

80001 Definitions

The following general definitions shall apply wherever the terms are used throughout Division 6, Chapters 1, 4 through 6, and Chapter 9, except where specifically noted otherwise. Additional definitions found at the beginning of each chapter in this division shall apply only to such specific facility category.

(a)

(1) "Activities of Daily Living" (ADLs) mean the following six activities: (A)

Bathing: Cleaning the body using a tub, shower or sponge bath, including getting a basin of water, managing faucets, getting in and out of tub or shower, reaching head and body parts for soaping, rinsing and drying. (B) Dressing: Putting on and taking off, fastening and unfastening garments and undergarments and special devices such as back or leg braces, corsets, elastic stockings/garments and artificial limbs or splints. (C) Toileting: Getting on and off a toilet or commode, emptying a commode, managing clothes, wiping and cleaning the body after toileting, and using and emptying a bedpan and urinal. (D) Transferring: Moving from one sitting or lying position to another sitting or lying position (e.g., from bed to or from a wheelchair, or sofa, coming to a standing position and/or repositioning to promote circulation and to prevent skin breakdown). (E)

Continence: Ability to control bowel and bladder as well as to use ostomy and/or catheter receptacles, and to apply diapers and disposable barrier pads. (F) Eating:

Reaching for, picking up, grasping a utensil and cup; getting food on a utensil;

bringing food, utensil, and cup to mouth; manipulating food on plate; and cleaning face and hands as necessary following meal. (2) "Administrator" means the licensee, or the adult designated by the licensee to act in his/her behalf in the overall management of the facility. (3) "Adult" means a person who is 18 years of age or older. (4) "Adult Community Care Facility" (Adult CCF) means an adult residential facility (ARF). (5) "Adult Residential Facility" means any facility of any capacity that provides 24-hour-a-day nonmedical care and supervision to the following: (A) persons 18 years of age through 59 years of age; and (B) persons 60 years of age and older only in accordance with Section 85068.4. (6) "Applicant" means any individual, firm, partnership, association, corporation, county, city, public agency or other governmental entity that has made application for a community care facility license, administrator certificate, or special permit. (7) "Authorized Representative" means any person or entity authorized by law to act on behalf of any client. Such person or entity may include but not be limited to a minor's parent, a legal guardian, a conservator or a public placement agency. (8) "Automated External Defibrillator" (AED) means a light-weight, portable device used to administer an electric shock through the chest wall to the heart. Built-in computers assess the patient's heart rhythm, determine whether defibrillation (electrical shock) is needed and then administer the shock. Audible and/or visual prompts guide the user through the process.

(1)

"Activities of Daily Living" (ADLs) mean the following six activities: (A) Bathing: Cleaning the body using a tub, shower or sponge bath, including getting a basin of water, managing faucets, getting in and out of tub or shower, reaching head and body parts for soaping, rinsing and drying. (B) Dressing: Putting on and taking off, fastening and unfastening garments and undergarments and special devices such as back or leg

braces, corsets, elastic stockings/garments and artificial limbs or splints. (C) Toileting: Getting on and off a toilet or commode, emptying a commode, managing clothes, wiping and cleaning the body after toileting, and using and emptying a bedpan and urinal. (D) Transferring: Moving from one sitting or lying position to another sitting or lying position (e.g., from bed to or from a wheelchair, or sofa, coming to a standing position and/or repositioning to promote circulation and to prevent skin breakdown). (E) Continence: Ability to control bowel and bladder as well as to use ostomy and/or catheter receptacles, and to apply diapers and disposable barrier pads. (F) Eating: Reaching for, picking up, grasping a utensil and cup; getting food on a utensil; bringing food, utensil, and cup to mouth; manipulating food on plate; and cleaning face and hands as necessary following meal.

(A)

Bathing: Cleaning the body using a tub, shower or sponge bath, including getting a basin of water, managing faucets, getting in and out of tub or shower, reaching head and body parts for soaping, rinsing and drying.

(B)

Dressing: Putting on and taking off, fastening and unfastening garments and undergarments and special devices such as back or leg braces, corsets, elastic stockings/garments and artificial limbs or splints.

(C)

Toileting: Getting on and off a toilet or commode, emptying a commode, managing clothes, wiping and cleaning the body after toileting, and using and emptying a bedpan and urinal.

(D)

Transferring: Moving from one sitting or lying position to another sitting or lying position (e.g., from bed to or from a wheelchair, or sofa, coming to a standing position and/or repositioning to promote circulation and to prevent skin breakdown).

(E)

Continence: Ability to control bowel and bladder as well as to use ostomy and/or catheter receptacles, and to apply diapers and disposable barrier pads.

(F)

Eating: Reaching for, picking up, grasping a utensil and cup; getting food on a utensil; bringing food, utensil, and cup to mouth; manipulating food on plate; and cleaning face and hands as necessary following meal.

(2)

"Administrator" means the licensee, or the adult designated by the licensee to act in his/her behalf in the overall management of the facility.

(3)

"Adult" means a person who is 18 years of age or older.

(4)

"Adult Community Care Facility" (Adult CCF) means an adult residential facility (ARF).

(5)

"Adult Residential Facility" means any facility of any capacity that provides 24-hour-a-day nonmedical care and supervision to the following:(A) persons 18 years of age through 59 years of age; and (B) persons 60 years of age and older only in accordance with Section 85068.4.

(A)

persons 18 years of age through 59 years of age; and

(B)

persons 60 years of age and older only in accordance with Section 85068.4.

(6)

"Applicant" means any individual, firm, partnership, association, corporation, county, city, public agency or other governmental entity that has made application for a

community care facility license, administrator certificate, or special permit.

(7)

"Authorized Representative" means any person or entity authorized by law to act on behalf of any client. Such person or entity may include but not be limited to a minor's parent, a legal guardian, a conservator or a public placement agency.

