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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 3@ Services

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Section 76331@ Developmental Program Services-Behavior Modification Programs

76331 Developmental Program Services-Behavior Modification Programs

(a)

In all client programs designed to change or maintain client behavior, the major emphasis shall be on the use of positive reinforcement, and any treatment plan using aversive techniques shall also provide for positive reinforcement. Behavior modification programs involving the use of time-out devices or the use of aversive stimuli shall be: (1) Reviewed and approved by the Human Rights Committee. (2) Conducted only with the written, informed consent of the client, whenever possible, or parents, if the client is a minor, or the client's authorized representative. (3) Described in the individual program plan. (4) Restricted when time-out procedures are used to periods of not more than one hour and only during conditioning sessions in the presence of the program personnel. For the purposes of this section "time-out" means removal of a client from specified activities for a specific period of time. (5) In accordance with Department approval pursuant to Section 76309. (6) Conducted only by staff who have received documented training in behavior modification.

(1)

Reviewed and approved by the Human Rights Committee.

(2)

Conducted only with the written, informed consent of the client, whenever possible, or

parents, if the client is a minor, or the client's authorized representative.

(3)

Described in the individual program plan.

(4)

Restricted when time-out procedures are used to periods of not more than one hour and only during conditioning sessions in the presence of the program personnel. For the purposes of this section "time-out" means removal of a client from specified activities for a specific period of time.

(5)

In accordance with Department approval pursuant to Section 76309.

(6)

Conducted only by staff who have received documented training in behavior modification.

(b)

There shall be a written statement of policies and procedures for the control and discipline of clients, formulated with client participation, where appropriate, and available as follows: (1) In each living unit. (2) To clients. (3) To parents or guardians of minors.

(1)

In each living unit.

(2)

To clients.

(3)

To parents or guardians of minors.

(c)

Corporal punishment shall not be permitted.

(d)

Clients shall not discipline other clients, except as part of an organized self-government program that is conducted in accordance with written policy.