

## **84072.3 Personal Rights for Children with Special Health Care Needs**

### **(a)**

Except as specified in this section, Section 80072(a)(8) shall not apply to children with special health care needs.

### **(b)**

A child with special health care needs has the right to be free from any restraining/postural support device imposed for purposes of discipline or convenience, and not required to treat the child's specific medical symptoms. (1) Physical restraining devices may be used for the protection of a child with special health care needs during treatment and diagnostic procedures such as, but not limited to, intravenous therapy or catheterization procedures. The restraining device, which shall not have a locking device, shall be applied for no longer than the time required to complete the treatment and shall be applied in conformance with the child's individualized health care plan. The child's individualized health care plan shall include all of the following: (A) The specific medical symptom(s) that require use of the restraining device. (B) An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices as ineffective. (C) A written order by the child's physician. The order must specify the duration and circumstances under which the restraining device is to be used. (2) Postural supports, as specified in Sections 80072(a)(8)(A) and (A)1.,

half-length bed rails, and protective devices as specified in Section 80072(a)(8)(G), may be used if prescribed in the individualized health care plan. The use of a postural support or protective device and the method of application shall be specified in the child's individualized health care plan and approved in writing by the child's physician.

**(1)**

Physical restraining devices may be used for the protection of a child with special health care needs during treatment and diagnostic procedures such as, but not limited to, intravenous therapy or catheterization procedures. The restraining device, which shall not have a locking device, shall be applied for no longer than the time required to complete the treatment and shall be applied in conformance with the child's individualized health care plan. The child's individualized health care plan shall include all of the following: (A) The specific medical symptom(s) that require use of the restraining device. (B) An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices as ineffective. (C) A written order by the child's physician. The order must specify the duration and circumstances under which the restraining device is to be used.

**(A)**

The specific medical symptom(s) that require use of the restraining device.

**(B)**

An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices as ineffective.

**(C)**

A written order by the child's physician. The order must specify the duration and circumstances under which the restraining device is to be used.

**(2)**

Postural supports, as specified in Sections 80072(a)(8)(A) and (A)1., half-length bed rails, and protective devices as specified in Section 80072(a)(8)(G), may be used if prescribed in the individualized health care plan. The use of a postural support or protective device and the method of application shall be specified in the child's individualized health care plan and approved in writing by the child's physician.