

§ 56621. Plan of Operation.

(a) In addition to the requirements of Title 22, California Code of Regulations, Sections 76309, with respect to an ICF/DD, and 76857, with respect to an ICF/DD-H, the plan of operation shall include the following information for the use of secured perimeters:

(1) Documentation provided by the regional center responsible for the geographic area in which the facility is located of the local need for the proposed facility with delayed egress devices and a secured perimeter.

(2) A component describing the following:

(A) An explanation of how interior and exterior space is to be made available on the facility premises to permit consumers to move freely and safely.

(B) Staff qualifications and staff training curricula, including participation by the local regional center and regional center clients' rights advocate providing advocacy services pursuant to section 4433 of the Welfare and Institutions Code.

(C) An explanation of how the applicant or licensee will ensure the protection of consumers' personal rights, including those specified in Chapter 1, Division 4.5 of the Welfare and Institutions Code, and any applicable personal rights provided in Titles 17 and 22 of the California Code of Regulations.

(D) The applicant's or licensee's plan for managing consumers' lack of hazard awareness and impulse control behavior.

(E) Procedures to inform consumers that they have the right to leave the facility and procedures to be followed if a consumer indicates a desire to leave the facility, including the use of redirection or, if the consumer indicates a continued desire to leave following redirection, procedures for staff accompaniment and supervision, including procedures for ensuring sufficient staffing for the remaining residents.

(F) Procedures to be used for conducting and documenting fire and earthquake drills on each shift at least once every 2 months that include all facility staff providing consumer care and supervision.

(G) The facility's emergency evacuation procedure. The procedure shall include the protocol for consumers moving through and beyond the secured perimeters when needed for their safety.

(H) In the case of an existing facility seeking to add delayed egress devices and secured perimeters, a plan for relocating current facility residents who have not been determined to meet the admissions and continued placement requirements for an ICF/DD or ICF/DD-H utilizing delayed egress devices in combination with secured perimeters as set forth in Section 56622 and Health and Safety Code Section 1267.75.

(b) In addition to any other required training, the licensee shall provide 16 hours of training for each direct care staff, prior to the staff being left alone with clients, which shall include at least the following:

(1) The personal rights of consumers in ICF/DDs and ICF/DDHs, including rights related to the use of secured perimeters and delayed egress devices.

(2) Behavior management techniques of consumers lacking hazard awareness and impulse control.

(3) Emergency procedures in the event of a medical emergency or facility disaster.

(c) The information required in subdivision (a) shall be submitted to the Department of Developmental Services for review and approval.

Note: Authority cited: Section 1267.75, Health and Safety Code. Reference: Section 1267.75, Health and Safety Code.

HISTORY

1. New section filed 6-13-2013 as an emergency; operative 6-13-2013 (Register 2013, No. 24). A Certificate of Compliance must be transmitted to OAL by 12-10-2013 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 11-21-2013 as an emergency; operative 12-11-2013 (Register 2013, No. 47). A Certificate of Compliance must be transmitted to OAL by 3-11-2014 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 11-21-2013 order transmitted to OAL 1-28-2014 and filed 3-12-2014 (Register 2014, No. 11).