(8)

"Automated External Defibrillator" (AED) means a light-weight, portable device used to administer an electric shock through the chest wall to the heart. Built-in computers assess the patient's heart rhythm, determine whether defibrillation (electrical shock) is needed and then administer the shock. Audible and/or visual prompts guide the user through the process.

(b)

(1) "Basic Rate" means the rate charged by a facility to provide basic services. For SSI/SSP recipients, the basic rate means the established nonmedical out-of-home care rate which includes any exempt income allowance but does not include that amount allocated for the recipient's personal and incidental needs. (2) "Basic Services" means those services required by applicable law and regulation to be provided by the licensee in order to obtain and maintain a community care facility license.

(1)

"Basic Rate" means the rate charged by a facility to provide basic services. For SSI/SSP recipients, the basic rate means the established nonmedical out-of-home care rate which includes any exempt income allowance but does not include that amount allocated for the recipient's personal and incidental needs.

(2)

"Basic Services" means those services required by applicable law and regulation to be

provided by the licensee in order to obtain and maintain a community care facility license.

(c)

(1) "California Clearance" means an individual has no felony or misdemeanor convictions reported by the California Department of Justice. However, the individual may have been arrested with no criminal conviction, convicted of a minor traffic offense or adjudicated as a juvenile. (2) "Capacity" means the maximum number of persons authorized to be provided care and supervision at any one time in any licensed facility. (3) "Care and Supervision" means any one or more of the following activities provided by a person or facility to meet the needs of the clients: (A) Assistance in dressing, grooming, bathing and other personal hygiene. (B) Assistance with taking medication, as specified in section 80075. (C) Central storing and/or distribution of medications, as specified in section 80075. (D) Arrangement of and assistance with medical and dental care. (E) Maintenance of house rules for the protection of clients. (F) Supervision of client schedules and activities. (G) Maintenance and/or supervision of client cash resources or property. (H) Monitoring food intake or special diets. (I) Providing basic services as defined in section 80001(b)(2). (4) "Cash Resources" means: (A) Monetary gifts. (B) Tax credits and/or refunds. (C) Earnings from employment or workshops. (D) Personal and incidental need allowances from funding sources including but not limited to SSI/SSP. (E) Allowances paid to children. (F) Any other similar resources as determined by the licensing agency. (5) "Certified administrator" means an administrator who has been issued a group home or adult residential facility certificate by the Department and whose certificate is current. (6) "Child Abuse Central Index" means the California Department of Justice maintained statewide, multi-jurisdictional, centralized index of child abuse investigation

reports. These reports pertain to alleged incidents of physical abuse, sexual abuse, mental/emotional abuse and/or severe neglect. Each child protection agency (police, sheriff, county welfare and probation departments) is required by law to forward to the California Department of Justice a report of every child abuse incident it investigates, unless an incident is determined to be unfounded. (7)

"Child Abuse Central Index Clearance" means that the California Department of Justice has conducted a name search of the index and the search did not result in a match or the search resulted in a match but the California Department of Social Services determined after an investigation that the allegation of child abuse or neglect was not substantiated. (8) "Child Care Center" means any facility of any capacity other than a family day care home as defined in section 102352 f.(1) in which less than 24-hour per day nonmedical supervision is provided for children in a group setting. (9) "Client" means a child or adult who is receiving care and supervision in a community care facility. Client includes "resident" as used in the Community Care Facilities Act. (10) "Client Who Relies Upon Others To Perform All Activities of Daily Living" means a client who is unable to perform all six activities of daily living without physical assistance. (11) Close friend. "Close friend" means a person who is attached to another by feelings of personal regard as indicated by both parties involved. (12) "Community Care Facility" means any facility, place or building where nonmedical care and supervision, as defined in section 80001 c.(2) are provided. (13) "Community Treatment Facility" means any residential facility that provides mental health treatment services to children in a group setting which has the capacity to provide secure containment. The facility's program components shall be subject to program standards developed and enforced by the State Department of Mental Health pursuant to Section 4094 of the Welfare and Institutions Code. (14) "Completed Application" means: (A) The

applicant has submitted and the licensing agency has received all required materials including: an approved fire clearance, if appropriate, from the State Fire Marshal; a criminal record clearance on the applicant and any other individuals specified in section 80019. (B) The licensing agency has completed a site visit to the facility. (15) "Conservator" means a person appointed by the Superior Court pursuant to the provisions of section 1800 et seq. of the Probate Code or section 5350 of the Welfare and Institutions Code, to care for the person, or estate, or person and estate, of another. (16) "Consultant" means a person professionally qualified by training or experience to provide expert information on a particular subject. (17) "Control of Property" means the right to enter, occupy, and maintain the operation of the facility property within regulatory requirements. Evidence of control of property may include, but is not limited to the following: (A) a Grant Deed showing ownership; or (B) the lease agreement or rental agreement; or (C) a court order or similar document which shows the authority to control the property pending outcome of a probate proceeding or an estate settlement. (18) "Conviction" means: (A) A criminal conviction in California; or (B) Any criminal conviction of another state, federal, military or other jurisdiction, which if committed or attempted in California, would have been punishable as a crime in California. (19) "Criminal Record Clearance" means an individual has a California clearance and an FBI clearance.

(1)

"California Clearance" means an individual has no felony or misdemeanor convictions reported by the California Department of Justice. However, the individual may have been arrested with no criminal conviction, convicted of a minor traffic offense or adjudicated as a juvenile.

(2)

"Capacity" means the maximum number of persons authorized to be provided care and supervision at any one time in any licensed facility.

(3)

"Care and Supervision" means any one or more of the following activities provided by a person or facility to meet the needs of the clients: (A) Assistance in dressing, grooming, bathing and other personal hygiene. (B) Assistance with taking medication, as specified in section 80075. (C) Central storing and/or distribution of medications, as specified in section 80075. (D) Arrangement of and assistance with medical and dental care. (E) Maintenance of house rules for the protection of clients. (F) Supervision of client schedules and activities. (G) Maintenance and/or supervision of client cash resources or property. (H) Monitoring food intake or special diets. (I) Providing basic services as defined in section 80001(b)(2).

