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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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Subchapter 3@ Emergency Intervention in Group Homes

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Article 1@ General Requirements

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Section 84300.1@ Emergency Intervention Prohibition

84300.1 Emergency Intervention Prohibition

(a)

The following emergency interventions techniques must not be used on a child at any time. (1) Mechanical Restraints, except postural supports as specified in Section 80072(a)(8) and Section 84072(d)(23). (2) Aversive behavior modification interventions including, but not limited to, body shaking, water spray, slapping, pinching, ammonia vapors, sensory deprivation and electric shock. (3) Intentionally producing pain to limit the child's movement, including but not limited to, arm twisting, finger bending, joint extensions and headlocks. (4) Methods of restricting a child's breathing or circulation. (5) Corporal Punishment. (6) Placing blankets, pillows, clothing or other items over the child's head or face; body wraps with sheets or blankets. (A) Pillows or padding, placed under the head of a thrashing child to prevent injury are permitted. (7) The use of psychotherapeutic or behavior modifying drugs as punishment or for the convenience of facility personnel to control a child who is exhibiting assaultive behavior. (8) Techniques that can reasonably be expected to cause serious injuries to the child that require medical treatment provided by a health practitioner, licensed under Division 2 of the Business and Professions Code. A health practitioner would include a physician, surgeon, osteopath, dentist, licensed nurse, optometrist, etc. (9) Verbal abuse or physical threats by facility personnel. (10) The isolation of a child in a room which is locked by means of: key lock; deadbolt; security chain; flush, edge or surface bolt;

or similar hardware which is inoperable by the child inside the room. (11) Manual restraints for more than 15 consecutive minutes in a 24-hour period, unless as specified in Section 84322. (12) Manual restraints for more than four (4) cumulative hours in a 24-hour period.

(1)

Mechanical Restraints, except postural supports as specified in Section 80072(a)(8) and Section 84072(d)(23).

(2)

Aversive behavior modification interventions including, but not limited to, body shaking, water spray, slapping, pinching, ammonia vapors, sensory deprivation and electric shock.

(3)

Intentionally producing pain to limit the child's movement, including but not limited to, arm twisting, finger bending, joint extensions and headlocks.

(4)

Methods of restricting a child's breathing or circulation.

(5)

Corporal Punishment.

(6)

Placing blankets, pillows, clothing or other items over the child's head or face; body wraps with sheets or blankets. (A) Pillows or padding, placed under the head of a thrashing child to prevent injury are permitted.

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The use of psychotherapeutic or behavior modifying drugs as punishment or for the

convenience of facility personnel to control a child who is exhibiting assaultive behavior.

(8)

Techniques that can reasonably be expected to cause serious injuries to the child that require medical treatment provided by a health practitioner, licensed under Division 2 of the Business and Professions Code. A health practitioner would include a physician, surgeon, osteopath, dentist, licensed nurse, optometrist, etc.

(9)

Verbal abuse or physical threats by facility personnel.

(10)

The isolation of a child in a room which is locked by means of: key lock; deadbolt; security chain; flush, edge or surface bolt; or similar hardware which is inoperable by the child inside the room.

(11)

Manual restraints for more than 15 consecutive minutes in a 24-hour period, unless as specified in Section 84322.

(12)

Manual restraints for more than four (4) cumulative hours in a 24-hour period.

(b)

In addition to techniques specified in Section 84300.1, any emergency intervention technique not approved for use as part of the licensee's emergency intervention plan must not be used at any time.

(c)

Manual restraints must never be used for the following purposes: (1) Punishment or discipline. (2) Replacement for on-duty child care staff. (3) Convenience of facility personnel. (4) As a substitute for, or as part of a treatment program. (5) As a substitute for, or as part of a behavior modification program. (6) Harassment or

humiliation. (7) To prevent a child from leaving the facility, except as specified in Section 84322.2.

(1)

Punishment or discipline.

(2)

Replacement for on-duty child care staff.

(3)

Convenience of facility personnel.

(4)

As a substitute for, or as part of a treatment program.

(5)

As a substitute for, or as part of a behavior modification program.

(6)

Harassment or humiliation.

(7)

To prevent a child from leaving the facility, except as specified in Section 84322.2.

(d)

Manual restraints must not be used when a child's medical assessment, as specified in Section 80069, documents that they have a medical condition that would contraindicate the use of manual restraints; and when the child's current condition contraindicates the use of manual restraints.

(e)

Law enforcement must not be contacted as a substitute for effective care and supervision or the facility's approved continuum of emergency interventions. (1)

Law enforcement intervention shall only be requested when there is an imminent threat to the life or safety of a child or another person or as a last resort after other

diversion and de-escalation techniques have been utilized. (2) Law enforcement intervention shall not be used as a threat or in retaliation against the child.

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(2)

Law enforcement intervention shall not be used as a threat or in retaliation against the child.