

82065 Personnel Requirements

(a)

Program 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 client; (2) Extent of the services provided by the day program; (3) Physical arrangements of the particular day program; and (4) Existence of a state of emergency or disaster.

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(3)

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(4)

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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 day program staffing plan.

(d)

The following day program personnel staff 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 day program. (1) An adult who has been fingerprinted and has completed and signed a Criminal Record Statement (form LIC 508) as required by Section 82019(d) shall be present at all times when a client is 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 which may be obtained from the American Red Cross, the YMCA, or other qualified agencies.

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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 which may be obtained from the American Red Cross, the YMCA, or other qualified agencies.

(f)

All personnel shall be given on-the-job training or shall have related experience providing 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. (7) Emergency procedures. (8) Mandated reporting requirements for dependent adult and elder abuse, as required by Welfare and Institutions Code Section 15630(b).

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(6)

Availability of community services and resources.

(7)

Emergency procedures.

(8)

Mandated reporting requirements for dependent adult and elder abuse, as required by Welfare and Institutions Code Section 15630(b).

(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) The good physical health of each employee and individual licensee shall be verified by a health screening, including negative test results 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. (A) A health screening report signed by the person performing the screening shall indicate the following: 1. The person's physical qualifications to perform the duties to be assigned. 2. The presence of any health condition that would create a hazard to the person, clients or other staff members. (B) The good physical health of each volunteer who works in the program shall be verified by: 1. A statement signed by each volunteer affirming that he/she is in good health. 2. Negative test results for tuberculosis performed not more than one year prior to or seven days after initial presence in the program.

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The good physical health of each volunteer who works in the program shall be verified by: 1. A statement signed by each volunteer affirming that he/she is in good health. 2. Negative test results for tuberculosis performed not more than one year prior to or seven days after initial

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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 day program, 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 82019(f) or (3) Request and be approved for a transfer of a criminal record exemption, as specified in Section 82019.1(r), unless, upon request for the transfer, the Department permits the individual to be employed, reside or be present at the day program.

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individual to be employed, reside or be present at the day program.

(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 tasks suited to the client's needs and abilities. (1) Such tasks shall be identified in the client's needs and services plan as specified in Section 82068.2.

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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 82072.

(n)

The licensee shall provide for an overlap of staff at each shift change to ensure continuity of care.

(o)

There shall be at least two persons on duty, at least one of whom is a direct care staff member, at all times when there are two or more clients in the day program.