(A)

Assistance in dressing, grooming, bathing and other personal hygiene.

(B)

Assistance with taking medication, as specified in section 80075.

(C)

Central storing and/or distribution of medications, as specified in section 80075.

(D)

Arrangement of and assistance with medical and dental care.

(E)

Maintenance of house rules for the protection of clients.

(F)

Supervision of client schedules and activities.

(G)

Maintenance and/or supervision of client cash resources or property.

(H)

Monitoring food intake or special diets.

(I)

Providing basic services as defined in section 80001(b)(2).

(4)

"Cash Resources" means: (A) Monetary gifts. (B) Tax credits and/or refunds. (C) Earnings from employment or workshops. (D) Personal and incidental need allowances from funding sources including but not limited to SSI/SSP. (E) Allowances paid to children. (F) Any other similar resources as determined by the licensing agency.

(A)

Monetary gifts.

(B)

Tax credits and/or refunds.

(C)

Earnings from employment or workshops.

(D)

Personal and incidental need allowances from funding sources including but not limited to SSI/SSP.

(E)

Allowances paid to children.

(F)

Any other similar resources as determined by the licensing agency.

(5)

"Certified administrator" means an administrator who has been issued a group home or adult residential facility certificate by the Department and whose certificate is current.

(6)

"Child Abuse Central Index" means the California Department of Justice maintained statewide, multi-jurisdictional, centralized index of child abuse investigation reports. These reports pertain to alleged incidents of physical abuse, sexual abuse, mental/emotional abuse and/or severe neglect. Each child protection agency (police, sheriff, county welfare and probation departments) is required by law to forward to the California Department of Justice a report of every child abuse incident it investigates, unless an incident is determined to be unfounded.

(7)

"Child Abuse Central Index Clearance" means that the California Department of Justice has conducted a name search of the index and the search did not result in a match or the search resulted in a match but the California Department of Social Services determined after an investigation that the allegation of child abuse or neglect was not substantiated.

(8)

"Child Care Center" means any facility of any capacity other than a family day care home as defined in section 102352 f.(1) in which less than 24-hour per day nonmedical supervision is provided for children in a group setting.

(9)

"Client" means a child or adult who is receiving care and supervision in a community care facility. Client includes "resident" as used in the Community Care Facilities Act.

(10)

"Client Who Relies Upon Others To Perform All Activities of Daily Living" means a client who is unable to perform all six activities of daily living without physical assistance.

(11)

Close friend. "Close friend" means a person who is attached to another by feelings of personal regard as indicated by both parties involved.

(12)

"Community Care Facility" means any facility, place or building where nonmedical care and supervision, as defined in section 80001 c.(2) are provided.

(13)

"Community Treatment Facility" means any residential facility that provides mental health treatment services to children in a group setting which has the capacity to provide secure containment. The facility's program components shall be subject to program standards developed and enforced by the State Department of Mental Health pursuant to Section 4094 of the Welfare and Institutions Code.

(14)

"Completed Application" means: (A) The applicant has submitted and the licensing agency has received all required materials including: an approved fire clearance, if appropriate, from the State Fire Marshal; a criminal record clearance on the applicant and any other individuals specified in section 80019. (B) The licensing agency has completed a site visit to the facility.

(A)

The applicant has submitted and the licensing agency has received all required materials including: an approved fire clearance, if appropriate, from the State Fire Marshal; a criminal record clearance on the applicant and any other individuals specified in section 80019.

(B)

The licensing agency has completed a site visit to the facility.

(15)

"Conservator" means a person appointed by the Superior Court pursuant to the provisions of section 1800 et seq. of the Probate Code or section 5350 of the Welfare and Institutions Code, to care for the person, or estate, or person and estate, of another.

(16)

"Consultant" means a person professionally qualified by training or experience to provide expert information on a particular subject.

(17)

"Control of Property" means the right to enter, occupy, and maintain the operation of the facility property within regulatory requirements. Evidence of control of property may include, but is not limited to the following: (A) a Grant Deed showing ownership; or (B) the lease agreement or rental agreement; or (C) a court order or similar document which shows the authority to control the property pending outcome of a probate proceeding or an estate settlement.

(A)

a Grant Deed showing ownership; or

(B)

the lease agreement or rental agreement; or

(C)

a court order or similar document which shows the authority to control the property pending outcome of a probate proceeding or an estate settlement.

(18)

"Conviction" means: (A) A criminal conviction in California; or (B) Any criminal conviction of another state, federal, military or other jurisdiction, which if committed or attempted in California, would have been punishable as a crime in California.

(A)

A criminal conviction in California; or

(B)

Any criminal conviction of another state, federal, military or other jurisdiction, which if committed or attempted in California, would have been punishable as a crime in California.

(19)

"Criminal Record Clearance" means an individual has a California clearance and an FBI clearance.

(d)

(1) "Day" means calendar day unless otherwise specified. (2) "Deficiency" means any failure to comply with any provision of the Community Care Facilities Act (Health and Safety Code, section 1500 et seq.) and/or regulations adopted by the Department pursuant to the Act. (3) "Delayed-Egress Device" means a special time-delay, egress-control device as specified in Health and Safety Code Sections 1531.1(b), (e), and 1569.699(a). (4) "Dementia" means a deterioration of intellectual function and other cognitive skills, leading to a decline in one's ability to perform activities of daily living. (5) "Department" is defined in Health and Safety Code section 1502(b). (6) "Developmental Disability" means a disability as defined in Welfare and Institutions Code section 4512(a). (7) "Dietitian" means a person who is a member of or registered by the American Dietetics Association. (8) "Director" is defined in Health and Safety Code section 1502(c).

(1)

"Day" means calendar day unless otherwise specified.

