

81065 Personnel Requirements

(a)

Facility personnel shall be competent to provide the services necessary to meet individual client needs and shall, at all times, be employed in numbers necessary to meet such needs.

(b)

The licensing agency shall have the authority to require any licensee to provide additional staff whenever the licensing agency determines and documents that additional staff are required for the provision of services necessary to meet client needs. The licensee shall be informed in writing of the reasons for the licensing agency's determination. The following factors shall be taken into consideration in determining the need for additional staff. (1) Needs of the particular clients. (2) Extent of the services provided by the facility. (3) Physical arrangements of the particular facility. (4) Existence of a state of emergency or disaster.

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(c)

The licensee shall be permitted to utilize volunteers provided that such volunteers are supervised, and are not included in the facility staffing plan.

(d)

The following facility personnel shall be at least 18 years of age: (1) Persons who supervise employees and/or volunteers. (2) Persons, including volunteers, who provide any element of care and supervision to clients.

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(e)

The licensee shall provide for direct supervision of clients during participation in or presence at potentially dangerous activities or areas in the facility. (1) An adult other than a client shall be present at all times while clients are using a pool or other body of water from which rescue requires the rescuer's ability to swim. (2) Adults who supervise while clients are using a pool or other body of water from which rescue requires the rescuer's ability to swim, shall have a valid water safety certificate.

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rescue requires the rescuer's ability to swim, shall have a valid water safety certificate.

(f)

All personnel shall be given on-the-job training or shall have related experience which provides knowledge of and skill in the following areas, as appropriate to the job assigned and as evidenced by safe and effective job performance. (1)

Principles of nutrition, food preparation and storage and menu planning. (2)

Housekeeping and sanitation principles. (3) Provision of client care and supervision, including communication. (4) Assistance with prescribed medications which are self-administered. (5) Recognition of early signs of illness and the need for professional assistance. (6) Availability of community services and resources.

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(5)

Recognition of early signs of illness and the need for professional assistance.

(6)

Availability of community services and resources.

(g)

All personnel, including the licensee, administrator and volunteers, shall be in good health, and shall be physically, mentally, and occupationally capable of performing assigned tasks.(1) Except as specified in Section 81065(g)(3) below, good

physical health shall be verified by a health screening, including a test for tuberculosis, performed by or under the supervision of a physician not more than one year prior to or seven days after employment or licensure. (2) A health screening report signed by the person performing such screening shall be made on each person specified above, and shall indicate the following: (A) The person's physical qualifications to perform the duties to be assigned. (B) The presence of any health condition that would create a hazard to the person, clients or other staff members. (3) The good physical health of each volunteer who works in the facility shall be verified by: (A) A statement signed by each volunteer affirming that he/she is in good health. (B) A test for tuberculosis performed not more than one year prior to or seven days after initial presence in the facility.

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A health screening report signed by the person performing such screening shall be made on each person specified above, and shall indicate the following: (A) The person's physical qualifications to perform the duties to be assigned. (B) The presence of any health condition that would create a hazard to the person, clients or other staff members.

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other staff members.

(3)

The good physical health of each volunteer who works in the facility shall be verified by:

(A) A statement signed by each volunteer affirming that he/she is in good health. (B) A test for tuberculosis performed not more than one year prior to or seven days after initial presence in the facility.

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(h)

Personnel with evidence of physical illness that poses a threat to the health and safety of clients shall be relieved of their duties.

(i)

Prior to employment or initial presence in the facility, all employees and volunteers subject to a criminal record review shall: (1) Obtain a California clearance or a criminal record exemption as required by law or Department regulations or (2) Request a transfer of a criminal record clearance as specified in Section 81019(f) or (3) Request and be approved for a transfer of a criminal record exemption, as specified in Section 81019.1(r), unless, upon request for the transfer, the Department permits the individual to be employed, reside or be present at the facility.

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(j)

Clients shall not be used as substitutes for required staff but shall be permitted, as a voluntary part of their program of activities, to participate in household duties and other tasks suited to the client's needs and abilities. (1) Such duties and tasks shall be specified in the client's needs and services plan as specified in this chapter.

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(k)

When regular staff members are absent, there shall be coverage by personnel capable of performing assigned tasks as evidenced by on-the-job performance.

(l)

Personnel shall provide for the care and safety of persons without physical or verbal abuse, exploitation or prejudice.

(m)

All personnel shall be instructed to report observations or evidence of violations of any of the personal rights specified in section 81072 and/or any of the personal rights provisions of this chapter.

(n)

All direct care staff shall meet the minimum qualifications as set forth in California Code of Regulations, Title 9, Division 1, Chapter 3, Article 3.5, Sections 532.6(h) and (i).

(o)

The licensee shall hire support staff as necessary to perform office work, and maintenance of buildings, equipment, and grounds.

(p)

The licensee shall ensure that a direct service to a client shall be provided by a person with the appropriate license or certificate when required by law.

(q)

The licensee shall develop, maintain, and implement a written plan for the orientation, continuing education, on-the-job training, supervision, and evaluation of all direct care staff.

(r)

All direct care staff shall receive a minimum of 20-clock-hours of continuing education per year, which shall provide the staff with the knowledge and skills as appropriate to their job assignment. (1) The continuing education may include such topics as the following: (A) Basic knowledge of mental disorders; (B) Counseling skills, including individual, group, vocational and job counseling skills; (C) Crisis management; (D) Development and updating of needs and services plan; (E) Discharge planning; (F) Medications, including possible side effects and signs of overmedicating; (G) Knowledge of community services and resources; and (H) Principles of good nutrition, proper food preparation and storage, and menu planning. (2) The licensee shall document the number of hours of continuing education completed each year by direct care staff.

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Discharge planning;

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Medications, including possible side effects and signs of overmedicating;

(G)

Knowledge of community services and resources; and

(H)

Principles of good nutrition, proper food preparation and storage, and menu planning.

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The licensee shall document the number of hours of continuing education completed each year by direct care staff.