

## **82006 Operation Without a License**

### **(a)**

An unlicensed day program, as defined in Section 82001(u), is in violation of Health and Safety Code Section 1503.5 or 1508 unless exempted from licensure pursuant to Section 82007.

### **(b)**

If the day program is alleged to be in violation of Health and Safety Code Section 1503.5 or 1508, the licensing agency shall conduct a site visit or evaluation of the day program pursuant to Health and Safety Code Section 1538.

### **(c)**

If the day program is operating without a license, the licensing agency shall issue a notice of operation in violation of law and may refer the operator for criminal prosecution and civil proceedings.

### **(d)**

The licensing agency shall have the authority to issue an immediate civil penalty pursuant to Section 82058, Unlicensed Day Program Penalties, and Health and Safety Code Section 1547.

### **(e)**

Sections 82006(c) and (d) shall be applied pursuant to Health and Safety Code Section 1549.

### **(f)**

The licensing agency shall notify the appropriate placement or protective service agency if either of the following conditions exist: (1) There is an immediate threat to the clients' health and safety. (2) The program operator has not submitted an application for licensure within 15 calendar days of being served a Notice of Operation in Violation of Law (LIC 195).

**(1)**

There is an immediate threat to the clients' health and safety.

**(2)**

The program operator has not submitted an application for licensure within 15 calendar days of being served a Notice of Operation in Violation of Law (LIC 195).