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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (Division 9 added by Stats. 1965, Ch. 1784.)

PART 3. AID AND MEDICAL ASSISTANCE [11000 - 15771] (Part 3 added by Stats. 1965, Ch. 1784.)

CHAPTER 8.7. Adult Day Health Care Programs [14520 - 14590] (Heading of Chapter 8.7 renumbered from Chapter 8.5 (as added by Stats. 1977, Ch. 1066) by Stats. 1978, Ch. 429.)

ARTICLE 1. General Provisions [14520 - 14522.4] (Article 1 added by Stats. 1977, Ch. 1066.)

14520. This chapter shall be known and may be cited as the Adult Day Health Medi-Cal Law.

(Added by Stats. 1977, Ch. 1066.)

14521. It is the intent of the Legislature in enacting this chapter to establish adult day health care as a Medi-Cal benefit and allow persons eligible to receive the benefits under Chapter 7 (commencing with Section 14000) of this part, and who have medical or psychiatric impairments, to receive adult day health care services. It is the intent of the Legislature in authorizing this Medi-Cal benefit to establish and continue a community-based system of quality adult day health care services that will accomplish all of the following:

- (a) Ensure that elderly persons and adults with disabilities will not be institutionalized prematurely and inappropriately.
- (b) Provide appropriate health and social services designed to maintain elderly persons in their own communities.
- (c) Establish adult day health care centers in locations easily accessible to persons who are economically disadvantaged.
- (d) Encourage the establishment of rural alternative adult day health care centers that are designed to make adult day health care accessible to elderly persons and adults with disabilities living in rural areas.

(Amended by Stats. 2008, Ch. 648, Sec. 7. Effective January 1, 2009.)

14521.1. If a conflict exists between existing regulations and adult day health care laws in effect on and after January 1, 2007, the department shall, until new regulations are adopted, issue guidance to adult day health care providers through provider bulletins to clarify the adult day health care laws and regulations that are in effect.

(Amended by Stats. 2012, Ch. 728, Sec. 208. (SB 71) Effective January 1, 2013.)

14522. Unless the context otherwise requires, the definitions contained in Part 7 (commencing with Section 14000) of this part and in Chapter 3.5 (commencing with Section 1570) of Division 2 of the Health and Safety Code shall govern the construction of this chapter.

(Added by Stats. 1977, Ch. 1066.)

14522.3. The following definitions shall apply for the purposes of this chapter:

- (a) "Activities of daily living" (ADL) means activities performed by the participant for essential living purposes, including bathing, dressing, self-feeding, toileting, ambulation, and transferring.
- (b) "Instrumental activities of daily living" (IADL) means functions or tasks of independent living, including hygiene, medication management, transportation, money management, shopping, meal preparation, laundry, accessing resources, and housework.
- (c) "Personal health care provider" means the participant's personal physician, physician's assistant, or nurse practitioner, operating within his or her scope of practice.
- (d) "Care coordination" means the process of obtaining information from, or providing information to, the participant, the participant's family, the participant's primary health care provider, or social services agencies to facilitate the delivery of services designed to meet the needs of the participant, as identified by one or more members of the multidisciplinary team.

(e) "Facilitated participation" means an interaction to support a participant's involvement in a group or individual activity, whether or not the participant takes active part in the activity itself.

(f) "Group work" means a social work service in which a variety of therapeutic methods are applied within a small group setting to promote participants' self-expression and positive adaptation to their environment.

(g) "Professional nursing" means services provided by a registered nurse or licensed vocational nurse functioning within his or her scope of practice.

(h) "Psychosocial" means a participant's psychological status in relation to the participant's social and physical environment.

(Added by Stats. 2006, Ch. 691, Sec. 2. Effective January 1, 2007. Repealed as of date prescribed in Section 14522.4. After repeal, see related provisions in Section 14522.4.)

14522.4. (a) The following definitions shall apply for the purposes of this chapter:

(1) "Activities of daily living (ADL)" means activities performed by the participant for essential living purposes, including bathing, dressing, self-feeding, toileting, ambulation, and transferring.

(2) "Instrumental activities of daily living (IADL)" means functions or tasks of independent living limited to hygiene and medication management.

(3) "Personal health care provider" means the participant's personal physician, physician's assistant, or nurse practitioner, operating within his or her scope of practice.

(4) "Care coordination" means the process of obtaining information from, or providing information to, the participant, the participant's family, the participant's personal health care provider, or social services agencies to facilitate the delivery of services designed to meet the needs of the participant, as identified by one or more members of the multidisciplinary team.

(5) "Facilitated participation" means an interaction to support a participant's involvement in a group or individual activity, whether or not the participant takes active part in the activity itself.

(6) "Group work" means a social work service in which a variety of therapeutic methods are applied within a small group setting to promote participants' self-expression and positive adaptation to their environment.

(7) "Professional nursing" means services provided by a registered nurse or licensed vocational nurse functioning within his or her scope of practice.

(8) "Psychosocial" means a participant's psychological status in relation to the participant's social and physical environment.

(9) "Assistance" means verbal or physical prompting or aid, including cueing, supervision, stand-by assistance, or hands-on support to complete the task correctly.

(10) "Substantial human assistance" means direct, hands-on assistance provided by a qualified caregiver, which entails physically helping the participant perform the essential elements of the ADLs and IADLs. It entails more than cueing, supervision, or stand-by assistance to perform the ADLs and IADLs. It also includes the performance of the entire ADL or IADL for participants totally dependent on human assistance.

(11) "Cognitive impairment" means the loss or deterioration of intellectual capacity characterized by impairments in short- or long-term memory, language, concentration and attention, orientation to people, place, or time, visual-spatial abilities or executive functions, or both, including, but not limited to, judgment, reasoning, or the ability to inhibit behaviors that interfere with social, occupational, or everyday functioning due to conditions, including, but not limited to, mild cognitive impairment, Alzheimer's disease or other form of dementia, or brain injury.

(b) Upon the date of execution of the declaration described under subdivision (g) of Section 14525.1, this section shall become operative and Section 14522.3 shall become inoperative and on that date is repealed.

(Amended by Stats. 2010, Ch. 328, Sec. 255. (SB 1330) Effective January 1, 2011. Section operative on date prescribed in subd. (b).)