

**California Department of Corrections & Rehabilitation
Division of Juvenile Justice**

Title 15, California Code of Regulations

**ACCEPTANCE AND REJECTION CRITERIA FOR
YOUTH WITH MEDICAL AND MENTAL HEALTH CONDITIONS**

Criminal Court Commitment

Sections 4166, 4168, 4168.5., 4168.7, 4169, 4169.5, 4169.9

Juvenile Court Commitment

Sections 4170.5, 4171, 4171.5, 4172, 4173, 4174, 4174.5, 4174.6

FINAL STATEMENT OF REASONS

Section 4166 of the proposed regulations originally noticed to the public reflected the legal requirement for the California Department of Corrections & Rehabilitation (CDCR) Division of Juvenile Justice (DJJ) to implement policies and procedures for Acceptance and Rejection Criteria for Youth with Medical or Mental Health Conditions.

However, in response to written comments from members of the directly affected public, the Division has decided to make some modifications to the proposed regulation text. In other sections, the proposed regulation text will not be modified as a result of public written comment because the language is consistent with the law.

The CDCR, DJJ has modified the proposed regulation text in Section 4168 to specify the considerations when making the determination of whether or not a youth has the capacity to change or materially benefit from the programs and services offered by DJJ.

The CDCR, DJJ has modified the proposed regulation text in Section 4168.5 to clarify that the Mental Health Information from Outside Agencies (Form DJJ 1.205) shall be completed by a Licensed Clinical Provider.

The CDCR, DJJ has modified the proposed regulation text in Section 4168.7 to clarify that no medical or mental health condition is an absolute barrier to a youth's acceptance to DJJ. Each youth is evaluated on an individual basis.

The CDCR, DJJ has modified the proposed regulation text in Section 4170.5 to be consistent with language in the law in Section 736 (a) of the Welfare & Institutions Code in regards to the lack of suitable alternatives. The interdisciplinary team process has been established in the policy to address the issue of alternative placements for youth who may not be acceptable for commitment to DJJ.

The CDCR, DJJ has modified the proposed regulation text in Section 4171(b)(1)(A) to specify the considerations when making the determination of whether or not a youth has the capacity to change or materially benefit from the programs and services offered by DJJ. Also changes have been made to this section to ensure that a youth's need for long-term inpatient care be considered when making a determination of his/her capacity to benefit from a commitment to DJJ.

The CDCR, DJJ has modified the proposed regulation text in Section 4171.5 to clarify that no medical or mental health condition is an absolute barrier to a youth's acceptance to DJJ. Each youth is evaluated on an individual basis.

PLEASE NOTE: The footer in the Proposed Regulation Text in both the Criminal Court Commitment and the Juvenile Court Commitment is changed from TEXT: Division of Juvenile Justice to TEXT: Acceptance and Rejection Criteria For Youth With Medical or Mental Health Conditions.