(2)

"Deficiency" means any failure to comply with any provision of the Community Care Facilities Act (Health and Safety Code, section 1500 et seq.) and/or regulations adopted by the Department pursuant to the Act.

(3)

"Delayed-Egress Device" means a special time-delay, egress-control device as specified in Health and Safety Code Sections 1531.1(b), (e), and 1569.699(a).

(4)

"Dementia" means a deterioration of intellectual function and other cognitive skills, leading to a decline in one's ability to perform activities of daily living.

(5)

"Department" is defined in Health and Safety Code section 1502(b).

(6)

"Developmental Disability" means a disability as defined in Welfare and Institutions Code section 4512(a).

(7)

"Dietitian" means a person who is a member of or registered by the American Dietetics Association.

(8)

"Director" is defined in Health and Safety Code section 1502(c).

(e)

(1) "Egress-Alert Device" means a wrist band or other device, that may be worn by a client or carried on a client's person that triggers a visual or auditory alarm when the client leaves the facility building or grounds. (2) "Elderly Person" means any person who is 60 years of age or older. (3) "Emergency Approval to Operate" (LIC 9117 4/93) (EAO) means a temporary approval to operate a facility for no more than 60 days pending the Department's decision on whether to approve or deny a provisional license. (4) "Evaluator" means any person who is a duly authorized officer, employee or agent of the Department, including any officer, employee or agent of a county or other public agency authorized by the Department to license community care facilities. (5) "Evidence of Licensee's Death" shall include, but is not limited to, a copy of the death certificate, obituary notice, certification of death from the decedent's mortuary or a letter from the attending physician or coroner's office verifying the licensee's death. (6)

"Exception" means a written authorization issued by the licensing agency to use alternative means which meet the intent of a specific regulation(s) and which are based on the unique needs or circumstances of a specific client(s) or staff person(s). Exceptions are granted for particular client(s) or staff person(s) and are not transferable or applicable to other client(s), staff person(s), facilities or licensees. (7) "Exemption" means an exception to the requirements of Health and Safety Code section 1522 and applicable regulations. Exemptions are not transferable. (8) "Existing Facility" means any community care facility operating under a valid, unexpired license on the date this chapter becomes effective.

(1)

"Egress-Alert Device" means a wrist band or other device, that may be worn by a client or carried on a client's person that triggers a visual or auditory alarm when the client leaves the facility building or grounds.

(2)

"Elderly Person" means any person who is 60 years of age or older.

(3)

"Emergency Approval to Operate" (LIC 9117 4/93) (EAO) means a temporary approval to operate a facility for no more than 60 days pending the Department's decision on whether to approve or deny a provisional license.

(4)

"Evaluator" means any person who is a duly authorized officer, employee or agent of the Department, including any officer, employee or agent of a county or other public agency authorized by the Department to license community care facilities.

(5)

"Evidence of Licensee's Death" shall include, but is not limited to, a copy of the death certificate, obituary notice, certification of death from the decedent's mortuary or a

letter from the attending physician or coroner's office verifying the licensee's death.

(6)

"Exception" means a written authorization issued by the licensing agency to use alternative means which meet the intent of a specific regulation(s) and which are based on the unique needs or circumstances of a specific client(s) or staff person(s). Exceptions are granted for particular client(s) or staff person(s) and are not transferable or applicable to other client(s), staff person(s), facilities or licensees.

(7)

"Exemption" means an exception to the requirements of Health and Safety Code section 1522 and applicable regulations. Exemptions are not transferable.

(8)

"Existing Facility" means any community care facility operating under a valid, unexpired license on the date this chapter becomes effective.

(f)

(1) "Federal Bureau of Investigation (FBI) Clearance" means an individual has no felony or misdemeanor convictions reported by the FBI. However, the individual may have been arrested with no criminal conviction, convicted of a minor traffic offense or adjudicated as a juvenile.

(1)

"Federal Bureau of Investigation (FBI) Clearance" means an individual has no felony or misdemeanor convictions reported by the FBI. However, the individual may have been arrested with no criminal conviction, convicted of a minor traffic offense or adjudicated as a juvenile.

(g)

(1) "Group Home" means any facility of any capacity which provides 24-hour care and supervision to children in a structured environment with such services

provided at least in part by staff employed by the licensee. The care and supervision provided by a group home shall be nonmedical except as permitted by Welfare and Institutions Code Section 17736(b). (2) "Guardian" means a person appointed by the Superior Court pursuant to the provisions of sections 1500 et seq. of the Probate Code to care for the person, or estate, or the person and estate of another.

(1)

"Group Home" means any facility of any capacity which provides 24-hour care and supervision to children in a structured environment with such services provided at least in part by staff employed by the licensee. The care and supervision provided by a group home shall be nonmedical except as permitted by Welfare and Institutions Code Section 17736(b).

(2)

"Guardian" means a person appointed by the Superior Court pursuant to the provisions of sections 1500 et seq. of the Probate Code to care for the person, or estate, or the person and estate of another.

(h)

(1) "Health Condition Relocation Order" means written notice by the Department to a licensee requiring the relocation of a client from a CCF because either the licensee is not providing adequate care for a client's health condition as required by the regulations or the client cannot be cared for within the limits of the license or the client requires in-patient care in a health facility or has a prohibited health condition, as specified in Section 80091. (2) "Home Economist" means a person who holds a baccalaureate degree in home economics with a specialization in either foods and nutrition or dietetics.

(1)

"Health Condition Relocation Order" means written notice by the Department to a licensee requiring the relocation of a client from a CCF because either the licensee is not providing adequate care for a client's health condition as required by the regulations or the client cannot be cared for within the limits of the license or the client requires in-patient care in a health facility or has a prohibited health condition, as specified in Section 80091.

(2)

"Home Economist" means a person who holds a baccalaureate degree in home economics with a specialization in either foods and nutrition or dietetics.

