

Amend Section 81001 to read:

81001      DEFINITIONS

81001

For the purposes of this chapter, the following definitions shall apply:

(a) (1) (Continued)

(3) "Admit" means to accept a person into care. For the purposes of a social rehabilitation facility, a person is considered to be "admitted" as a client when the person begins residing at the facility and the facility begins providing care and supervision to the person.

~~(34)~~ (Continued)

~~(45)~~ (Continued)

~~(56)~~ (Continued)

~~(67)~~ (Continued)

(u) (1) (Continued)

(2) "Unlicensed Community Care Facility" means a facility as defined in Health and Safety Code section 1503.5. (Continued)

(C) A facility that "~~accepts~~ admits or retains residents who demonstrate the need for care or supervision" includes, but is not limited to: (Continued)

Authority Cited: Sections 1502, 1522.41(j), 1524(e), 1530 and 1530.9, Health and Safety Code.

Reference: Sections 4512, 5350, 5670, 5671 and 11006.9, Welfare and Institutions Code; Sections 1501, 1502, 1502(a)(7), 1502(a)(8), 1502(b), 1502.5, 1503, 1503.5, 1505, 1507, 1508 1509, 1520, 1522, 1524(e), 1525, 1525.5, 1526, 1530, 1531, 1533, 1534, 1536.1, 1537, 1538.5, 1550, 1551, 1556, 1797.196 and 13131, Health and Safety Code; Section 297.5, Family Code; Section 1811, Probate Code; 29 CFR 1910.1030.

Amend Section 81010 to read:

81010      LIMITATIONS ON CAPACITY AND AMBULATORY STATUS      81010

(a) (Continued)

(d) The total licensed capacity of a social rehabilitation facility shall not exceed ~~15~~ 16, ~~except as provided in (e) below~~ and shall be in compliance with Welfare and Institutions Code section 5670.5 and California Code of Regulations, Title 9, Sections 1840.332(b) and 1840.334(c).

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Welfare and Institutions Code section 5670.5 provides in pertinent part:

Criteria for community residential treatment system programs are as follows:  
(Continued)

California Code of Regulations, Title 9, Division 1, Chapter 11, Subchapter 4 provides in pertinent part:

1840.332. Adult Residential Treatment Services Contact and Site Requirements.

(b) Programs that provide Adult Residential Treatment Services must be certified as a Social Rehabilitation Program by the Department as either a Transitional Residential Treatment Program or a Long Term Residential Treatment Program in accordance with Chapter 3, Division 1, of Title 9. Facility capacity must be limited to a maximum of 16 beds.

1840.334. Crisis Residential Treatment Services Contact and Site Requirements.

(c) Programs providing Crisis Residential Treatment Services shall be certified as a Social Rehabilitation Program (Short-Term Crisis Residential Treatment Program) by the Department in accordance with Chapter 3, Division 1, of Title 9. Facility capacity shall be limited to a maximum of 16 beds.

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(e) A facility licensed as an Adult Residential Facility prior to the effective date of these regulations shall be allowed to apply for a Social Rehabilitation Facility license, at the same location, with a capacity equal to or less than that for which the facility is currently licensed, provided it is in compliance with 81010(d) above.

~~(1) The licensing agency shall not deny an application solely because the requested capacity exceeds 15.~~

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670, 5670.5 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7) and 1531, Health and Safety Code; Sections 1840.332(b) and 1840.334(c), California Code of Regulations, Title 9.

Adopt Section 81020 to read:

81020 FIRE CLEARANCE

81020

(a) (Continued)

(b) The applicant shall notify the licensing agency if the facility plans to admit any of the following categories of clients so that an appropriate fire clearance, approved by the city or county fire department, the district providing fire protection services, or the State Fire Marshal, can be obtained prior to the ~~acceptance~~ admission of such clients:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1520 and 1531, Health and Safety Code.

Amend Section 81022 to read:

81022 PLAN OF OPERATION

81022

- (a) (Continued)
- (b) The plan and related materials shall contain the following:
  - (1) (Continued)
  - (2) Statement of admission policies and procedures regarding ~~acceptance~~ admission of clients.
  - (3) (Continued)
  - (8) A sketch of the grounds showing buildings, driveways, fences, storage areas, pools, gardens, recreation areas and other space used by clients.
    - (A) The sketches specified in Section 81022(b)(7) and (b)(8) shall include the dimensions of all areas which will be used by the clients.
  - (9) (Continued)
  - (12) A statement indicating whether or not the licensee will handle the clients' money, personal property, and/or valuables. If money, personal property, and/or valuables will be handled, the method for safeguarding shall ensure compliance with Sections 81025 and 81026.
  - (13) (Continued)
  - (22) A written plan for training clients to store and manage their own medications, when appropriate, pursuant to Sections 81075(o) through (o)(4)(E).
  - (23) A written plan for the storage of cleaning supplies, cleaning solutions and disinfectants, as required in Section 81087(l).
    - (A) The written plan shall also include when and how these items may be made available to clients pursuant to Sections 81087(n) and 81068.2(b)(6).
- (c) In addition to Sections 81022(a) and (b) above, Any facility with a certified Long-Term Residential Treatment Program shall submit the following information to the licensing agency:
  - (1) (Continued)

