
EVALUATOR MANUAL TRANSMITTAL SHEET

<p><u>Distribution:</u></p> <p>___ All Child Care Evaluator Manual Holders</p> <p>___ All Residential Care Evaluator Manual Holders</p> <p><u>X</u> All Evaluator Manual Holders</p>	<p><u>Transmittal No.</u> 09RM-09</p> <hr/> <p><u>Date Issued</u> September 2009</p>
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Subject:

Reference Material

Applications – Correcting Residential Care Facilities for the Elderly, California Code of Regulations, Title 22 citations within the Evaluator Manual.

Reason for Change:

Amend sections 3-0190, 3-0258, 3-0260, 3-0262 and 3-0510

Filing Instructions:

REMOVE – Pages 42, 59, 60, 61, 106, 107, 108 and 109

INSERT – Pages 42, 59, 60, 61, 106, 107, 108 and 109

Approved:

Original signed by Thomas Stahl

9/21/09

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Date

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3-0190 IX RESIDENTIAL CARE FACILITY FOR THE ELDERLY
(Continued)**3-0190****B. Physical Plant**

1. One toilet and washbasin for each six persons, which includes residents, family and personnel.
2. One bath tub or shower for each ten persons, which includes residents, family and personnel.
3. Grab bars for each toilet, bath tub or shower.
4. Non-skid mats or strips in all bath tubs or showers.
5. Facilities licensed for 16 or more and all facilities having separate floors or buildings shall have a signal system.
 - a. Must operate from each resident's living unit.
 - b. Must transmit a visual and/or auditory signal to a central staffed location.
 - c. Must identify the specific resident living unit.

C. Administrator

1. Must identify prior to licensure.
2. Have the group open regulations to Section 87405 to discuss the education and experience requirements.
3. Must complete 40-hour Certification Program (See F below)

D. Personnel Requirements – Section 87411

1. Sufficient in numbers and competent to provide services to meet residents needs.
2. In facilities licensed for 16 or more, sufficient support staff to ensure provision of personal assistance and care.
3. Additional staff to perform office work, cooking, house cleaning, laundering and maintenance of building, equipment and grounds.
4. Must be at least 18 years of age.

3-0258 B 4 JOB DESCRIPTIONS**3-0258**

As part of the operation of the facility, the applicant must establish staff positions that will be responsible for specific tasks or duties. The applicant must provide the licensing agency with a job description for each of these classifications. The description needs to be clear, concise and relevant to the position for which the person is being hired. Additionally, job descriptions will be compared to the Personnel Report (LIC 500) and there must be a job description for each classification listed on the LIC 500.

The following areas must be addressed in each job description:

Duties and responsibilities.

[California Code of Regulations Sections:
101217(a)(8)/80066(a)(8)/87412(a)(8)]

Minimum qualifications that correspond to licensing requirements. (This is to include any special licenses or certificates, if they are required by the profession.)

Special skills needed to perform the job.

California Code of Regulations: Sections 85065(f)/87411(g)]

Lines of supervision (This is to include supervision given and to whom, as well as, supervision received and from whom).

California Code of Regulations Sections:
101173(b)(5)/80022(b)(5)/85064(i)(2)/87155(a)(10)/87208(b)(5)]

3-0260 B 5 PERSONNEL POLICIES**3-0260**

Personnel Policies are to describe those regulatory requirements commonly associated with personnel practices/policies such as staff coverage, staff qualification, work schedules and conditions of employment.

The following areas are to be included in this section.

Work hours/shifts for documentation of positions to provide coverage with competent staff.

[California Code of Regulations Sections:
101216(a)&(j)/101217(e)/80065(a)&(k)/80066(e)/87411(a)/87412(d)]

Employee rights. (A statement that employees are to be informed of their rights will suffice.)

[California Code of Regulations Sections: 101216(m)]

3-0260 B 5 PERSONNEL POLICIES (Continued)**3-0260**

Abuse reporting procedures. Documentation must indicate that employees will be informed of their responsibilities to report to the licensing agency as well as to the child/adult protective agency.

