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## EVALUATOR MANUAL TRANSMITTAL SHEET

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<p><b><u>Distribution:</u></b></p> <p><input type="checkbox"/> All Child Care Evaluator Manual Holders</p> <p><input type="checkbox"/> All Residential Care Evaluator Manual Holders</p> <p><input checked="" type="checkbox"/> All Evaluator Manual Holders</p>	<p><b><u>Transmittal No.</u></b> 11 GLR - 01</p> <hr/> <p><b><u>Date Issued</u></b> December 2011</p>
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**Subject:**

General Licensing Requirements - Client Records

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**Reason for Change:**

Update record requirement policy during the sale or transfer of facility property.

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**Filing Instructions:**

REMOVE – Pages 85, 86 and 87

INSERT – Pages 85, 86 and 87

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**Approved:**

***ORIGINAL DOCUMENT SIGNED BY***  
*Thomas Stahl, Chief*

*December 23, 2011*

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**THOMAS STAHL, Chief**  
Policy Development Bureau  
Community Care Licensing Division

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Date

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**80069 CLIENT MEDICAL ASSESSMENTS (Continued)****80069****(c) POLICY(Continued)**

If a facility is conducted by and for the adherents of any well-recognized church or religious denomination who rely solely upon prayer or spiritual means of healing, the requirement for client medical assessments may be waived.

**PROCEDURE**

Refer to Section 80065(h), Policy.

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**80070 CLIENT RECORDS****80070****(b)(10) PROCEDURE**

For Subsections 80070(b)(7) through (10), see Section 80065(h), Policy.

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**(c) POLICY**

For adult facilities during the process of selling or transferring property the licensee may be asked to or may have provided information about the clients/resident's cared for at the facility to persons interested in taking control of the facility. A client/resident's confidentiality must be respected even during the sale and transfer of property. For example, the range of care needs of the clients/residents in general can be provided however identifying information about the individual client/resident would be violating the confidentiality of the client/resident. The party interested in buying or taking possession of the property would have a right to the confidential information if the party became the licensee or is associated with the facility as an employee. Any violation by sharing confidential information during the process of selling or transferring property must be cited by the licensing program analyst.

**(c)(2) PROCEDURE**

See Section 80044 - Policy, relative to State Ombudsman.

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**(d)(1) PROCEDURE**

Review a sample of 10 percent, or a minimum of ten, of the client record files. If your review reveals any substantial problems more records should be sampled. Document your review of the Client Record Review (Residential) (LIC 858). If capacity of the facility is less than ten clients, review 100 percent of the client record files.

Refer to Section 80044(b).

**80071 REGISTER OF CLIENTS****80071**

(a)(1)(A)-(D)

**POLICY**

The Roster of Facility Clients (LIC 9020) is available to licensees for this purpose. Licensees are to maintain this information in a single location for all clients. Information may be on one list for all clients or a separate sheet containing all the required data on each client. However, if information is maintained on a separate sheet for each client, a single folder, binder, etc., must be used to ensure the central location of the information. All information must be legible.

**PROCEDURE**

During inspection of facility records, review the register to ensure that this requirement is being met. A review of 10 percent or a minimum of ten client record files should be checked to verify the validity of the register. . If your review reveals any substantial problems, more records should be sampled. If capacity of the facility is less than ten clients, review 100 percent of the register against the clients' files

**80072 PERSONAL RIGHTS****80072**

(a)(4)

**PROCEDURE**

Refer to Section 80044, Inspection Authority of the Department or Licensing Agency.

(a)(6)(B)

**POLICY**

The licensee can develop and implement the facility's policy regarding runaway clients. Such a policy should include contacting police and the placement and licensing agencies. However, licensing does not regulate the content of the facility's runaway policy unless such policy violates current licensing regulations. The "proning" of a client is not in imminent danger of causing harm to him/herself or other clients/staff is prohibited. Prone containment is permissible only when there is a clear and immediate danger of physical harm.

A client who attempts to run can be verbally persuaded to return or be subject to minimal physical contact to "escort" him/her back to the facility. The use of any increased physical intervention, including forcibly escorting the client back to the facility is appropriate only when the client presents an immediate danger to him/herself or others, or the facility reasonably believes the client could come to harm if allowed to run.

**The licensee's efforts to keep such a client from leaving the facility are allowable with the following proviso:**

- Restricting departure cannot be accomplished through locking the client in either one room of the facility or any part of the facility.

## 80072 PERSONAL RIGHTS (Continued)

80072

(a)(6)(B)

**POLICY** (Continued)

- Attempts to restrict departure should be abandoned whenever the risk to the client is the same or greater than the risk posed by the client's leaving.
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(a)(8)

**POLICY**

Restraints used as a means for controlling behavior are not allowed in community care facilities.

This includes the use of prone containment as a method of client control. The prone containment prohibition applies to the restraint procedure in which a client is contained in a prone or supine (face down or face up) position on the floor or on a bed by staff members who apply their weight to the client's legs, arms, buttocks and shoulders.

The prohibition against prone containment is not intended to preclude the use of reasonable force in emergency situations in which an assaultive client threatens death or serious injury to himself or others. Such a circumstance which develops suddenly and unexpectedly may require the use of prone containment to protect the client and/or others from the threat of serious injury or death. Prone containment **should not** be resorted to unless no alternative means of avoiding the danger are available.

**In such an extreme emergency, if prone containment is necessary, the following precautions shall be followed:**

- Persons who are contained shall be observed at all times.
- No pressure shall be applied on ankles, wrists, elbows, back, rib cage, knees, spinal column, or the neck area.
- No blankets, pillows, clothing, or any type of covering shall be placed on the person's head or face.

For reporting purposes, the use of prone containment is considered an **unusual incident** which must be reported by a telephone report to the licensing agency within the licensing agency's next working day during normal business hours and a written report sent within seven days as required by Section 80061(b)(1)(D). The report shall include a description of the assaultive client behavior, the containment method used, its duration, and staff involved. Recurrent need for the use of prone containment is evidenced that the client in question is not appropriate for continued placement in a community care facility.

Advance approval to use **supportive** restraints shall be by individual exception only. Such approval shall be granted by the licensing agency only if the requirements, policies and procedures of 80072(B)(A)-(G) are met. (See Reference Material Section 2-5000.)