



CDSS

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Regulation Package #0696-27

ERRATA TO CDSS MANUAL LETTER NO. CCL-98-06

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22,
DIVISION 6, CHAPTER 2, SOCIAL REHABILITATION FACILITIES

Regulation Package #0696-27

Effective 10/1/98

Clerical corrections were made on page 31 to correct the discrepancy between the California Code of Regulations and CDSS' copy of Title 22. This errata to CCL 98-06 has been posted on the Office of Regulations Development website at <http://www.cdss.ca.gov/ord/PG648.htm>.

FILING INSTRUCTIONS

The attached pages are to be entered in your copy of the Manual of Policies and Procedures.

Page(s)

Replace(s)

31 and 31.1

31 and 31.1

Attachment

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81068.3 MODIFICATIONS TO NEEDS AND SERVICES PLAN
(Continued)**81068.3**

- (2) If it is determined that the needs can be met, the program director, in conjunction with the consultant, shall develop and maintain in the facility a written services plan which shall include the following:
 - (A) Objectives, within a time frame, which relate to the client's problems and/or needs;
 - (B) Plans for meeting the objectives;
 - (C) Identification of any individuals or agencies responsible for implementing and evaluating each part of the plan; and
 - (D) Method of evaluating progress.
- (3) If it is determined that the needs cannot be met, the licensee shall bring this fact to the attention of the client and/or his/her authorized representative or mental health professional, if any, and request that the client relocate.
 - (A) If the client refuses to relocate, the licensee shall be permitted to evict the client in accordance with Section 81068.5.

NOTE: Authority Cited: Section 1530, Health and Safety Code. Reference: Sections 5453 and 5458, Welfare and Institutions Code; Sections 1501 and 1502(a)(7), Health and Safety Code.

81068.4 ACCEPTANCE AND RETENTION LIMITATIONS**81068.4**

- (a) The licensee shall not accept or retain the following:
 - (1) Persons with active communicable tuberculosis.
 - (2) Persons who require inpatient care in a health facility.
 - (3) Persons who have needs which are in conflict with other clients or the program of services offered.
 - (4) Persons who require more care and supervision than is provided by the facility.
- (b) A client's length of stay shall not exceed 18 months.

NOTE: Authority Cited: Section 1530, Health and Safety Code. Reference: Sections 5453 and 5458, Welfare and Institutions Code; Sections 1501, and 1502(a)(7), Health and Safety Code.

81068.5 EVICTION PROCEDURES**81068.5**

- (a) The licensee shall be permitted to evict a client with 30 days' written notice for any of the following reasons:
- (1) Nonpayment of the rate for basic services within ten days of the due date.
 - (2) Failure of the client to comply with the provisions of the Admission Agreement.
 - (3) Failure of the client to participate in the services and activities specified in the treatment/rehabilitation plan to the extent of his/her ability.
 - (4) A needs and services plan modification has been performed, as specified in Section 81068.3, which determined that the client's needs cannot be met by the facility and the client has been given an opportunity to relocate as specified in Section 81068.3(d)(3).
 - (5) The program or facility type has changed and the client is no longer compatible with the population to be served.
- (b) The licensee shall be permitted to evict a client with three days' prior written notice if the client has engaged in behavior since being admitted to the facility which is a threat to the mental health or physical safety of the client or other clients and the following requirement is met:
- (1) The licensee has received prior written and/or has documented telephone approval for the notice of eviction from the licensing agency.
 - (A) The licensing agency shall approve or deny the request within two working days of receipt.
- (c) The licensee shall set forth in the notice the reasons for the eviction, with specific facts including the date, place, witnesses, and circumstances.
- (d) The licensee shall, upon providing the client with notification of eviction as specified in (a) or (b) above, mail a copy of the eviction notice to the client's mental health professional and/or authorized representative, if any.
- (e) The licensee shall send to the licensing agency a copy of the 30-day written notice in accordance with (a) above within five days of giving the notice to the client.
- (f) Nothing in this section is intended to preclude the licensee or client from invoking other remedies when eviction

Note: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 5453 and 5458, Welfare and Institutions Code; Sections 1501 and 1502(a)(7), Health and Safety Code.