(i)

(1) "Infant" means a child under two years of age. (2) "Inhalation-assistive device" means any equipment that assists a client to breathe, including, but not limited to, aerosol delivery devices, nebulizers, humidifiers, incentive spirometry devices, positive airway pressure devices, positive expiratory pressure devices, and intermittent positive pressure breathing (IPPB) machines. (3) "Interdisciplinary Team" (IDT) means a team that assists the Department in evaluating the need for relocating a client of an ARF when the client requests a review of the Department's Health Condition Relocation Order. This team consists of a nurse practitioner and a social worker, designated by the Department, with experience in the needs of the client population. Persons selected for an IDT shall not have been involved in the initial decision to issue a relocation order for the client in question.

(1)

"Infant" means a child under two years of age.

(2)

"Inhalation-assistive device" means any equipment that assists a client to breathe,

including, but not limited to, aerosol delivery devices, nebulizers, humidifiers, incentive spirometry devices, positive airway pressure devices, positive expiratory pressure devices, and intermittent positive pressure breathing (IPPB) machines.

(3)

"Interdisciplinary Team" (IDT) means a team that assists the Department in evaluating the need for relocating a client of an ARF when the client requests a review of the Department's Health Condition Relocation Order. This team consists of a nurse practitioner and a social worker, designated by the Department, with experience in the needs of the client population. Persons selected for an IDT shall not have been involved in the initial decision to issue a relocation order for the client in question.

(j)

(Reserved)

(k)

(Reserved)

(l)

(1) "Lacks Hazard Awareness or Impulse Control" means that the client poses a risk of harm to himself or herself or others by wandering off or running away from the residence and requires an enhancement to supervision through the use of delayed egress devices and secured perimeters without which the consumer would require placement in a more restrictive, locked residential setting. (2)

"License" means authorization to operate a community care facility and to provide care and supervision. The license is not transferable. (3) "Licensed professional" means a person who is licensed in California to provide medical care or therapy. This includes physicians and surgeons, physician assistants, nurse practitioners, registered nurses, licensed vocational nurses, psychiatric technicians, physical therapists, occupational therapists and respiratory therapists, who are operating

within his/her scope of practice. (4) "Licensee" means the adult, firm, partnership, association, corporation, county, city, public agency, or other governmental entity having the authority and responsibility for the operation of a licensed community care facility. (5) "Licensing Agency" means the State Department of Social Services or any state, county or other public agency authorized by the Department to assume specified licensing responsibilities pursuant to section 1511 of the Health and Safety Code.

(1)

"Lacks Hazard Awareness or Impulse Control" means that the client poses a risk of harm to himself or herself or others by wandering off or running away from the residence and requires an enhancement to supervision through the use of delayed egress devices and secured perimeters without which the consumer would require placement in a more restrictive, locked residential setting.

(2)

"License" means authorization to operate a community care facility and to provide care and supervision. The license is not transferable.

(3)

"Licensed professional" means a person who is licensed in California to provide medical care or therapy. This includes physicians and surgeons, physician assistants, nurse practitioners, registered nurses, licensed vocational nurses, psychiatric technicians, physical therapists, occupational therapists and respiratory therapists, who are operating within his/her scope of practice.

(4)

"Licensee" means the adult, firm, partnership, association, corporation, county, city, public agency, or other governmental entity having the authority and responsibility for the operation of a licensed community care facility.

(5)

"Licensing Agency" means the State Department of Social Services or any state, county or other public agency authorized by the Department to assume specified licensing responsibilities pursuant to section 1511 of the Health and Safety Code.

(m)

(1) "Mandated Reporter" is defined in Welfare and Institutions Code Section 15630(a). (2) "Medical Professional" means an individual who is licensed or certified in California to perform the necessary medical procedures within his/her scope of practice. This includes, but is not limited to, Medical Doctor (MD), Registered Nurse (RN) and Licensed Vocational Nurse (LVN). (3) "Mental Disorder" means any of the disorders set forth in the Diagnostic and Statistical Manual of Mental Disorders (Third Edition) of the American Psychiatric Association and a degree of functional impairment which renders a person eligible for the services enumerated under the Lanterman-Petris-Short Act, commencing with section 5000 of the Welfare and Institutions Code.

(1)

"Mandated Reporter" is defined in Welfare and Institutions Code Section 15630(a).

(2)

"Medical Professional" means an individual who is licensed or certified in California to perform the necessary medical procedures within his/her scope of practice. This includes, but is not limited to, Medical Doctor (MD), Registered Nurse (RN) and Licensed Vocational Nurse (LVN).

(3)

"Mental Disorder" means any of the disorders set forth in the Diagnostic and Statistical Manual of Mental Disorders (Third Edition) of the American Psychiatric Association and a degree of functional impairment which renders a person eligible for the services

enumerated under the Lanterman-Petris-Short Act, commencing with section 5000 of the Welfare and Institutions Code.

(n)

(1) "Needs and Services Plan" means a written plan that identifies the specific needs of an individual client, including those items specified in Section 80068.2, and delineates those services necessary to meet the client's identified needs. (2) "Nonambulatory Person" means a person as defined in Health and Safety Code section 13131. (A) A person who uses postural supports as specified in section 80072(a)(8) is deemed nonambulatory. (B) A person is not deemed nonambulatory solely because he/she is deaf, blind, or prefers to use a mechanical aid. (3) "Nutritionist" means a person who holds a master's degree in food and nutrition, dietetics, or public health nutrition, or who is employed as a nutritionist by a county health department.

(1)

"Needs and Services Plan" means a written plan that identifies the specific needs of an individual client, including those items specified in Section 80068.2, and delineates those services necessary to meet the client's identified needs.

(2)

"Nonambulatory Person" means a person as defined in Health and Safety Code section 13131. (A) A person who uses postural supports as specified in section 80072(a)(8) is deemed nonambulatory. (B) A person is not deemed nonambulatory solely because he/she is deaf, blind, or prefers to use a mechanical aid.

(A)

A person who uses postural supports as specified in section 80072(a)(8) is deemed nonambulatory.

