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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 2@ Social Rehabilitation Facilities

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Subchapter 1@ Basic Requirements

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Article 1@ General Requirements and Definitions

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Section 81001@ Definitions

81001 Definitions

For the purposes of this chapter, the following definitions shall apply:

(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 the 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., moving from a bed to a wheelchair or sofa, coming to a standing position, and/or repositioning to promote circulation and 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)

"Admit" means to accept a person into care. For the purposes of a social rehabilitation facility, a person is considered to be "admitted" as a client when the person begins residing at the facility and the facility begins providing care and supervision to the person. (4) "Adult" means a person who is 18 years of age or older. (5) "Applicant" means any individual, firm, partnership, association, corporation, county, city, public agency or other government entity that has made application for a social rehabilitation facility license, an administrator certificate, or a special permit. (6) "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 conservator or public placement agency. (7) "Automated External Defibrillator" (AED) means a lightweight, 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)

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position, and/or repositioning to promote circulation and 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 the 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., moving from a bed to a wheelchair or sofa, coming to a standing position, and/or repositioning to promote circulation and 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)

"Admit" means to accept a person into care. For the purposes of a social rehabilitation facility, a person is considered to be "admitted" as a client when the person begins residing at the facility and the facility begins providing care and supervision to the person.

(4)

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

(5)

"Applicant" means any individual, firm, partnership, association, corporation, county, city, public agency or other government entity that has made application for a social rehabilitation facility license, an administrator certificate, or a special permit.

(6)

"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 conservator or public placement agency.

(7)

"Automated External Defibrillator" (AED) means a lightweight, 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 social rehabilitation facility license.

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(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 social rehabilitation 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 clients: (A) Assistance in dressing, grooming, bathing and other personal

hygiene. (B) Assistance with taking medication, as specified in Section 81075. (C) Central storing and/or distribution of medications, as specified in Section 81075. (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 81001(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) Any other similar resources as determined by the licensing agency.

(5) "Certified" means a social rehabilitation facility program that has been certified by the California Department of Health Care Services as meeting the standards established for that program.

(6) "Client" means an adult who is receiving care and supervision in a social rehabilitation facility. Client includes "resident" as used in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.).

(7) "Client Who Relies upon Others to Perform All Activities of Daily Living" means a client who is unable to perform all of the activities of daily living specified in Section 81001(a)(1) without physical assistance.

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

(9) "Community Care Facility" (CCF) means any facility, place or building where nonmedical care and supervision, as defined in Section 81001(c)(3), are provided.

(10) "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 Marshall; a criminal record clearance on the applicant and any other individuals specified in Section 81019. (B) The licensing agency has completed a site visit to the facility.

(11) "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 the estate, or the person and the estate, of another. (12) "Consultant" means a person professionally qualified by training or experience to provide expert information on a particular subject. (13) "Contagious disease" means an illness capable of being transmitted from one human to another human via direct or indirect contact. (14) "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 that shows the authority to control the property pending outcome of a probate proceeding or an estate settlement. (15) "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. (16) "Criminal Record Clearance" means an individual has a California clearance and a Federal Bureau of Investigation (FBI) clearance.

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"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.

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"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 clients: (A) Assistance in dressing, grooming, bathing and other personal hygiene. (B) Assistance with taking medication, as specified in Section 81075. (C) Central storing and/or distribution of medications, as specified in Section 81075. (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 81001(b)(2).

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

(B)

Assistance with taking medication, as specified in Section 81075.

(C)

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(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 81001(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) Any other similar resources as determined by the licensing agency.

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"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 the estate, or the person and the

estate, of another.

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

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"Contagious disease" means an illness capable of being transmitted from one human to another human via direct or indirect contact.

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"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 that shows the authority to control the property pending outcome of a probate proceeding or an estate settlement.

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(15)

"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.

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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.

