

§ 76909.1. Bed Hold.

(a) If a client of an intermediate care facility/developmentally disabled habilitative is transferred to a general acute care hospital as defined in Section 1250(a) of the Health and Safety Code, the intermediate care facility/developmentally disabled habilitative shall afford the client a bed hold of seven (7) days, which may be exercised by the client or the client's representative.

(1) Upon transfer to a general acute care hospital, the client or the client's representative shall notify the intermediate care facility/developmentally disabled habilitative within twenty-four (24) hours after being informed of the right to have the bed held, if the client desires the bed-hold.

(2) Except as provided in Section 51535.1, Title 22, California Administrative Code, any client who exercises the bed-hold option shall be liable to pay reasonable charges, not to exceed the client's daily rate for care in the facility, for bed-hold days.

(3) If the client's attending physician notifies the intermediate care facility/developmentally disabled habilitative in writing that the client's stay in the general acute care hospital is expected to exceed seven (7) days, the intermediate care facility/developmentally disabled habilitative shall not be required to maintain the bed-hold.

(b) Upon admission of the client to the intermediate care facility/developmentally disabled habilitative and upon transfer of the client of an intermediate care facility/developmentally disabled habilitative to a general acute care hospital, the intermediate care facility/developmentally disabled habilitative shall inform the client, or the client's representative, in writing of the right to exercise this bed-hold provision. No later than June 1, 1985, every intermediate care facility/developmentally disabled habilitative shall inform each current client or client's representative in writing of the right to exercise the bed hold provision. Each notice shall include information that a non-Medi-Cal eligible client will be liable for the cost of the bed-hold days, and that insurance may or may not cover such costs.

(c) A licensee who fails to meet these requirements shall offer to the client the next available bed appropriate for the client's needs. This requirement shall be in addition to any other remedies provided by law.

Note: Authority cited: Sections 1267.7, 1275 and 1276, Health and Safety Code. Reference: Sections 1267.7, 1275 and 1276, Health and Safety Code.

HISTORY

1. New section filed 12-17-84 as an emergency; effective upon filing (Register 85, No. 1). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 4-16-85.

2. Certificate of Compliance including amendment of subsection (b) transmitted to OAL 4-11-85 and filed 5-15-85 (Register 85, No. 21).

22 CCR § 76909.1, 22 CA ADC § 76909.1