

|->

Title 22@ Social Security

|->

Division 6@ Licensing of Community Care Facilities

|->

Chapter 6@ Adult Residential Facilities

|->

Article 6@ Continuing Requirements

|->

Section 85075.2@ Facility Hospice Care Waiver

85075.2 Facility Hospice Care Waiver

(a)

In order to accept or retain terminally ill clients and permit them to receive care from hospice, the licensee shall have requested in writing and been granted a Facility Hospice Care Waiver from the Department. The licensee's written request shall include, but not be limited to, the following: (1) The maximum number of terminally ill clients that the facility will care for at any one time. (2) A statement by the licensee or designated representative that this section, and all other requirements within Chapters 1 and 6, Division 6, of Title 22, CCR, governing Adult Residential Facilities, have been read and that the licensee will ensure compliance with these requirements. (3) A statement that the licensee shall comply with the terms and conditions of all plans which are designated as the responsibility of the licensee or under the control of the licensee. (4) A statement that additional care staff will be provided if required by the hospice care plan.

(1)

The maximum number of terminally ill clients that the facility will care for at any one time.

(2)

A statement by the licensee or designated representative that this section, and all other requirements within Chapters 1 and 6, Division 6, of Title 22, CCR, governing Adult Residential Facilities, have been read and that the licensee will ensure

compliance with these requirements.

(3)

A statement that the licensee shall comply with the terms and conditions of all plans which are designated as the responsibility of the licensee or under the control of the licensee.

(4)

A statement that additional care staff will be provided if required by the hospice care plan.

(b)

The Department shall deny a waiver request if the licensee is not in substantial compliance with the provisions of Chapters 1 and 6, Division 6, of Title 22, CCR, governing Adult Residential Facilities.

(c)

The Department shall not approve a waiver request unless the licensee demonstrates the ability to meet the care and supervision needs of clients.

(d)

Any waiver granted by the Department shall include terms and conditions necessary to ensure the well-being of clients receiving hospice care and/or all other clients. These terms and conditions shall include, but not be limited to, the following requirements: (1) A written request shall be signed by each client or the client's Health Care Surrogate Decision Maker, if any, to allow his or her acceptance or retention in the facility while receiving hospice services. (A) The request shall be maintained in the client's record at the facility as specified in Section 85075.1(h)(1). (2) The licensee shall notify the Department in writing within five working days of the initiation of hospice care services for any terminally ill client. The notice shall include the client's name and date of

admission to the facility and the name and address of the hospice agency.

(1)

A written request shall be signed by each client or the client's Health Care Surrogate Decision Maker, if any, to allow his or her acceptance or retention in the facility while receiving hospice services. (A) The request shall be maintained in the client's record at the facility as specified in Section 85075.1(h)(1).

(A)

The request shall be maintained in the client's record at the facility as specified in Section 85075.1(h)(1).

(2)

The licensee shall notify the Department in writing within five working days of the initiation of hospice care services for any terminally ill client. The notice shall include the client's name and date of admission to the facility and the name and address of the hospice agency.

(e)

Within 30 calendar days of receipt of a completed request for a waiver, the Department shall notify the applicant or licensee, in writing, of one of the following: (1) The request has been approved or denied. (2) The request is deficient, needing additional described information for the request to be acceptable, and a time frame for submitting this information. (A) Failure of the applicant or licensee to submit the requested information within the time shall result in denial of the request.

(1)

The request has been approved or denied.

(2)

The request is deficient, needing additional described information for the request to be

acceptable, and a time frame for submitting this information. (A) Failure of the applicant or licensee to submit the requested information within the time shall result in denial of the request.

(A)

Failure of the applicant or licensee to submit the requested information within the time shall result in denial of the request.