

November 20, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 20-131

The purpose of this All County Letter is to alert counties to the transition in practices and procedures when responding to reports of abuse and conducting 30-day welfare checks. County Adult Protective Services (APS) agencies should work with their local public health departments and consult their County Counsel's office to determine their community level of risk.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

November 20, 2020

ALL COUNTY LETTER (ACL) NO.: 20-131

TO: ALL COUNTY APS PROGRAM MANAGERS

SUBJECT: CHANGE IN APS PROTOCOLS RE: THE COVID-19 PANDEMIC

REFERENCE: Welfare and Institutions Code (WIC) Section 15763;
manual of policies and procedures (MPP) Section 33-510

The purpose of this All County Letter (ACL) is to provide county Adult Protective Services (APS) with updated guidance for face-to-face investigations during the COVID-19 pandemic. This ACL supersedes ACL 20-66, issued June 11, 2020, that advised counties to return to pre-COVID-19 policies and practices as California moved through the stages of reopening. Previously, a March 17, 2020 Program Manager Letter (PML) provided county APS managers with guidance on how investigations and face-to-face visits could be conducted in a way to keep both county staff and APS clients safe from COVID-19. ACL 20-66 superseded that. This ACL, 20-XX, is now the abiding directive with respect to the procedures outlined in Welfare and Institutions Code (WIC) section 15763 and the Manual of Policies and Procedures (MPP) section 33-510 when it comes to in-person visits and monthly welfare checks.

State law requires a face-to-face investigation when an elder or dependent adult is in imminent danger and an immediate or 10-day in-person response to protect the individual's health or safety (WIC section 15763 and MPP sections 33-510.1 – 33.510.3.). In addition, state regulations (MPP 33-545.3 – 33-545.4) require in-person monitoring visits every 30 days unless the written visitation plan justifies why it is not necessary to visit the client once every 30 days, is approved by an appropriate supervisor and/or case review team, and then entered into the case record, as stipulated by code. Additionally, Section 5763(b)(2) of the WIC states that an immediate or 10-day in-person response is not required when the county, based upon an evaluation of risk, determines and documents that the elder or dependent adult is not in imminent danger and that an immediate or 10-day in-person response is not necessary to protect the health or safety of the elder or dependent adult.

The State of Emergency due to COVID-19 has led to an unprecedented time for Californians. The virus is resurging, and concurrent with public health guidance and

directives, elder and dependent Californians are once again facing increased vulnerability to abuse, neglect and exploitation.

Counties must continue to provide an in-person response if an individual faces an immediate life threat, such as physical or sexual abuse. Some in-person visits may be conducted outdoors depending on the nature of the investigation and person's ability to go outside. Social workers must obtain Essential Protective Gear (EPG) before going on the in-person visit. Social workers may ask clients or family members to wear a mask during an in-person visit, but they cannot require it. The APS social worker may call the client to pre-screen for COVID-19 symptoms/exposure by anyone in the household before making the in-person visit if the pre-screen call will not otherwise compromise the investigation or health and safety of the identified victim.

Counties may continue to conduct investigations and monthly monitoring visits by telephone or through video conferencing under certain circumstances, including:

- Your county or city public health department provides direction and/or shifts back to the Widespread (Purple) tier. In order to determine if the county is currently in the Purple Tier to halt the resumption of certain in-person contacts that are not otherwise required and for which remote options are authorized under this exception, use the State of California Blueprint webpage or contact the state or local public health department where elder or dependent adult resides.
 - If public health officials in a non-Purple tier designated county instruct their APS agency to suspend in-person contacts in favor of virtual and/or telephone visits, county APS must submit proof of this public health guidance to aps@dss.ca.gov.
- The individual subject to the report of abuse, neglect or exploitation refuses entry due to their own concerns as to health and safety of COVID-19 infection. (In this instance, if the individual is deemed as high risk, APS should work with law enforcement to interview the possible victim.)
- Someone in the household has been exposed to COVID-19 or is experiencing symptoms and there is no immediate life threat.
- An initial in-person response was performed, and the county determines that additional, monthly monitoring visits can safely occur through telephonic or video-conferencing mechanisms.
- A county determines, based on an evaluation of risk, that an immediate or 10-day in-person response is not warranted pursuant to 15763(b)(2) of the WIC, and MPP section 33-510.251.

The following preventative practices should be adhered to for all in-person visits:

- Practice physical distancing when in someone's home – stay 6 feet away from

- people when possible while conducting an investigation or visit.
- Wear the appropriate Essential Protective Gear (EPG).
 - Frequently wash hands with soap and water for at least 20 seconds.
 - Avoid touching eyes, nose, or mouth.
 - Cover your cough or sneeze with a tissue or your elbow. Wash hands afterwards.
 - Follow guidance from public health officials.
 - APS social workers must adhere to practices and policies of all facilities they visit, including hospitals. If a facility has implemented visitation restrictions due to COVID-19 and this prohibits a social worker from making in-person contact, then the social worker should determine the best approach for completing the investigation.

Please work with your county Office of Emergency Services (OES) to obtain EPG (formerly known as PPE) for your social workers as needed. If you have problems obtaining EPG, please contact CDSS immediately.

Questions or requests for clarification regarding the information in this letter should be directed to the Adult Programs Division, APS Analyst at (916) 651-5111 or aps@dss.ca.gov.

Sincerely,

Original Document Signed By:

DEBBI THOMSON
Deputy Director
Adult Programs Division

cc: CWDA