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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 9.5@ Foster Family Homes

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Article 4@ Placement

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Section 89475.2@ Postural Supports and Protective Devices

89475.2 Postural Supports and Protective Devices

(a)

Except for postural supports and protective devices as provided in this section, the caregiver shall not restrain or use any restraining devices on a "child." (1)

Postural supports for a "child" shall be limited to appliances or devices used to achieve proper body position and balance, to improve mobility and independent functioning, or to prevent injury. (A) Postural supports may include braces, spring release trays, or soft ties. Physician-prescribed orthopedic devices such as braces or casts used for support of a weakened body part or correction of body parts are also considered postural supports. (B) Approved postural supports shall be fastened or tied in a manner which permits quick release by a "child." (C) Under no circumstances shall postural supports include tying, depriving, or limiting a "child" from use of hands or feet. (2) Protective devices are used to protect a "child" from self-injurious behavior and to provide assistance with, but not prohibit, mobility. They are not considered restraining devices for the purpose of this section. (A) Protective devices may include physician-prescribed or recommended helmets, elbow guards, mittens, and a bed rail that extends half the length of the bed. Bed rails that extend the entire length of the bed are prohibited.

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(C)

Under no circumstances shall postural supports include tying, depriving, or limiting a "child" from use of hands or feet.

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Protective devices are used to protect a "child" from self-injurious behavior and to provide assistance with, but not prohibit, mobility. They are not considered restraining devices for the purpose of this section. (A) Protective devices may include physician-prescribed or recommended helmets, elbow guards, mittens, and a bed rail that extends half the length of the bed. Bed rails that extend the entire length of the bed are prohibited.

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(b)

The caregiver shall contact the licensing or approval agency when a "child" needs postural supports or protective devices. (1) Before the caregiver accepts placement of a "child" who requires postural supports or protective devices, the caregiver shall seek approval from the licensing or approval agency. (2) If a "child" develops a condition that requires a "child" to use postural supports or protective devices after placement in the home, the caregiver shall ask the licensing or approval agency if the home can still operate under the current license or approval.

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(c)

All caregiver requests to use postural supports or protective devices shall be in writing to the licensing or approval agency and include a written order from a physician indicating the need for such supports or devices. (1) In order to evaluate the request, the licensing or approval agency shall be authorized to require additional documentation including, but not limited to, the Individual Program Plan (IPP) as specified in Welfare and Institutions Code section 4646, and the written consent of the person or agency responsible for placing a "child."

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(d)

The licensing or approval agency may grant conditional or limited approvals to use postural supports or protective devices.