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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 8@ Intermediate Care Facilities for the Developmentally Disabled

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Article 2@ License

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Section 76235@ Temporary Suspension of License

76235 Temporary Suspension of License

(a)

The Director may temporarily suspend any license prior to any hearing, when in his or her opinion such action is necessary to protect the public welfare. Such suspension shall be in the following manner: (1) The Director shall notify the licensee of the temporary suspension and the effective date thereof and at the same time shall serve such licensee with an accusation. (2) Upon receipt of a notice of defense by the licensee, the Director shall set the matter for hearing within 15 days. The hearing shall be held as soon as possible but no later than 30 days after receipt of such notice. (3) The temporary suspension shall remain in effect until such time as the hearing is completed and the Director has made a final determination on the merits. (4) If the Director fails to make a final determination within 60 days after the original hearing has been completed, the temporary suspension shall be deemed vacated. (5) If the provisions of Chapter 2, commencing with Section 1250, of Division 2 of the Health and Safety Code or regulations promulgated by the Director are violated by a licensee which is a partnership, corporation or other association, the Director may suspend the license of such organization or may suspend the license as to any individual person within such organization who is responsible for such violation.

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The Director shall notify the licensee of the temporary suspension and the effective

date thereof and at the same time shall serve such licensee with an accusation.

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Upon receipt of a notice of defense by the licensee, the Director shall set the matter for hearing within 15 days. The hearing shall be held as soon as possible but no later than 30 days after receipt of such notice.

(3)

The temporary suspension shall remain in effect until such time as the hearing is completed and the Director has made a final determination on the merits.

(4)

If the Director fails to make a final determination within 60 days after the original hearing has been completed, the temporary suspension shall be deemed vacated.

(5)

If the provisions of Chapter 2, commencing with Section 1250, of Division 2 of the Health and Safety Code or regulations promulgated by the Director are violated by a licensee which is a partnership, corporation or other association, the Director may suspend the license of such organization or may suspend the license as to any individual person within such organization who is responsible for such violation.