

73727 Discrimination or Retaliation

(a)

No licensee shall discriminate or retaliate in any manner against a patient or employee in its intermediate care facility on the basis or for the reason that such patient or employee or any other person has initiated or participated in any proceeding specified in these regulations. A licensee who violates this provision is also subject under Section 1432 of the Health and Safety Code to a civil penalty of no more than five hundred dollars (\$500).

(b)

Any attempt to expel a patient from an intermediate care facility or any type of discriminatory treatment of a patient by whom, or upon whose behalf, a complaint has been submitted to the Department or any proceeding instituted under or related to this article within 120 days of the filing of the complaint or the institution of such action, shall raise a rebuttable presumption that such action was taken by the licensee in retaliation for the filing of the complaint.