(B)

A person is not deemed nonambulatory solely because he/she is deaf, blind, or prefers to use a mechanical aid.

(3)

"Nutritionist" means a person who holds a master's degree in food and nutrition, dietetics, or public health nutrition, or who is employed as a nutritionist by a county health department.

(o)

(Reserved)

(p)

(1) "Physician" means a person licensed as a physician and surgeon by the California Board of Medical Examiners or by the California Board of Osteopathic Examiners. (2) "Placement agency" is defined in Health and Safety Code Sections 1536.1 and 1569.47(a). (3) "PRN Medication" (pro re nata) means any nonprescription or prescription medication which is to be taken as needed. (4) "Provision" or "Provide" means whenever any regulation requires that provisions be made for or that there be provided any service, personnel, or other requirement, the licensee shall do so directly or present evidence to the licensing agency that the requirement has been met by some other means. (5) "Provisional License" means a license which is temporary, nonrenewable and issued for a period not to exceed twelve months. A provisional license is issued in accordance with the criteria specified in section 80030.

(1)

"Physician" means a person licensed as a physician and surgeon by the California Board of Medical Examiners or by the California Board of Osteopathic Examiners.

(2)

"Placement agency" is defined in Health and Safety Code Sections 1536.1 and

1569.47(a).

(3)

"PRN Medication" (pro re nata) means any nonprescription or prescription medication which is to be taken as needed.

(4)

"Provision" or "Provide" means whenever any regulation requires that provisions be made for or that there be provided any service, personnel, or other requirement, the licensee shall do so directly or present evidence to the licensing agency that the requirement has been met by some other means.

(5)

"Provisional License" means a license which is temporary, nonrenewable and issued for a period not to exceed twelve months. A provisional license is issued in accordance with the criteria specified in section 80030.

(q)

(Reserved)

(r)

(1) "Rehabilitation" means the effort to reestablish good character since the date of the last conviction, including, but not limited to, education, counseling or therapy, training, stable employment, restitution, remorse, changes in lifestyle, or community service. (2) "Relative" means spouse, parent, stepparent, son, daughter, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin or any such person denoted by the prefix "grand" or "great" or the spouse of any of the persons specified in this definition, even after the marriage has been terminated by death or dissolution. (3) "Responsible person" means that individual or individuals, including a relative, health care surrogate decision maker, or placement agency, who assists the client or

prospective client in placement or assumes varying degrees of responsibility for the client's well-being. A responsible person cannot act on behalf of a client unless authorized by law.

(1)

"Rehabilitation" means the effort to reestablish good character since the date of the last conviction, including, but not limited to, education, counseling or therapy, training, stable employment, restitution, remorse, changes in lifestyle, or community service.

(2)

"Relative" means spouse, parent, stepparent, son, daughter, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin or any such person denoted by the prefix "grand" or "great" or the spouse of any of the persons specified in this definition, even after the marriage has been terminated by death or dissolution.

(3)

"Responsible person" means that individual or individuals, including a relative, health care surrogate decision maker, or placement agency, who assists the client or prospective client in placement or assumes varying degrees of responsibility for the client's well-being. A responsible person cannot act on behalf of a client unless authorized by law.

(s)

(1) "Serious Bodily Injury" is defined in Welfare and Institutions Code Section 15610.67. (2) "Secured Perimeters" shall have the same meaning as Health and Safety Code section 1531.15(b). (3) "Serious Deficiency" means any deficiency that presents an immediate or substantial threat to the physical health, mental health or safety of the clients of a community care facility. (4) "Simplified Exemption" means an exemption granted on the Department's own motion, as

authorized in Health and Safety Code Section 1522(c)(4), if the individual's criminal history meets specific criteria established by Department regulation. (5) "Small Family Home" means any residential facility in the licensee's family residence providing 24-hour a day care for six or fewer children who are mentally disordered, developmentally disabled or physically handicapped and who require special care and supervision as a result of such disabilities. (6) "Social Worker" means a person who has a graduate degree from an accredited school of social work. (7) "SSI/SSP" means the Supplemental Security Income/State Supplemental Program which is a federal/state program that provides financial assistance to aged, blind and/or disabled residents of California. (8) "Substantial Compliance" means the absence of any serious deficiencies. (9) "Substantiated Complaint" means a complaint which has been investigated by the licensing agency, and as a result, a violation of regulations has been found.

(1)

"Serious Bodily Injury" is defined in Welfare and Institutions Code Section 15610.67.

(2)

"Secured Perimeters" shall have the same meaning as Health and Safety Code section 1531.15(b).

(3)

"Serious Deficiency" means any deficiency that presents an immediate or substantial threat to the physical health, mental health or safety of the clients of a community care facility.

(4)

"Simplified Exemption" means an exemption granted on the Department's own motion, as authorized in Health and Safety Code Section 1522(c)(4), if the individual's criminal history meets specific criteria established by Department regulation.

(5)

"Small Family Home" means any residential facility in the licensee's family residence providing 24-hour a day care for six or fewer children who are mentally disordered, developmentally disabled or physically handicapped and who require special care and supervision as a result of such disabilities.

(6)

"Social Worker" means a person who has a graduate degree from an accredited school of social work.

(7)

"SSI/SSP" means the Supplemental Security Income/State Supplemental Program which is a federal/state program that provides financial assistance to aged, blind and/or disabled residents of California.

(8)

"Substantial Compliance" means the absence of any serious deficiencies.

(9)

"Substantiated Complaint" means a complaint which has been investigated by the licensing agency, and as a result, a violation of regulations has been found.

(t)

(1) "Transfer Trauma" means the consequences of the stress and emotional shock caused by an abrupt, involuntary relocation of a client or resident from one facility to another.

(1)

"Transfer Trauma" means the consequences of the stress and emotional shock caused by an abrupt, involuntary relocation of a client or resident from one facility to another.

