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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 1@ General Acute Care Hospitals

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Article 7@ Administration

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Section 70707.1@ Criteria for the Performance of Sterilization

70707.1 Criteria for the Performance of Sterilization

(a)

A sterilization shall be performed only if the following conditions are met: (1) The individual is at least 18 years old at the time the consent is obtained, or the individual is under 18 and: (A) Has entered into a valid marriage, whether or not such marriage was terminated by dissolution; or (B) Is on active duty with the United States armed services; or (C) Is over 15 years old, lives apart from his or her parents or guardian(s) manages, his or her own financial affairs; or (D) Has received a declaration of emancipation pursuant to Section 64 of the Civil Code. (2) The individual is able to understand the content and nature of the informed consent process as specified in 70707.3. (3) The individual has voluntarily given informed consent in accordance with all the requirements prescribed in Sections 70707.1 through 70707.6. (4) At least 30 days, but not more than 180 days, have passed between the date of informed consent and the date of the sterilization, except in the following instances. (A) Sterilization may be performed at the time of emergency abdominal surgery if the following requirements are met: 1. The written informed consent to be sterilized was given at least 30 days before the individual intended to be sterilized. 2. At least 72 hours have passed after written informed consent to be sterilized was given. (B) Sterilization may be performed at the time of premature delivery if the following requirements are met: 1. The written informed consent was given at least 30 days before the

expected date of the delivery. 2. At least 72 hours have passed after written informed consent to be sterilized was given. (C) The patient voluntarily requests in writing that the procedure be performed in less than 30 days. However, in no case shall a sterilization be performed in less than 72 hours following the signing of the consent form.

(1)

The individual is at least 18 years old at the time the consent is obtained, or the individual is under 18 and: (A) Has entered into a valid marriage, whether or not such marriage was terminated by dissolution; or (B) Is on active duty with the United States armed services; or (C) Is over 15 years old, lives apart from his or her parents or guardian(s) manages, his or her own financial affairs; or (D) Has received a declaration of emancipation pursuant to Section 64 of the Civil Code.

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(B)

Is on active duty with the United States armed services; or

(C)

Is over 15 years old, lives apart from his or her parents or guardian(s) manages, his or her own financial affairs; or

(D)

Has received a declaration of emancipation pursuant to Section 64 of the Civil Code.

(2)

The individual is able to understand the content and nature of the informed consent process as specified in 70707.3.

(3)

The individual has voluntarily given informed consent in accordance with all the requirements prescribed in Sections 70707.1 through 70707.6.

(4)

At least 30 days, but not more than 180 days, have passed between the date of informed consent and the date of the sterilization, except in the following instances. (A)

Sterilization may be performed at the time of emergency abdominal surgery if the following requirements are met: 1. The written informed consent to be sterilized was given at least 30 days before the individual intended to be sterilized. 2. At least 72 hours have passed after written informed consent to be sterilized was given. (B)

Sterilization may be performed at the time of premature delivery if the following requirements are met: 1. The written informed consent was given at least 30 days before the expected date of the delivery. 2. At least 72 hours have passed after written informed consent to be sterilized was given. (C) The patient voluntarily requests in writing that the procedure be performed in less than 30 days. However, in no case shall a sterilization be performed in less than 72 hours following the signing of the consent form.

(A)

Sterilization may be performed at the time of emergency abdominal surgery if the following requirements are met: 1. The written informed consent to be sterilized was given at least 30 days before the individual intended to be sterilized. 2. At least 72 hours have passed after written informed consent to be sterilized was given.

1.

The written informed consent to be sterilized was given at least 30 days before the individual intended to be sterilized.

2.

At least 72 hours have passed after written informed consent to be sterilized was given.

(B)

Sterilization may be performed at the time of premature delivery if the following requirements are met: 1. The written informed consent was given at least 30 days before the expected date of the delivery. 2. At least 72 hours have passed after written informed consent to be sterilized was given.

1.

The written informed consent was given at least 30 days before the expected date of the delivery.

2.

At least 72 hours have passed after written informed consent to be sterilized was given.

(C)

The patient voluntarily requests in writing that the procedure be performed in less than 30 days. However, in no case shall a sterilization be performed in less than 72 hours following the signing of the consent form.