(d) In addition to Sections 81022(a) and (b) above, Any facility with a certified Short-Term Crisis Residential Program shall submit the following information to the licensing agency:

(1) (Continued)

(e) In addition to Sections 81022(a) and (b) above, Any facility with a certified Transitional Residential Program shall submit the following information to the licensing agency:

(1) (Continued)

(h) In addition to Section 81022(b)(20), If the licensee intends to admit and/or specialize in care for one or more clients who has a propensity for behaviors that result in harm to self or others, the facility plan of operation shall include a description of precautions that will be taken to protect that client and all other clients.

(i) (Continued)

Authority cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7), 1507, 1512, 1520 and 1531, Health and Safety Code.

Adopt Section 81026 to read:

81026      SAFEGUARDS FOR CASH RESOURCES, PERSONAL      81026  
PROPERTY, AND VALUABLES

- (a) A licensee shall not be required to ~~accept for admission~~ admit or continue to care for any client whose incapacities, as documented by the initial or subsequent needs appraisals, would require the licensee to handle such client's cash resources.
- (b) If such a client is ~~accepted~~ admitted for or maintained in care, his/her cash resources, personal property, and valuables not handled by a person outside the facility who has been designated by the client or his/her authorized representative shall be handled by the licensee or facility staff, and shall be safeguarded in accordance with the requirements specified in Section 81026(c) through (n) below.
- (c) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; 1501, 1531 and 1560, Health and Safety Code; and 20 CFR 416.601.

Amend Section 81064.1 to read:

81064.1 PROGRAM DIRECTOR QUALIFICATIONS AND DUTIES

81064.1

(a) (Continued)

(e) The program director shall ensure the following:

(1) (Continued)

(3) Arrangements for clients to attend available community programs, when clients have needs, identified in the needs and services plan, which cannot be met by the facility but can be met by community programs.

(A) Such arrangements shall include, but not be limited to, arranging for transportation.

~~(4)~~1. This requirement does not exempt the licensee from providing transportation when public transportation is not practical or when the client is unable to use public transit.

(4) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501 and 1502(a)(7), Health and Safety Code.

Amend Section 81068.1 to read:

81068.1   ADMISSION PROCEDURE

81068.1

(a)   (Continued)

(c)   Prior to ~~accepting~~ admitting a client for treatment, the program director or an experienced staff person who has received training in developing a needs and services plan shall:

(1)   (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference:       Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7), 1507 and 1531, Health and Safety Code.

Amend Section 81068.2 to read:

81068.2 NEEDS AND SERVICES PLAN

81068.2

- (a) Prior to admission, the licensee shall determine whether the facility's program can meet the prospective client's service needs.
- (b) ~~If the client is to be~~ For each client admitted, then prior to admission, the licensee shall ~~complete~~ ensure that a written Needs and Services Plan is started prior to admission, and completed prior to or within 72 hours of admission, that must include:
  - (1) (Continued)
  - (5) If applicable pursuant to Section 81075(o), a written individual medication-management plan.
  - (6) If applicable pursuant to Section 81087(n), a written assessment of the client's ability to safely handle and use cleaning supplies, cleaning solutions and disinfectants, as well as documentation of any subsequent related review of the client's abilities to ensure the Needs and Services Plan is updated per Section 81068.3(b).
  - (7) Prior to admitting a client into care, the licensee shall ensure that the functional capabilities assessment specified in Section 81069.2, which is to be used in developing the Needs and Services Plan pursuant to Section 81069.2(a), is documented to the extent that the required information is available and completed within 72 hours of admission.
    - (A) In the event that all areas of the functional capability assessment in Section 81069.2 are already addressed in the written assessment required by Title 9, Division 1, Chapter 3, Article 3.5, Section 532.2(b), the licensee shall not be required to fill out an additional form.
- (c) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7), 1507 and 1531, Health and Safety Code.



Amend Section 81068.5 to read:

81068.5 EVICTION PROCEDURES

81068.5

- (a) (Continued)
- (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~~ provided that both of the following requirements ~~is~~ have been met:
  - (1) The licensee has received prior written and/or ~~has~~ documented telephone approval for the notice of eviction from the licensing agency.
    - (A) (Continued)
  - (2) There is a finding of good cause. Good cause exists if the client engages in behavior that threatens the mental and/or physical health or safety of himself/herself or others in the facility.
- (c) (Continued)
- (d) When serving the client with either a 30-day or a 3-day notification of eviction, the licensee shall, on the same day, overnight mail, ~~or fax,~~ or send through electronic transmission an exact copy of the notice to the client's mental health professional, if any, the client's authorized representative, if any, or and the client's responsible person if any there is no authorized representative. ~~The licensee shall, upon providing the client with notification of eviction, mail a copy of the eviction notice to the client's mental health professional.~~
  - (1) An electronic copy of the notice sent through electronic transmission must contain the licensee's signature.
- (e) The licensee shall mail, ~~or fax,~~ or send through electronic transmission to the Department a copy of the 30-day or 3-day written notice ~~to quit~~ of eviction in accordance with Section 81068.5(a) above within five days of giving the notice to the client.
- (f) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7), 1531 and 1770 et seq., Health and Safety Code.