(u)

(1) "Universal Precautions" means an approach to infection control that treats all

human blood and body fluids as if they are infectious. Generally, Universal Precautions consist of regular hand-washing after coming into contact with another person's body fluids (mucous, saliva, urine, etc.) and includes the use of gloves when handling blood or body fluids that contain blood. Specifically, Universal Precautions consist of the following four basic infection control guidelines:

(A) Hand-washing -- Staff should wash their hands:

1. After assisting with incontinent care or wiping a client's nose.
2. Before preparing or eating foods.
3. After using the toilet.
4. Before and after treating or bandaging a cut.
5. After wiping down surfaces, cleaning spills, or any other housekeeping.
6. After being in contact with any body fluids from another person.
7. Even if they wore gloves during contact with body fluids.

(B) Gloves -- Staff should always wear gloves:

1. When they come into contact with blood or body fluids that contain blood.
2. When they have cuts or scratches on their hands.
3. When assisting with incontinent care or when cleaning up urine, stool, or vomit.
4. When administering first aid for a cut, a bleeding wound, or a bloody nose.
5. And use gloves only one time, for one incident or client.

a. Staff must air dry their hands prior to putting on a new pair of gloves.

6. And dispose of used gloves immediately after use.

(C) Cleaning with a disinfectant -- Staff should clean with a disinfectant:

1. On all surfaces and in the client's room and on an "as needed" basis on any surface that has come into contact with blood.
2. Such as a basic bleach solution, made fresh daily by mixing:

a. 1/4 cup household liquid chloride bleach in one gallon of tap water, or one tablespoon bleach in one quart of water.

(D) Proper disposal of infectious materials -- Staff should dispose of infectious materials by:

1. Placing it in a plastic trash bag, tying it with a secure tie, and disposing of it out of reach of clients and children.
- (2) "Unlicensed Community Care Facility" means a facility as defined in Health and Safety Code section

1503.5. (A) [Reserved] (B) A facility which is "providing care and supervision" as defined in section 80001 c(2) includes, but is not limited to, one in which an individual has been placed by a placement agency or family members for temporary or permanent care. (C) A facility which is "held out as or represented as providing care or supervision" includes, but is not limited to: (1) A facility whose license has been revoked or denied, but the individual continues to provide care for the same or different clients with similar needs. (2) A facility where a change of ownership has occurred and the same clients are retained. (3) A licensed facility that moves to a new location. (4) A facility which advertises as providing care and/or supervision. (D) A facility which "accepts or retains residents who demonstrate the need for care or supervision" includes, but is not limited to: (1) A facility with residents requiring care and/or supervision, even though the facility is providing board and room only, or board only, or room only. (2) A facility which houses unemancipated minors, even though the facility is providing board and room only, or board only, or room only. (3) A facility where it is apparent that care and/or supervision are being provided by virtue of the client's needs being met. (3) "Urgent Need" means a situation where prohibiting the operation of the facility would be detrimental to a client's physical health, mental health, safety, or welfare. Circumstances constituting urgent need include but are not limited to the following: (A) A change in facility location when clients are in need of services from the same operator at the new location. (B) A change of facility ownership when clients are in need of services from a new operator.

(1)

"Universal Precautions" means an approach to infection control that treats all human blood and body fluids as if they are infectious. Generally, Universal Precautions consist of regular hand-washing after coming into contact with another person's body fluids

(mucous, saliva, urine, etc.) and includes the use of gloves when handling blood or body fluids that contain blood. Specifically, Universal Precautions consist of the following four basic infection control guidelines: (A) Hand-washing -- Staff should wash their hands: 1. After assisting with incontinent care or wiping a client's nose. 2. Before preparing or eating foods. 3. After using the toilet. 4. Before and after treating or bandaging a cut. 5. After wiping down surfaces, cleaning spills, or any other housekeeping. 6. After being in contact with any body fluids from another person. 7. Even if they wore gloves during contact with body fluids. (B) Gloves -- Staff should always wear gloves: 1. When they come into contact with blood or body fluids that contain blood. 2. When they have cuts or scratches on their hands. 3. When assisting with incontinent care or when cleaning up urine, stool, or vomit. 4. When administering first aid for a cut, a bleeding wound, or a bloody nose. 5. And use gloves only one time, for one incident or client. a. Staff must air dry their hands prior to putting on a new pair of gloves. 6. And dispose of used gloves immediately after use. (C) Cleaning with a disinfectant -- Staff should clean with a disinfectant: 1. On all surfaces and in the client's room and on an "as needed" basis on any surface that has come into contact with blood. 2. Such as a basic bleach solution, made fresh daily by mixing: a. 1/4 cup household liquid chloride bleach in one gallon of tap water, or one tablespoon bleach in one quart of water. (D) Proper disposal of infectious materials -- Staff should dispose of infectious materials by: 1. Placing it in a plastic trash bag, tying it with a secure tie, and disposing of it out of reach of clients and children.

(A)

Hand-washing -- Staff should wash their hands: 1. After assisting with incontinent care or wiping a client's nose. 2. Before preparing or eating foods. 3. After using the toilet. 4. Before and after treating or bandaging a cut. 5. After wiping down surfaces, cleaning spills, or any other housekeeping. 6. After being in contact with any body fluids from another person. 7.

Even if they wore gloves during contact with body fluids.

1.

After assisting with incontinent care or wiping a client's nose.

2.

Before preparing or eating foods.

3.

After using the toilet.

4.

Before and after treating or bandaging a cut.

5.

After wiping down surfaces, cleaning spills, or any other housekeeping.

6.

After being in contact with any body fluids from another person.

7.

Even if they wore gloves during contact with body fluids.

(B)

Gloves -- Staff should always wear gloves: 1. When they come into contact with blood or body fluids that contain blood. 2. When they have cuts or scratches on their hands. 3. When assisting with incontinent care or when cleaning up urine, stool, or vomit. 4. When administering first aid for a cut, a bleeding wound, or a bloody nose. 5. And use gloves only one time, for one incident or client. a. Staff must air dry their hands prior to putting on a new pair of gloves. 6. And dispose of used gloves immediately after use.

