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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 8@ Resident Assessments, Fundamental Services and Rights

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Section 87455@ Acceptance and Retention Limitations

## **87455 Acceptance and Retention Limitations**

### **(a)**

Acceptance or retention of residents by a licensee shall be in accordance with the criteria specified in this Chapter 8, thereby allowing residents to age in place in the least restrictive environment when appropriate.

### **(b)**

The following persons may be accepted or retained by the licensee: (1) Persons capable of administering their own medications. (2) Persons receiving medical care and treatment outside the facility or who are receiving needed medical care from a visiting nurse. (3) Persons who may need assistance with self-administration of medication as specified in Section 87465, Incidental Medical and Dental Care Services. (4) Persons who display behavioral expression as defined in Section 87101, Definitions. (5) Persons who may need assistance with managing money. (6) Persons with mild temporary emotional disturbance resulting from personal loss or change in living arrangement. (7) Persons who are bedridden provided the requirements of Section 87606 are met. (8) Persons who are under 60 years of age whose needs are compatible with other residents in care, if they require the same amount of care and supervision as do the other residents in the facility. (9) Persons who have been diagnosed as terminally ill and who have obtained the services of hospice, certified in accordance with federal medicare conditions of participation and licensure, provided the licensee has

obtained a facility hospice care waiver in accordance with the provisions of Section 87632, Hospice Care Waiver, and hospice care is being provided in accordance with the provisions of Section 87633, Hospice Care for Terminally Ill Residents.

**(1)**

Persons capable of administering their own medications.

**(2)**

Persons receiving medical care and treatment outside the facility or who are receiving needed medical care from a visiting nurse.

**(3)**

Persons who may need assistance with self-administration of medication as specified in Section 87465, Incidental Medical and Dental Care Services.

**(4)**

Persons who display behavioral expression as defined in Section 87101, Definitions.

**(5)**

Persons who may need assistance with managing money.

**(6)**

Persons with mild temporary emotional disturbance resulting from personal loss or change in living arrangement.

**(7)**

Persons who are bedridden provided the requirements of Section 87606 are met.

**(8)**

Persons who are under 60 years of age whose needs are compatible with other residents in care, if they require the same amount of care and supervision as do the other residents in the facility.

**(9)**

Persons who have been diagnosed as terminally ill and who have obtained the services of hospice, certified in accordance with federal medicare conditions of participation and licensure, provided the licensee has obtained a facility hospice care waiver in accordance with the provisions of Section 87632, Hospice Care Waiver, and hospice care is being provided in accordance with the provisions of Section 87633, Hospice Care for Terminally Ill Residents.

**(c)**

No resident shall be accepted or retained if any of the following apply: (1) The resident has active communicable tuberculosis. (2) The resident requires 24-hour, skilled nursing or intermediate care as specified in Health and Safety Code Sections 1569.72(a) and (a)(1).

**(1)**

The resident has active communicable tuberculosis.

**(2)**

The resident requires 24-hour, skilled nursing or intermediate care as specified in Health and Safety Code Sections 1569.72(a) and (a)(1).

**(d)**

A resident suspected of having a contagious or infectious disease shall be isolated, and a physician contacted to determine suitability of the resident's retention in the facility.