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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 8.5@ Residential Care Facilities for the Chronically Ill

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Article 6@ Continuing Requirements

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Section 87868.2@ Resident Relocation Plan

87868.2 Resident Relocation Plan

(a)

In any instance where the Department does not suspend the facility license and the Department requires that a resident be relocated because the resident has a health condition(s) which cannot be cared for within the limits of the license of the facility or which requires inpatient care in a licensed health facility, the licensee shall prepare a written relocation plan. The plan shall contain all necessary steps to be taken to reduce stress to the resident which may result in transfer trauma.

(1) The written relocation plan shall include, but not be limited to, the following:

(A) A specific date for beginning and a specific date for completion of the process of safely relocating the resident. The time frame for relocation may provide for immediate relocation but shall not exceed 30 days. (B) A specific date when the resident and the resident's authorized representative, if any, shall be notified of the need for relocation. (C) A specific date when consultation with the resident's physician shall occur to obtain a current medical assessment of the resident's health needs, to determine the appropriate facility type for relocation and to ensure that the resident's health care needs continue to be met at all times during the relocation process. (D) The method by which the licensee will participate in the identification of an acceptable relocation site with the resident and the authorized representative, if any. The licensee shall advise the resident and/or the authorized representative that if the resident is to be moved to another

Residential Care Facility for the Chronically Ill, a determination must be made that the resident's needs can be legally met in the new facility before the move is made.

If the resident's needs cannot be met in the new facility, the resident must be moved to a facility licensed to provide the necessary care. (E) A list of contacts made or to be made by the licensee with community resources, including but not limited to, social workers, family members, clergy, to ensure that services are provided to the resident before, during and after the move. The need for the move shall be discussed with the resident to assure the resident that support systems will remain in place. (F) Measures to be taken until relocation to protect the resident and/or meet the resident's health and safety needs. (G) An agreement to notify the Department when the relocation has occurred, including the resident's new address, if known. (2) The relocation plan shall be submitted in writing to the Department within the time set forth in the written notice by the Department that the resident requires health services that the facility cannot legally provide. (3) Any changes in the relocation plan shall be submitted in writing to the Department. The Department shall have the authority to approve, disapprove or modify the plan. (4) If relocation of more than one (1) resident is required, a separate plan shall be prepared and submitted in writing for each resident. (5) The licensee shall comply with all terms and conditions of the approved plan. No written or oral contract with any other person shall release the licensee from the responsibility specified in (a) and (b) of this section for relocating a resident who has a health condition(s) which cannot be cared for in the facility and/or which requires inpatient care in a licensed health facility, nor from taking necessary actions to reduce the likelihood of transfer trauma to the resident. (6) In cases where the Department determines that the resident is in imminent danger because of a health condition(s) which cannot be cared for in the facility or which

requires inpatient care in a licensed health facility, the Department shall require the licensee to immediately relocate the resident. (A) No written relocation plan is necessary in cases of immediate relocation.

(1)

The written relocation plan shall include, but not be limited to, the following: (A) A specific date for beginning and a specific date for completion of the process of safely relocating the resident. The time frame for relocation may provide for immediate relocation but shall not exceed 30 days. (B) A specific date when the resident and the resident's authorized representative, if any, shall be notified of the need for relocation. (C) A specific date when consultation with the resident's physician shall occur to obtain a current medical assessment of the resident's health needs, to determine the appropriate facility type for relocation and to ensure that the resident's health care needs continue to be met at all times during the relocation process. (D) The method by which the licensee will participate in the identification of an acceptable relocation site with the resident and the authorized representative, if any. The licensee shall advise the resident and/or the authorized representative that if the resident is to be moved to another Residential Care Facility for the Chronically Ill, a determination must be made that the resident's needs can be legally met in the new facility before the move is made. If the resident's needs cannot be met in the new facility, the resident must be moved to a facility licensed to provide the necessary care. (E) A list of contacts made or to be made by the licensee with community resources, including but not limited to, social workers, family members, clergy, to ensure that services are provided to the resident before, during and after the move. The need for the move shall be discussed with the resident to assure the resident that support systems will remain in place. (F) Measures to be taken until relocation to protect the resident and/or meet the resident's health and safety needs. (G) An agreement to notify the Department when the

relocation has occurred, including the resident's new address, if known.

(A)

A specific date for beginning and a specific date for completion of the process of safely relocating the resident. The time frame for relocation may provide for immediate relocation but shall not exceed 30 days.

(B)

A specific date when the resident and the resident's authorized representative, if any, shall be notified of the need for relocation.

(C)

A specific date when consultation with the resident's physician shall occur to obtain a current medical assessment of the resident's health needs, to determine the appropriate facility type for relocation and to ensure that the resident's health care needs continue to be met at all times during the relocation process.

(D)

The method by which the licensee will participate in the identification of an acceptable relocation site with the resident and the authorized representative, if any. The licensee shall advise the resident and/or the authorized representative that if the resident is to be moved to another Residential Care Facility for the Chronically Ill, a determination must be made that the resident's needs can be legally met in the new facility before the move is made. If the resident's needs cannot be met in the new facility, the resident must be moved to a facility licensed to provide the necessary care.

(E)

A list of contacts made or to be made by the licensee with community resources, including but not limited to, social workers, family members, clergy, to ensure that services are provided to the resident before, during and after the move. The need for the move shall be discussed with the resident to assure the resident that support systems will remain in place.

(F)

Measures to be taken until relocation to protect the resident and/or meet the resident's health and safety needs.

(G)

An agreement to notify the Department when the relocation has occurred, including the resident's new address, if known.

(2)

The relocation plan shall be submitted in writing to the Department within the time set forth in the written notice by the Department that the resident requires health services that the facility cannot legally provide.

(3)

Any changes in the relocation plan shall be submitted in writing to the Department. The Department shall have the authority to approve, disapprove or modify the plan.

(4)

If relocation of more than one (1) resident is required, a separate plan shall be prepared and submitted in writing for each resident.

(5)

The licensee shall comply with all terms and conditions of the approved plan. No written or oral contract with any other person shall release the licensee from the responsibility specified in (a) and (b) of this section for relocating a resident who has a health condition(s) which cannot be cared for in the facility and/or which requires inpatient care in a licensed health facility, nor from taking necessary actions to reduce the likelihood of transfer trauma to the resident.

(6)

In cases where the Department determines that the resident is in imminent danger because of a health condition(s) which cannot be cared for in the facility or which

requires inpatient care in a licensed health facility, the Department shall require the licensee to immediately relocate the resident. (A) No written relocation plan is necessary in cases of immediate relocation.

(A)

No written relocation plan is necessary in cases of immediate relocation.

(b)

In all cases when a resident must be relocated, the licensee shall not obstruct the relocation process and shall cooperate with the Department in the relocation process. Such cooperation shall include, but not be limited to, the following activities: (1) Identifying and preparing for removal of the medications, Medi-Cal or Medicare or other medical insurance documents, clothing, safeguarded cash resources, valuables and other belongings of the resident. (2) Contacting the resident's authorized representative to assist in transporting him/her, if necessary. (3) Contacting other suitable facilities for placement, if necessary. (4) Providing access to resident's files, when required by the Department.

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(2)

Contacting the resident's authorized representative to assist in transporting him/her, if necessary.

(3)

Contacting other suitable facilities for placement, if necessary.

(4)

Providing access to resident's files, when required by the Department.