

## **89572.2 Personal Rights for Children with Special Health Care Needs**

### **(a)**

A "child with special health care needs" is afforded all of the personal rights specified in Section 89372, Personal Rights. Additionally, the following personal rights shall be afforded: (1) A "child with special health care needs" has the right to be free of the administration of medication or chemical substances except as specifically provided in the individualized health care plan for a "child." (2) A "child with special health care needs" has the right to be free from any restraining or postural support device except as required to treat the specific medical symptoms of a "child" and addressed or outlined in the individualized health care plan for the "child." (A) Physical restraining devices may be used for the protection of a "child with special health care needs" during treatment and diagnostic procedures. The restraining device, which shall not have a locking device, shall be applied for no longer than the time required to complete the treatment and shall be applied in conformance with the individualized health care plan for a "child." The individualized health care plan for a "child" shall include all of the following: 1. The specific medical symptom(s) that require use of the restraining device. 2. An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices. 3. A written order by the physician for a "child." The order must specify the duration and circumstances under which the restraining

device is to be used. (B) Postural supports, as specified in Section 89475.2, subsections (a)(1)(A) through (C), and protective devices as specified in Section 89475.2, subsection (a)(2)(A), may be used if prescribed in the individualized health care plan for a "child." The method of application shall be specified in the individualized health care plan for a "child" and approved in writing by the physician for a "child."

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A "child with special health care needs" has the right to be free of the administration of medication or chemical substances except as specifically provided in the individualized health care plan for a "child."

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A "child with special health care needs" has the right to be free from any restraining or postural support device except as required to treat the specific medical symptoms of a "child" and addressed or outlined in the individualized health care plan for the "child."

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individualized health care plan for a "child." The method of application shall be specified in the individualized health care plan for a "child" and approved in writing by the physician for a "child."

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**(B)**

Postural supports, as specified in Section 89475.2, subsections (a)(1)(A) through (C), and protective devices as specified in Section 89475.2, subsection (a)(2)(A), may be used if prescribed in the individualized health care plan for a "child." The method of application shall be specified in the individualized health care plan for a "child" and approved in writing by the

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