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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 3@ Skilled Nursing Facilities

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Article 5@ Administration

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Section 72501@ Licensee-General Duties

## **72501 Licensee-General Duties**

### **(a)**

The licensee shall be responsible for compliance with licensing requirements and for the organization, management, operation and control of the licensed facility.

The delegation of any authority by a licensee shall not diminish the responsibilities of such licensee.

### **(b)**

The licensee, if an administrator, may act as the administrator or shall appoint an administrator, to carry out the policies of the licensee. A responsible adult who is knowledgeable in the policies and procedures of the licensee shall be appointed, in writing, to carry out the policies of the licensee in the absence of the administrator. If the administrator is to be absent for more than 30 consecutive days, the licensee shall appoint an acting administrator to carry out the day-to-day functions of the facility.

### **(c)**

The licensee shall delegate to the designated administrator, in writing, authority to organize and carry out the day-to-day functions of the facility.

### **(d)**

Except where provided for in approved continuing care agreements, or except when approved by the Department, no facility owner, administrator, employee or representative thereof shall act as guardian or conservator of a patient therein or

of that patient's estate, unless that patient is a relative within the second degree of consanguinity.

**(e)**

The licensee shall employ an adequate number of qualified personnel to carry out all the functions of the facility and shall provide for initial orientation of all new employees, a continuing in-service training program and competent supervision.

**(f)**

If language or communication barriers exist between skilled nursing facility staff and patients, arrangements shall be made for interpreters or for the use of other mechanisms to ensure adequate communication between patients and personnel.

**(g)**

The Department may require the licensee to provide additional professional, administrative or supportive personnel whenever the Department determines through a written evaluation that additional personnel is needed to provide for the health and safety of patients.

**(h)**

The licensee shall ensure that all employees serving patients or the public shall wear name and title badges unless contraindicated.