention of unplanned pregnancy, and the prevention and treatment of sexually transmitted infections
- » [WIC 16501.1\(g\)\(4\)](#): Details the requirements that social workers (SW) and probation officers (PO) are required to inform child and non-minor dependent (NMD) in out-of-home placement of their personal rights, at least once every six months, at the time of a regularly scheduled SW or PO contact with the child or NMD
- » [The Child Welfare Services Manual of Policies and Procedures \(MMP\) Division 31](#): Contains the requirements that shall be met by the county in the administration of Child Welfare Services and by the county Probation Department when the Probation Department places children in out-of-home care. The MMP should be referenced when seeking detailed information regarding various county Child Welfare and Probation Department requirements

Psychotropic Medication

- » [WIC 369.5](#) Court authorization for the administration of psychotropic medication if a child is judged a dependent child of the court under WIC 300 and the child has been removed from the physical custody of the parent under WIC 361
- » [WIC 16010](#) Health and Education Records of Minors

Probation

» [WIC 739](#) - Medical Care for Probation

Special Health Care Needs

- » [WIC 17710](#)
- » [WIC 17720](#)
- » [WIC 17730-17738](#)

Medi-Cal Regulations

- » California Code of Regulations (CCR), Title 22
 - 50157(a), (d), (e), and (f)
 - 50184(b)
- » Health and Safety Code (HSC) 100925
- » HSC 100950
- » Title 42, CFR, 440.40 and Part 441, Subpart B
- » Medi-Cal Foster Care Strategies

Additional Federal Regulations

» Social Security Act, Title IV:

- 472 Foster Care Maintenance Payments Program. Grants to states for aid and services to needy families with children and for Child Welfare Services
- [473 \(a\)\(1\)\(B\)](#) Adoption and Guardianship Assistance Program
- [475 \(a\)\(5\)\(F\)](#) Definitions

» Federal statutes applying to the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program:

- Social Security Act (42 U.S.C [1396\(d\)](#) [1902\(a\)](#), [1905\(a\)\(4\)\(B\)](#), and [1905\(r\)](#)).
- [Omnibus Budget Reconciliation Act of 1989 \(OBRA 89\)](#) - Public Law 101-239, 6403.
- [CCR 51184](#)

Contact Information

Questions may be directed to
HCPCFC@dhcs.ca.gov

