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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 8@ Residential Care Facilities for the Elderly (RCFE)

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Article 3@ Application Procedures

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Section 87158@ Capacity

87158 Capacity

(a)

A license shall be issued for a specific capacity which shall be the maximum number of residents which can be provided care at any given time. The capacity shall be exclusive of any members of the licensee's own family who reside at the facility. However, the licensing agency shall consider the presence of other family members or other persons who reside in the facility in determining capacity in order to ensure and promote proper living arrangements for both the licensee's family and the residents and to ensure the provision of adequate care and supervision for the residents.

(b)

The number of persons that the facility is licensed to admit shall be determined on the basis of the application review by the licensing agency which shall consider:

- (1) Physical energy and skills of the licensee as it relates to their ability to meet the needs of the residents.
- (2) Any other household members who may reside at the facility and their individual needs.
- (3) Physical features of the facility, such as available living space, which are necessary in order to comply with regulations.
- (4) Number of available staff to meet the care needs of the residents.

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