

## § 76555. Admission Agreement.

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(a) Each facility shall have a written agreement with each client or client's authorized representative. Such an agreement shall be completed prior to or at the time of admission. It shall be dated and signed by the licensee or licensee's authorized representative, the client, if possible, and the client's authorized representative and the placement agency, if a party to the contract. A new agreement shall be signed if there is any change in the terms of the original admission agreement. A signed copy of the admission agreement shall be provided to the client if appropriate, or the client's authorized representative and the placement agency, if any. A signed copy of the admission agreement shall be retained in the client's record. In state hospitals, the signing of the admission form and acceptance of admission packet shall meet the admission agreement requirement.

(b) The agreement shall specify:

(1) Services to be provided by the facility.

(2) Rate of charge for service.

(3) When and by whom payment shall be made.

(4) Conditions for modification of the agreement, including provisions for at least 30 days' prior written notice of any rate change. For the client whose care is funded at rates prescribed by government funded programs, the agreement may specify that the facility's rate may be changed effective on the operative date of any rate change made in that program.

(5) Conditions under which refunds shall be made, and the time period within which they shall be received.

(6) That services shall at all times be provided without discrimination based on sex, race, color, religion, ancestry, national origin, sexual orientation, disability, medical condition, marital status, or registered domestic partner status.

(7) Conditions under which the agreement may be terminated.

(8) That no client shall have his or her services summarily terminated by the licensee unless the client is clearly engaged in behavior which is a threat to property or to the safety of others in the facility.

(c) Prior to any termination of services to a client, the client's authorized representative or placement agency, if any, shall be notified.

(d) A written report of any summary termination of services to a client shall be sent to the local licensing office within five days.

(e) No licensee shall enter into any written or oral agreement with any person which releases the licensee or the licensee's employees from responsibility for providing the client with safe and healthful facilities, equipment and accommodations.

Note: Authority cited: Sections 1275 and 131200, Health and Safety Code. Reference: Section 51, Civil Code; Sections 297 and 297.5, Family Code; and Sections 1276, 131050, 131051 and 131052, Health and Safety Code.

## **HISTORY**

1. Change without regulatory effect amending subsection (b)(6) and Note filed 6-23-2011 pursuant to section 100, title 1, California Code of Regulations (Register 2011, No. 25).

2. Change without regulatory effect amending subsections (b)(8)-(d) filed 1-9-2013 pursuant to section 100, title 1, California Code of Regulations (Register 2013, No. 2).

22 CCR § 76555, 22 CA ADC § 76555