(16)

"Criminal Record Clearance" means an individual has a California clearance and a Federal Bureau of Investigation (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) "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. (4) "Department" means the California Department of Social Services, as defined in Health and Safety Code section 1502(b). (5) "Developmental Disability" means a disability as defined in Welfare and Institutions Code section 4512(a). (6) "Dietitian" means a person who is a member of or registered by the American Dietetics Association. (7) "Director" means the director of the California Department of Social Services, as defined in Health and Safety Code section 1502(c). (8) "Direct-Care Staff" means those persons who deliver direct care and supervision to clients.

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"Director" means the director of the California Department of Social Services, as defined in Health and Safety Code section 1502(c).

(8)

"Direct-Care Staff" means those persons who deliver direct care and supervision to clients.

(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 (8/14) (EAO), means a temporary approval to operate a facility for no more than 60 days pending the Department's decision to either 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) "Evict" or "eviction" means an involuntary relocation or removal of a client from the facility by the licensee. (6) "Evidence of Licensee's Death" shall include, but not be 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 the coroner's office verifying the licensee's death. (7) "Exception" means a written authorization issued by the licensing agency to use alternative means that 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 a particular client(s) or staff person(s) and are not transferable or applicable to another client(s) or staff person(s), facilities or licensees. (8) "Exemption" means an exception to the requirements of Health and Safety Code section 1522 and applicable regulations. Exemptions are not transferable.

(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.

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

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"Emergency Approval to Operate" -- LIC 9117 (8/14) (EAO), means a temporary approval to operate a facility for no more than 60 days pending the Department's decision to either approve or deny a provisional license.

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"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)

"Evict" or "eviction" means an involuntary relocation or removal of a client from the facility by the licensee.

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"Evidence of Licensee's Death" shall include, but not be 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 the coroner's office verifying the licensee's death.

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Exceptions are granted for a particular client(s) or staff person(s) and are not transferable or applicable to another client(s) or staff person(s), facilities or licensees.

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

(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.

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(g)

(1) "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.

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"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 of 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 inpatient care in a health facility; or the client has a prohibited health condition, as specified in Section 81091.

(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 of 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 inpatient care in a health facility; or the client has a prohibited health condition, as specified in Section 81091.

(i)

(1) "Infectious" means something (e.g. material, agent, person) that is capable of transmitting infection: This includes something which contains an organism -- such as bacteria, viruses, fungi or parasites, which can cause disorder or disease. Some infectious diseases can be passed from person to person. (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 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.

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"Infectious" means something (e.g. material, agent, person) that is capable of transmitting infection: This includes something which contains an organism -- such as bacteria, viruses, fungi or parasites, which can cause disorder or disease. Some infectious diseases can be passed from person to person.

(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 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) "License" means authorization to operate a social rehabilitation facility and to provide care and supervision. The license is not transferable. (2) "Licensed Professional" means a person who is licensed in California to provide medical care or therapy. This includes a physician and surgeon, physician assistant, nurse practitioner, registered nurse, licensed vocational nurse, psychiatric technician, physical therapist, occupational therapist and respiratory therapist who is operating within his or her scope of practice. (3) "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 social rehabilitation facility. (4) "Licensing Agency" means the California 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. (5) "Long-Term Residential Treatment Program" means a program as defined in Welfare and Institutions Code, section 5671(b).

(1)

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

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"Licensed Professional" means a person who is licensed in California to provide medical care or therapy. This includes a physician and surgeon, physician assistant, nurse practitioner, registered nurse, licensed vocational nurse, psychiatric technician, physical therapist, occupational therapist and respiratory therapist who is operating within his or her scope of practice.

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"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 social rehabilitation facility.

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"Licensing Agency" means the California 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.

(5)

"Long-Term Residential Treatment Program" means a program as defined in Welfare and Institutions Code, section 5671(b).

(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 or 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 that renders a person eligible for the services enumerated under the Lanterman-Petris-Short Act, commencing with Section 5000 of the Welfare and Institutions Code. (4) "Mental Illness" means the mental condition of any adult who has been evaluated and referred for treatment for a mental disorder, as defined in Section 81001(m)(2).

