

§ 76916. Policies and Procedures.

(a) Each facility shall establish and implement the following policies and procedures:

(1) The overall philosophy, objectives and goals the facility is striving to achieve shall include, but not be limited to:

(A) The facility's role in the State comprehensive program for the developmentally disabled.

(B) The facility's goals for its clients.

(C) The facility's concept of its relationship to the parents or legal representatives of the clients.

(2) Personnel policies which include:

(A) Job descriptions detailing qualifications, duties and limitations of each classification of employee.

(B) Procedures for employee orientation to the facility, their duties, the client population served and the facility's policies and procedures.

(C) Procedures, consistent with due process, for suspension and/or dismissal of an employee for cause.

(D) A plan for at least an annual evaluation of employee performance.

(3) Policies and procedures on client admission, leave of absence, transfer and discharge which shall include rate of charge for services included in basic rate, charges for extra services, limitation of services, cause for termination of services and refund policies applying to termination of services.

(4) Policies and procedures to assure that all clients are screened for tuberculosis upon admission as required by Section 76874(b)(4).

(5) Policies and procedures assuring that admission, treatment, or discharge of a client shall not be based on sex, race, color, religion, ancestry, national origin, sexual orientation, disability, medical conditions, marital status, or registered domestic partner status.

(6) Written policies and procedures governing the client record service, record maintenance, access to, duplication of, and release of information from unit client records. These policies and procedures shall be developed and implemented with the assistance of a registered health information administrator or a registered health information technician.

(7) A policy and procedure establishing an ongoing program of open and honest communication with the clients and families and/or authorized representatives as follows:

(A) The facility shall have a written plan for informing families or authorized representatives of significant changes in the client's condition and of activities related to the clients that may be of interest to them and to assure that communications to the facility from clients' families or representatives be promptly and appropriately handled and answered.

(B) Policies and procedures to assure that parents and authorized representatives shall be permitted to visit all parts of the facility that provide services to clients.

(C) Frequent and informal visits home shall be encouraged, and the regulations of the facility shall facilitate rather than inhibit such visits.

(8) A procedure by which allegations of client abuse are immediately reported to the administrator. Such procedures shall assure that:

(A) All alleged violations are thoroughly investigated.

(B) The results of the investigation are reported to the administrator within 24 hours of the report of the incident.

(C) Substantiated instances of client abuse are reported to the Department by telephone within 24 hours of the report of the incident, and confirmed in writing.

(D) Appropriate action is taken by the administrator when the allegation is substantiated.

(9) A written policy to assure that clients are protected from exploitation when they are engaged in work that benefits the facility. The policy shall assure that all work programs shall be included in the client's individual service plan and have specific goals and objectives.

(10) Policies and procedures for reporting unusual occurrences, as required by Section 76923.

(11) Policies and procedures for smoking by clients.

(12) Policies and procedures developed in concurrence with the local health officer to properly manage outbreaks or prevalence of infectious or parasitic disease or infestation, and to correct such conditions.

(13) Policies and procedures that assure that client's equipment and valuables shall be inventoried as required by Section 76927(e)(20) and that client's personal possessions shall be identified by label.

(b) The facility shall have a written plan for a continuing management audit to insure compliance with state laws and regulations and the effective implementation of its stated policies and procedures.

(c) The facility shall have a written organizational chart showing the major operating programs of the facility, with staff divisions, the administrative personnel in charge of the programs and divisions and their lines of authority, responsibility and communication.

(d) All policies and procedures required by Section 76916 shall be in writing, made available upon request to clients or their agents, employees and the public, and shall be carried out as written. Policies and procedures shall be reviewed at least annually, and revised as needed.

Note: Authority cited: Sections 1267.7, 1275 and 131200, Health and Safety Code.
Reference: Section 51, Civil Code; Sections 297 and 297.5, Family Code; and Sections 1276, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Change without regulatory effect amending subsections (a)(1)(C) and (a)(5) and Note filed 6-23-2011 pursuant to section 100, title 1, California Code of Regulations (Register 2011, No. 25).
2. Change without regulatory effect amending subsections (a)(6), (a)(10) and (a)(12) filed 3-12-2013 pursuant to section 100, title 1, California Code of Regulations (Register 2013, No. 11).

22 CCR § 76916, 22 CA ADC § 76916