

84772 Personal Rights

In addition to Section 84072 , except for 84072(d)(15)(F)1.,the following shall apply:

(a)

A child with special health care needs has the right to be free from any restraining/postural support device imposed for the purposes of discipline or convenience and not required to treat the child's specific medical symptoms.

(b)

Physical restraining devices may be used for the protection of a child in a Group Home for Children with Special Health Care Needs during treatment and diagnostic procedures such as, but not limited to, intravenous therapy or catheterization procedures with the prior approval of the licensing agency as specified in (c). 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 individual health care plan. The child's individual health care plan shall include all of the following:(1) The specific medical symptom(s) that require use of the physical restraining device. (2) An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices as ineffective. (3) A written order by the child's physician. The order must specify the duration and circumstances under which the physical restraining device is to be used.

(1)

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

(2)

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

(3)

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

(c)

All requests to the licensing agency to use physical restraining devices shall be in writing and include a written order of a physician indicating the need for the device. (1) The licensing agency may require other additional documentation in order to evaluate the request. (2) The licensing agency shall approve the use of physical restraining devices only after the appropriate fire clearance, as required by Section 80020(a) or (b), has been secured. (3) The licensing agency may grant conditional and/or limited approvals to use physical restraining devices.

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(3)

The licensing agency may grant conditional and/or limited approvals to use physical restraining devices.

(d)

Postural supports as specified in Sections 84072(d)(15)(A) and (A)1. and

protective devices as specified in Section 84072(d)(15)(G) may be used if prescribed in the physician's orders and the individual health care plan. The use of a postural support or protective device and the method of application shall be specified in the child's individual health care plan and approved in writing by the child's physician.

(e)

Half and full-length bed rails are permissible in a Group Home for Children with Special Health Care Needs.