(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 or her scope of practice. This includes, but is not limited to, Medical Doctor (MD), Registered Nurse (RN) and Licensed Vocational Nurse (LVN).

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(4)

"Mental Illness" means the mental condition of any adult who has been evaluated and referred for treatment for a mental disorder, as defined in Section 81001(m)(2).

(n)

(1) "Needs and Services Plan" means a time-limited, goal-oriented written plan which identifies the specific needs of an individual client, including the items

specified in section 81068.2, and delineates those services necessary to meet the client's 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 81072(a)(8) is deemed nonambulatory. (B) A person is not deemed nonambulatory solely because they are deaf, blind, or prefers to use a mechanical aid.

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"Needs and Services Plan" means a time-limited, goal-oriented written plan which identifies the specific needs of an individual client, including the items specified in section 81068.2, and delineates those services necessary to meet the client's 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 81072(a)(8) is deemed nonambulatory. (B) A person is not deemed nonambulatory solely because they are deaf, blind, or prefers to use a mechanical aid.

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A person who uses postural supports as specified in Section 81072(a)(8) is deemed nonambulatory.

(B)

A person is not deemed nonambulatory solely because they are deaf, blind, or prefers to use a mechanical aid.

(o)

(1) "On-Call Staff" means a staff person who is not on duty on the facility premises, but who can be contacted by the facility if an additional staff person is needed, and can be at the facility and on duty within 30 minutes.

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(p)

(1) "Physician" means a person licensed as a physician and surgeon by the California Board of Medical Examiners or 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 that is to be taken as needed. (4)

"Program Director" means the person who has been designated the authority and the responsibility by the licensee to oversee and carry out the overall treatment program and management of the facility. (5) "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. (6) "Provisional License" means a license that 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 81030.

(1)

"Physician" means a person licensed as a physician and surgeon by the California Board of Medical Examiners or 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 that is to be taken as needed.

(4)

"Program Director" means the person who has been designated the authority and the responsibility by the licensee to oversee and carry out the overall treatment program and management of the facility.

(5)

"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.

(6)

"Provisional License" means a license that 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 81030.

(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, nephew, niece, 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 or the domestic partnership 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 a 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.

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(s)

(1) "Serious Bodily Injury" is defined in Welfare and Institutions Code Section 15610.67. (2) "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. (3) "Short-Term Crisis Residential Program"

means a program type as defined in Welfare and Institutions Code, section 5671(a). (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) "Social Rehabilitation Facility" means any facility which provides 24-hour-a-day nonmedical care and supervision in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling. (6) "Social Worker" means a person who has a graduate degree from an accredited school of social work. (7) "Supplemental Security Income/State Supplemental Program" (SSI/SSP) 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 that has been investigated by the licensing agency and, as a result, a violation of regulations or statute has been found.

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(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. (2) "Transitional Residential Program" means a program type as defined in Welfare and Institutions Code section 5671(c). (3) "Treatment Program" means the services that are to be provided to the clients and are specific to the program type(s) certified by the California Department of Health Care Services. (4) "Treatment/Rehabilitation Plan" means a plan as defined in California Code of Regulations, Title 9, Division 1, Chapter 3, Article 3.5, Section 532.2(c), as

specified in Section 81068.2(b)(3).

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(u)

(1) "Unlicensed Community Care Facility" means a facility as defined in Health and Safety Code section 1503.5. (A) A facility that is providing "care and supervision," as defined in Section 81001(c)(3), 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. (B) A facility that 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 that advertises as providing care and/or

supervision. (C) A facility that "admits 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 where it is apparent that care and/or supervision are being provided by virtue of the client's needs being met. (2) "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.

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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 that are based on a facility-wide need or circumstance.

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(x)

(Reserved)

(y)

(Reserved)

(z)

(Reserved)