[California Code of Regulations Sections:

101212(b)(1)(D)/80061(b)(1)(D)/87211(a)(1)(C) & Penal Code]

Hiring practices; including screening of employees for necessary education and experience and informing employees that conditions of their employment include fingerprint clearance, statement of prior criminal convictions, TB clearance, physical examination/health questionnaire, child abuse index check. (This is to ensure that conditions for initial and continued employment.)

[California Code of Regulations Sections:

101170/101216(i)/80019/87411(f)/101216(g)/80065(g)/87411(e)]

Other federal and State agencies have requirements that businesses must adhere to in relation to personnel practices, such as, minimum wages, Workmen's Compensation and Fair Employment Practices. These agencies monitor the business's compliance with their regulations. Community Care Licensing does not enforce other agencies' regulations. It is important, however, that applicants contact these agencies in order to determine that established practices are not in conflict with laws or regulations.

NOTE: The LIC 200 includes the following stipulations, amongst others:

1. APPLICANT(S)/LICENSEE(S) RESPONSIBILITIES:
 - A. In addition to complying with the Health and Safety Codes and Regulations Applicable to Licensing and Fire Safety, I/we understand that there may be other state, federal and/or local laws, which are not enforced by this agency, that may need to be met such as: zoning, building, sanitation and labor requirements.
 - B. I/we declare under penalty or perjury that the statements on this application and on the accompanying attachments are correct to the best of my/our knowledge.

3-0262 B 6 IN SERVICE TRAINING FOR STAFF**3-0262**

As part of the plan of operation of the facility, the applicant must establish a plan for in-service training for staff and submit the plan to the licensing agency at the time of application [California Code of Regulations Sections: 80022/87208 & 101173].

The plan must address the following:

Which staff will receive training (new staff versus on-going staff), how it is determined which staff will receive training, and who will do the training.

[California Code of Regulations Sections: 101216(f)/80065(f)/87411]

Topics to be covered in the training. (This is to be reviewed in order to ensure that the topics covered are pertinent to the facility/client type and the duties performed.)

[California Code of Regulations Sections: 80022(b)(6)/84065(h)/85065(f)]

3-0264 B 7 FACILITY PROGRAM DESCRIPTION**3-0264**

The Program Description should be a general overview of the program philosophies, goals, basic and optional services and activities to be provided by the applicant. This can be explained as what the public would want to know about the facility and could be used as an advertisement for the facility.

A pamphlet or brochure advertising the facility is also acceptable providing all of the following elements are included:

CHILD CARE PROGRAM DESCRIPTION

Brief statement of the purpose, goals and program methods. (Information on specific philosophies, if any, such as Montessori methods or religious teachings that will be part of the program.)

[California Code of Regulations Section: 101173(b)(1)]

Schedule of daily activities to include:

- Days and hours of operation.
[California Code of Regulations Section: 101169(c)(7)]
- Times that meals and snacks are served.
[California Code of Regulations Sections: 101327(b)/101330(a)(3)]
- Nap time (if required).
[California Code of Regulations Sections: 101330(a)(2) & (b)]

3-0500 V CATEGORY SPECIFIC REGULATIONS**3-0500**

The following licensing requirements are in addition to the “General Licensing Requirements” that are specific to the following categories:

3-0510 VI RESIDENTIAL CARE FACILITIES FOR THE ELDERLY**3-0510****A. Administrator Qualifications – Section 87405**

1. Facilities with a capacity of 1 to 15, the administrator must have knowledge of the requirements of providing care and supervision to elderly residents and ability to comply with all licensing regulations.
2. Facilities with a capacity of 16 to 49, the administrator must have 15 units of college education or continuing education and one year providing residential care to the elderly; or equivalent education and experience.
3. Facilities with a capacity of 50 or more, the administrator must have two years of college education and three years providing residential care to the elderly; or equivalent education and experience.
4. All administrators are required to complete an approved 40-hour Residential Care Facility for the Elderly Certification Program and renew their certificate every two years.
5. All administrators with a valid Nursing Home Administrator license are exempt from the 40-hour Residential Care Facility for the Elderly Certification Program. However, they are required to complete 12 core of knowledge hours in the areas pertaining to laws, regulations, policies and procedures; the use, misuse and interaction of medications; and admission, retention and assessment procedures; and to renew their certification every two years.

