

§ 76907. Licensee -General Duties.

(a) The licensee shall comply with licensing, statutory and regulatory requirements and be responsible for the organization, management, operation and control of the licensed facility. The delegation of any authority by a licensee shall not relieve the licensee of his/her responsibility.

(b) A licensee may act as the administrator if he/she meets the qualifications of an administrator as specified in Section 1276.5, Health and Safety Code or shall appoint a qualified administrator, to carry out the policies of the licensee. If the administrator is to be absent for more than 10 consecutive days, the licensee shall appoint another qualified administrator to carry out the day-to-day functions of the facility.

(c) The licensee shall delegate to the designated administrator the authority in writing to organize and carry out the day-to-day functions of the facility.

(d) No licensee, administrator, employee or representative thereof shall act as guardian or conservator of any client's estate.

(e) The Department may require a facility to provide additional professional administrative and supportive personnel whenever the Department determines through a written evaluation that additional staff are needed to provide for the health and safety of clients.

(f) If a language or communication barrier exists between facility staff and a client, arrangements shall be made for an interpreter or for the use of other mechanisms to ensure communication between the client and personnel.

Note: Authority cited: Sections 208.4 and 1267.7, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

HISTORY

1. Certificate of Compliance including amendment of NOTE filed by the Department of Health Services with the Secretary of State on 11-28-84. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Reg ister 85, No. 25).

22 CCR § 76907, 22 CA ADC § 76907