Jun 09, 2026

Anka Ung
Rady Children's Hospital Orange County
1201 W La Veta Ave
Orange, CA 92868

FACILITY: Rady Children's Hospital Orange County, LICENSE # 060000011

APPROVAL OF PROGRAM FLEXIBILITY FOR FLEX-13073

Dear Anka Ung,

This letter is in response to the request submitted by **Rady Children's Hospital Orange County** for program flexibility for California Code of Regulations T22 DIV5 CH1 ART8-70805.

The alternative means of compliance with T22 DIV5 CH1 ART8-70805 include

1) Overall Plan: Rady Children's Hospital Orange County (RCHOC) will use space licensed for PICU patients, known as 2East North (2E-N), for neonatal intensive care patients overflow. The PICU area has 12 single-occupancy rooms, Room Numbers 211 to 222. There will be no commingling of the NICU patients with the PICU patients in the flexed space area.

2) Ages of patients: Newborn to 1 year old.

3) Inclusion Criteria: NICU patients.

4) Exclusion Criteria: Non- NICU patients.

5) Nursing Unit: RCHOC will ensure compliance with nursing unit requirements per Title 22 section 70049.

6) Facilities/Environment:

a) Single patient space

b) Square footage

- Room 211 = 185.31 Square Feet (Isolation Room)

- Room 212 = 153.40 Square Feet (Isolation Room)

- Room 213 = 129.23 Square Feet

- Room 214 = 124.30 Square Feet

- Room 215 = 137.86 Square Feet

- Room 216 = 115.72 Square Feet

- Room 217 = 162.20 Square Feet

- Room 218 = 153.28 Square Feet

- Room 219 = 153.53 Square Feet

- Room 220 = 152.93 Square Feet

- Room 221 = 166.63 Square Feet

- Room 222 = 145.76 Square Feet

Your request for program flexibility of **T22 DIV5 CH1 ART8-70805** is approved under the following conditions:

1. Hospital must use the alternative concept as described only during and related to the planned construction of the licensed NICU space: refurbishment of the Neonatal Intensive Care, Small Baby Unit. Hospital may

implement the alternative concept with approval from the CNO/designee and the NICU medical director.

2. Hospital must maintain a lactation support and consult space available and easily accessible with adequate privacy, security, comfort, and with amenities and equipment adequate for hydration, storage and hygiene.

3. Hospital must maintain direct visual observation between either a centralized or distributed nurse station or work station and the heads of all patient beds.

4. Hospital must intermittently monitor the sound in the newborn nursery daily while the alternative concept is implemented. Hospital must aim to maintain an hourly 'equivalent continuous sound level' of 45 decibels (dB), and a sound level no greater than 50 dB 10% of the time.

5. Hospital must maintain that NICU nursing staff meet the certification, experience, training, and duty requirements of Section 70485.

6. Hospital must follow Health and Safety Code (HSC) 1255.5(f) regarding NICU policies, procedures, equipment, supplies, and space requirements. Hospital must maintain compliance with 70489 and maintain space requirements of the licensed ICNN bed stations.

7. Hospital must ensure medical gases, space, and related equipment are available to provide services to meet each patient's designated level of care in accordance with current policies and procedures.

8. Hospital must ensure patient privacy security, and visitation is maintained, and clear access and egress of patients, personnel, equipment, and supplies. Hospital shall maintain provisions for visitor privacy from casual observation by other patients and visitors.

9. Hospital must maintain a minimum of two Neonatal Intensive Care (NICU) trained Registered Nurses present at all times while space allocation is executed, and that NICU nursing staff must meet the certification, experience, training, and duty requirements of Section 70485.

10. Hospital must provide training and orientation to neonatal intensive care nursing staff and other key staff and hospital stakeholders about the alternative concept and requirements of this approved program flexibility.

11. Hospital must ensure signage is visibly placed to clearly designate the flexed space while executing alternative concept.

12. Hospital must follow infection control policies and procedures according to guidelines from the Centers for Medicare and Medicaid Services (CMS), Centers for Disease Control and Prevention (CDC), and CDPH or local health department.

13. Hospital must continue to comply with adverse event and unusual occurrence reporting requirements specified in HSC section 1279.1 and Title 22 CCR section 70737(a).

14. Hospital must remain licensed as an Intensive Care Newborn Nursery (also known as ICNN or NICU).

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 Jun 09, 2026 until Jun 07, 2029.

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 Centralized Program Flex Unit at (916) 323-5053 or by email at CentralizedProgramFlex@cdph.ca.gov.

Sincerely,

Danielle Boles

Danielle Boles, Program Manager
Centralized Program Flex Unit