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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 5@ Group Homes

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Article 6@ Continuing Requirements

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Section 84072.1@ Discipline Policies and Procedures

84072.1 Discipline Policies and Procedures

(a)

The licensee shall develop, maintain and implement written facility discipline policies and procedures meeting the requirements specified in (b), (c) and (d) below. (1) Staff, children, and authorized representatives shall receive copies of such policies and procedures, as specified in Sections 84065(o) and 84068.1(b)(4)(B). (2) Signed copies of such policies and procedures shall be maintained in the child's record, as specified in Section 84070(c)(2).

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(2)

Signed copies of such policies and procedures shall be maintained in the child's record, as specified in Section 84070(c)(2).

(b)

Any form of discipline which violates a child's personal rights as specified in Sections 80072 and 84072 shall be prohibited.

(c)

Calls to law enforcement must be made in accordance with the facility's emergency intervention plan as specified in Section 84322. Calling or threatening to call law enforcement is prohibited as a form of discipline.

(d)

Acceptable forms of discipline shall include the following: (1) Exclusion in an unlocked living, sleeping, or play area. (2) Institution of fines as specified in Section 84026(c). (3) Prohibition against attendance at or participation in planned activities. (4) Prohibition against use of entertainment devices including but not limited to telephones, televisions, radios and phonographs. (5) Performance of additional duties related to training needs identified in the child's needs and services plan. (6) Any other form of discipline approved in writing, in advance by the licensing agency.

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(5)

Performance of additional duties related to training needs identified in the child's needs and services plan.

(6)

Any other form of discipline approved in writing, in advance by the licensing agency.

(e)

The licensee or staff shall not discipline a child for refusing to take their medication. (1) Document the child's medication refusal, as specified in Section

84070(b)(16)(G)1., and within two calendar days contact the child's prescribing physician. (2) When determining whether a child who has not taken a prescribed psychotropic medication is able to safely participate in an activity the licensee shall use the Reasonable and Prudent Parent Standard described in Welfare and Institutions Code Section 362.05. The determination shall be based upon an individualized consideration of the specific situation and the cognitive, emotional, physical, and behavioral capacities of the child.

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