

# § 76329. Developmental Program Services -Application of Restraints.

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(a) In the use of physical restraints, each of the following requirements shall be met:

(1) Physical restraint shall be used only as an integral part of an individual program plan that is designed by an interdisciplinary team to lead to a less restrictive way of managing, and ultimately to the elimination of, the behavior for which the restraint is applied.

(2) Each program plan utilizing restraint shall specify the behavior to be eliminated, the method to be used, the schedule for use of the method, the person responsible for the program and the data that are to be collected in order to assess progress toward the objectives.

(3) Restraints shall be applied in a manner so that they can be speedily removed in case of fire or other emergency.

(4) A client placed in restraint shall be checked at least every 30 minutes by program staff to assure that the restraint is properly applied. A record shall be kept of these checks.

(5) Physical restraints shall be designed and used in such a way as not to cause physical injury to the client and to insure the least possible discomfort to the clients. Opportunity for motion and exercise shall be provided for a period of not less than 10 minutes during each 2 hours in which restraint is applied. The exercise periods shall be documented in the client's record.

(6) Clients shall be restrained only in an area that is under direct observation of staff and shall be afforded protection from other clients who may be in the area.

(b) In the use of chemical restraints, each of the following requirements shall be met:

(1) Medication shall not be used as punishment, for the convenience of staff, as a substitute for a program, or in quantities that interfere with an individual's developmental program.

(2) Psychotropic or behavior-modifying drugs shall be used only as an integral part of an individual program plan that is designed by an interdisciplinary team to lead to a less restrictive way of managing, and ultimately to the elimination of, the behaviors for which the drugs are employed. Each program plan utilizing a psychotropic drug:

(A) Shall specify the behavior to be modified, a time-limited (no more than 30 days) prescription by a physician, and the data that are to be collected in order to assess progress toward the treatment objective. Orders for psychotropic drugs shall include the indication for use and shall be in force for no more than 30 days without a physician's written renewal

order for each 30-day period. Each renewal order shall include written justification by the physician for the continued use of the drug.

(B) Shall include explicit provision for gradual diminishing of dosage and ultimate discontinuation of the drug.

(3) PRN prescriptions for psychotropic or behavior-modifying drug use shall be subject to the requirements of Section 76329 (b).

Note: Authority cited: Section 208 (a), Health and Safety Code. Reference: Section 1276, Health and Safety Code.

22 CCR § 76329, 22 CA ADC § 76329