

§ 76527. Clients' Rights - Cause for Denial of Clients' Rights.

(a) Good cause for denying a client the exercise of a right exists when the professional person in charge of a facility has good reason to believe:

- (1) That the exercise of the specific right would be injurious to the client; or
- (2) There is evidence that the specific right, if exercised would seriously infringe on the rights of others; or
- (3) The facility would suffer serious damage if the specific right is not denied; and
- (4) That there is no less restrictive way of protecting the interests specified in (1), (2) or (3).

(b) The reason used to justify the denial of a right to a client shall be related to the specific right denied.

(c) A right shall not be withheld or denied as a punitive measure, nor be considered a privilege to be earned nor as part of a client's individual program.

(d) Waivers signed by the client or by the responsible relative, guardian or conservator shall not be used as a basis for denying rights in a client's individual program. Any waivers of a client's rights shall be reviewed and approved by the clients' rights advocate.

Note: Authority cited: Section 208(a), Health and Safety Code. Reference: Section 1276, Health and Safety Code. Sections 4502, 4503, 4504, and 4505, Welfare and Institutions Code.

22 CCR § 76527, 22 CA ADC § 76527