1.

When they come into contact with blood or body fluids that contain blood.

2.

When they have cuts or scratches on their hands.

3.

When assisting with incontinent care or when cleaning up urine, stool, or vomit.

4.

When administering first aid for a cut, a bleeding wound, or a bloody nose.

5.

And use gloves only one time, for one incident or client. a. Staff must air dry their hands prior to putting on a new pair of gloves.

a.

Staff must air dry their hands prior to putting on a new pair of gloves.

6.

And dispose of used gloves immediately after use.

(C)

Cleaning with a disinfectant -- Staff should clean with a disinfectant: 1. On all surfaces and in the client's room and on an "as needed" basis on any surface that has come into contact with blood. 2. Such as a basic bleach solution, made fresh daily by mixing: a. 1/4 cup household liquid chloride bleach in one gallon of tap water, or one tablespoon bleach in one quart of water.

1.

On all surfaces and in the client's room and on an "as needed" basis on any surface that has come into contact with blood.

2.

Such as a basic bleach solution, made fresh daily by mixing: a. 1/4 cup household liquid chloride bleach in one gallon of tap water, or one tablespoon bleach in one quart of water.

a.

1/4 cup household liquid chloride bleach in one gallon of tap water, or one tablespoon bleach in one quart of water.

(D)

Proper disposal of infectious materials -- Staff should dispose of infectious materials by: 1. Placing it in a plastic trash bag, tying it with a secure tie, and disposing of it out of reach of clients and children.

1.

Placing it in a plastic trash bag, tying it with a secure tie, and disposing of it out of reach of clients and children.

(2)

"Unlicensed Community Care Facility" means a facility as defined in Health and Safety Code section 1503.5. (A) [Reserved] (B) A facility which is "providing care and supervision" as defined in section 80001 c(2) includes, but is not limited to, one in which an individual has been placed by a placement agency or family members for temporary or permanent care. (C) A facility which is "held out as or represented as providing care or supervision" includes, but is not limited to: (1) A facility whose license has been revoked or denied, but the individual continues to provide care for the same or different clients with similar needs. (2) A facility where a change of ownership has occurred and the same clients are retained. (3) A licensed facility that moves to a new location. (4) A facility which advertises as providing care and/or supervision. (D) A facility which "accepts or retains residents who demonstrate the need for care or supervision" includes, but is not limited to: (1) A facility with residents requiring care and/or supervision, even though the facility is providing board and room only, or board only, or room only. (2) A facility which houses unemancipated minors, even though the facility is providing board and room only, or board only, or room only. (3) A facility where it is apparent that care and/or supervision are being provided by virtue of the client's needs being met. (3) "Urgent Need" means a situation where prohibiting the operation of the facility would be detrimental to a client's physical health, mental

health, safety, or welfare. Circumstances constituting urgent need include but are not limited to the following: (A) A change in facility location when clients are in need of services from the same operator at the new location. (B) A change of facility ownership when clients are in need of services from a new operator.

(A)

[Reserved]

(B)

A facility which is "providing care and supervision" as defined in section 80001 c(2) includes, but is not limited to, one in which an individual has been placed by a placement agency or family members for temporary or permanent care.

(C)

A facility which is "held out as or represented as providing care or supervision" includes, but is not limited to: (1) A facility whose license has been revoked or denied, but the individual continues to provide care for the same or different clients with similar needs. (2) A facility where a change of ownership has occurred and the same clients are retained. (3) A licensed facility that moves to a new location. (4) A facility which advertises as providing care and/or supervision.

(1)

A facility whose license has been revoked or denied, but the individual continues to provide care for the same or different clients with similar needs.

(2)

A facility where a change of ownership has occurred and the same clients are retained.

(3)

A licensed facility that moves to a new location.

(4)

A facility which advertises as providing care and/or supervision.

(D)

A facility which "accepts or retains residents who demonstrate the need for care or supervision" includes, but is not limited to: (1) A facility with residents requiring care and/or supervision, even though the facility is providing board and room only, or board only, or room only. (2) A facility which houses unemancipated minors, even though the facility is providing board and room only, or board only, or room only. (3) A facility where it is apparent that care and/or supervision are being provided by virtue of the client's needs being met. (3) "Urgent Need" means a situation where prohibiting the operation of the facility would be detrimental to a client's physical health, mental health, safety, or welfare. Circumstances constituting urgent need include but are not limited to the following: (A) A change in facility location when clients are in need of services from the same operator at the new location. (B) A change of facility ownership when clients are in need of services from a new operator.

(1)

A facility with residents requiring care and/or supervision, even though the facility is providing board and room only, or board only, or room only.

(2)

A facility which houses unemancipated minors, even though the facility is providing board and room only, or board only, or room only.

(3)

A facility where it is apparent that care and/or supervision are being provided by virtue of the client's needs being met.

(3)

"Urgent Need" means a situation where prohibiting the operation of the facility would be detrimental to a client's physical health, mental health, safety, or welfare. Circumstances constituting urgent need include but are not limited to the following: (A) A change in facility location when clients are in need of services from the same operator at the new location. (B) A change of facility ownership

when clients are in need of services from a new operator.

(A)

A change in facility location when clients are in need of services from the same operator at the new location.

(B)

A change of facility ownership when clients are in need of services from a new operator.

(v)

(Reserved)

(w)

(1) "Waiver" means a nontransferable written authorization issued by the licensing agency to use alternative means which meet the intent of a specific regulation and which are based on a facility-wide need or circumstance.

(1)

"Waiver" means a nontransferable written authorization issued by the licensing agency to use alternative means which meet the intent of a specific regulation and which are based on a facility-wide need or circumstance.

(x)

(Reserved)

(y)

(Reserved)

(z)

(Reserved)