B. Personnel Requirements – Section 87411

1. All personnel shall be given on-the-job training or have related experience in the job assigned to them.
2. All personnel shall submit a health screening signed by a physician no more than seven days after employment.
3. All personnel providing care and supervision shall be at least 18 years of age or older.
4. A sufficient number of competent staff shall be employed to meet the resident’s needs. This may vary depending on care needs of residents in the facility.

3-0510 VI RESIDENTIAL CARE FACILITIES FOR THE ELDERLY 3-0510
(Continued)

- C. Incidental Medical and Dental Care **Services** – Section **87465**
1. Licensee must have a written plan for incidental medical and dental care.
 2. Provide transportation to and from medical appointments.
 3. Assist residents with self-administered medications as needed.
 4. First aid kit available.
 5. Capable of providing emergency care.
- D. Personal Accommodations and Services – Section **87307**
1. Facility must have common rooms such as living rooms, dining rooms, dens and other recreation/activity rooms available.
 2. No more than two residents per room.
 3. Each resident shall have a chair, night stand, lamp, and chest of drawers.
 4. Sufficient and clean linens.
 5. Appropriate hygiene items.
 6. At least one toilet and washbasin for each six persons in the facility.
 7. At least one bathtub or shower for each ten persons.
 8. Laundry service available.
- E. Night Supervision (10 p.m. to 6 a.m.) – Section **87415**
1. Persons providing night supervision are trained in First Aid and available to assist in caring for residents as required.
 2. Have participants turn to Section **87415** to review specific capacity requirements.

3-0510 VI RESIDENTIAL CARE FACILITIES FOR THE ELDERLY 3-0510
(Continued)

- F. Acceptance and Retention Limitations – Section 87455
1. Persons with active communicable diseases shall not be accepted.
 2. Patients requiring inpatient care in a health facility will not be accepted.
 3. Persons capable of administering their own medication may be accepted.
 4. Persons receiving medical care and treatment outside the facility or receiving needed medical care from a visiting nurse may be accepted.
 5. Persons with mild problems such as forgetfulness, wandering, confusing, irritability, inability to manage money, etc. may also be accepted.
- G. Relocation Plan – Section 87455(e)
1. Licensee must have a written plan with specific dates on file
 2. Must contact the person responsible for the resident.
 3. Must contact the licensing agency.
- H. Pre-Admission Appraisal – Section 87457
1. Licensee must do a pre-appraisal for each resident prior to the resident's admission into the facility.
 2. The appraisal for each resident must be kept in the resident's file.
 3. Updated as the resident's needs change.
- I. Maintenance and Operation – Section 87303
1. Facility must have comfortable temperatures (a minimum of 68 degrees F. – heat; between 78 and 85 degrees F. – cool).
 2. Grab bars maintained for each toilet; bathtub and shower used by residents.
 3. Non-skid mats or strips in bathtubs and showers.
 4. Emergency lighting shall be maintained.

3-0510 VI RESIDENTIAL CARE FACILITIES FOR THE ELDERLY 3-0510
(Continued)

5. Appropriate signal system (if required).
 6. Laundry service available.
- J. Prohibited Conditions – Section **87615**
1. Licensee cannot accept persons with active communicable tuberculosis.
 2. Persons who require inpatient care in a health facility or skilled nursing facility.
 3. Other conditions listed in this Regulation Section. (Review each condition with participants)
- K. Allowable Conditions – Sections **87609** through 87715
1. Documentation of resident's allowable condition(s) must be on file.
 2. Allowable if specified requirements are met (review requirements for each allowable condition).
 3. Intermittent positive pressure breathing.
 4. Colostomy/ileostomy.
 5. Enema and/or suppository and fecal impaction removal.
 6. Indwelling urinary catheter/catheter procedure.
 7. Managed bowel and bladder incontinence.
 8. Contractures.
 9. Diabetes.
 10. Injections.
 11. Protective Supervision.
 12. Healing wounds.
 13. Transfer dependency.