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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 10@ Temporary Management of Adult Community Care Facilities and Residential Care Facilities for the Elderly

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Article 1@ General Requirements and Definitions

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Section 89600@ General

## **89600 General**

### **(a)**

In addition to Chapters 1, 2, 6, 6.1 and 11 for adult residential community care facilities and Chapter 8 for Residential Care Facilities for the Elderly, except where specifically exempted, adult residential community care facilities and Residential Care Facilities for the Elderly shall be governed by the provisions of this chapter.

(1) This chapter shall not apply to an adult residential community care facility or Residential Care Facility for the Elderly that serves six or fewer persons and is also the principal residence of the licensee.

#### **(1)**

This chapter shall not apply to an adult residential community care facility or Residential Care Facility for the Elderly that serves six or fewer persons and is also the principal residence of the licensee.

### **(b)**

To protect the health and safety of residents of adult residential community care facilities and Residential Care Facilities for the Elderly and to minimize the effects of transfer trauma that accompany the abrupt transfer of residents, the Department may appoint a temporary manager over the facility in any of the following circumstances: (1) The Department has determined that it is necessary to temporarily suspend the license of the adult residential community care facility pursuant to Sections 1550 and 1550.5 of the Health and Safety Code

and the immediate relocation of the residents is not feasible based on transfer trauma, lack of alternate placements, or other emergency considerations for the health and safety of the residents. (2) The Department has determined that it is necessary to temporarily suspend the license of the adult residential community care facility pursuant to Sections 1550 and 1550.5 of the Health and Safety Code and the licensee is unwilling or unable to comply with the requirements of Section 1556 of the Health and Safety Code for the safe and orderly relocation of residents when ordered to do so by the Department. (3) The Department has determined that it is necessary to temporarily suspend the license of the Residential Care Facility for the Elderly pursuant to Section 1569.50 of the Health and Safety Code and the immediate relocation of the residents is not feasible based on transfer trauma, lack of alternate placements, or other emergency considerations for the health and safety of the residents. (4) The Department has determined that it is necessary to temporarily suspend or revoke the license of the Residential Care Facility for the Elderly pursuant to Section 1569.50 of the Health and Safety Code, and the licensee is unwilling or unable to comply with the requirements of Section 1569.525 of the Health and Safety Code for the safe and orderly relocation of residents. (5) The Department has deemed the license of the Residential Care Facility for the Elderly forfeited by operation of law pursuant to Section 1569.19 of the Health and Safety Code when the licensee sells or otherwise transfers the facility, when the licensee surrenders his or her license, when the licensee abandons the facility, or when there is a change in use of the facility, and the licensee is unwilling or unable to comply with the requirements of Section 1569.682 of the Health and Safety Code for the safe and orderly relocation of residents.

**(1)**

The Department has determined that it is necessary to temporarily suspend the license of the adult residential community care facility pursuant to Sections 1550 and 1550.5 of the Health and Safety Code and the immediate relocation of the residents is not feasible based on transfer trauma, lack of alternate placements, or other emergency considerations for the health and safety of the residents.

**(2)**

The Department has determined that it is necessary to temporarily suspend the license of the adult residential community care facility pursuant to Sections 1550 and 1550.5 of the Health and Safety Code and the licensee is unwilling or unable to comply with the requirements of Section 1556 of the Health and Safety Code for the safe and orderly relocation of residents when ordered to do so by the Department.

**(3)**

The Department has determined that it is necessary to temporarily suspend the license of the Residential Care Facility for the Elderly pursuant to Section 1569.50 of the Health and Safety Code and the immediate relocation of the residents is not feasible based on transfer trauma, lack of alternate placements, or other emergency considerations for the health and safety of the residents.

**(4)**

The Department has determined that it is necessary to temporarily suspend or revoke the license of the Residential Care Facility for the Elderly pursuant to Section 1569.50 of the Health and Safety Code, and the licensee is unwilling or unable to comply with the requirements of Section 1569.525 of the Health and Safety Code for the safe and orderly relocation of residents.

**(5)**

The Department has deemed the license of the Residential Care Facility for the Elderly forfeited by operation of law pursuant to Section 1569.19 of the Health and Safety

Code when the licensee sells or otherwise transfers the facility, when the licensee surrenders his or her license, when the licensee abandons the facility, or when there is a change in use of the facility, and the licensee is unwilling or unable to comply with the requirements of Section 1569.682 of the Health and Safety Code for the safe and orderly relocation of residents.

**(c)**

A temporary manager shall assume the operation of the facility in order to bring it into compliance with the law, facilitate a transfer of ownership to a new licensee, or ensure the orderly transfer of residents should the facility be required to close pursuant to the applicable Health and Safety Code section 1546.1(a)(2) or 1569.481(a)(2).