Amend Section 81069 to read:

81069 CLIENT MEDICAL ASSESSMENTS

81069

- (a) ~~Notwithstanding Section 81069(b), the licensee must obtain a medical assessment prior to or within 3 days following acceptance of a client into a short-term crisis program.~~
- (1) ~~Assessments completed by a referring medical or mental health agency may be accepted by the facility; however, the licensee must ensure all information required in Section 81069(e) is either contained in the assessment or is obtained by the licensee within three days following acceptance of a client.~~
- (b~~a~~) Prior to ~~accepting~~ admitting a client into care or within 72 hours of admission, the licensee shall obtain and keep on file documentation of the client's medical assessment.
- (1) Such assessment shall be performed by a licensed physician, or a designee, who is also a licensed professional, and the assessment shall not be more than one year old when obtained.
- (b) The licensee of a social rehabilitation facility may accept medical assessments completed by a referring medical or mental health agency; however, the licensee must ensure all information required in Section 81069(f) is contained in the assessment.
- (1) If some of the information required in Section 81069(f) is not contained in the assessment, it shall be obtained by the licensee within 72 hours of admitting the client into care.
- (c) If the licensee is unable to obtain a person's medical assessment prior to admission, the licensee shall ensure that the person is asked to self-report the following information prior to being admitted into care:
- (1) Any prescription and nonprescription medications currently being taken.
- (2) Any health-related conditions, including behavioral, that may require immediate attention or monitoring, or that may affect the health and safety of others in the facility.
- (A) If there is evidence that the person requires immediate health-related services, the licensee shall ensure that the person is referred to the appropriate licensed professional or facility and that a medical assessment is performed.
- (d) The information a client provides pursuant to Sections 81069(c) through (c)(2)(A) shall be documented in the client's file. This documentation shall include the date and time the client was asked to provide the information, and the name of the staff person interviewing

the client. Any failure on the part of the client to provide the information shall also be documented and explained in the client's file.

(e) For the purpose of developing an individual medication-management plan for a client, a licensed medical professional shall determine that a client is able to hold, manage, and safeguard his/her own medications, provided the following conditions are both met:

(1) A licensed medical professional shall document any conditions that they recommend be part of the individual medication-management plan for the client pursuant to Sections 81075(o) and (p).

(2) A licensed medical professional shall document that the client's medications do not need to be centrally stored pursuant to Section 81075(j).

(ef) The medical assessment shall include the following:

(1) (Continued)

(2) Identification of the client's special problems and needs, including any needs identified as a result of any medical information contained in the medical assessment.

(3) ~~Identification of a~~ A record of all prescribed and over-the counter medications being taken by the client.

(4) (Continued)

(dg) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7), 1530 and 1531, Health and Safety Code.

Amend Section 81071 to read:

81071 REGISTER OF CLIENTS

81071

- (a) In all licensed facilities, the following shall apply:
- (1) The licensee shall maintain in the facility a register of all clients. ~~The register shall be immediately available to, and copied for, licensing staff upon request, and which~~ must contain current information on the following:
    - (A) (Continued)
  - ~~(2) The licensee shall keep the register in a central location at the facility.~~
    - (A) ~~Registers are confidential, as specified in Section 81070(e).~~
- (b) The register of clients shall be immediately available to the licensing agency to inspect, audit, and copy upon demand during normal business hours. Registers may be removed if necessary for copying. Removal of registers shall be subject to the following requirements:
- (1) Licensing representatives shall not remove the current register unless the same information is otherwise readily available in another document or format.
  - (2) Prior to removing the register, a licensing representative shall prepare a list of the register documents to be removed, sign and date the list upon removal of the records, and leave a copy of the list with the administrator or designee.
  - (3) Licensing representatives shall return the register undamaged and in good order within three business days following the date the records were removed.
- (c) The licensee shall ensure that the register of current clients is kept in a central location at the facility.
- (1) A hardcopy of all items in the register shall be consolidated in an easily accessible and transportable container, which may include, but not be limited to, a binder or folder, so that information in the register may be accessed by facility staff and/or the licensing agency as necessary, and easily transported in the event of a disaster or an emergency.
  - (2) Registers shall be confidential, as specified in Section 81070(c).

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1507 and 1557.5, Health and Safety Code.

Amend Section 81075 to read:

81075 HEALTH-RELATED SERVICES

81075

- (a) (Continued)
- (b) Clients shall be assisted as needed with self-administration of prescription and nonprescription medications.
  - (1) (Continued)
  - (5) If the client's physician has stated in writing that the client is unable to determine his/her own need for nonprescription PRN medication, but can communicate his/her symptoms clearly, facility staff designated by the licensee shall be permitted to assist the client with self-administration, provided all of the following requirements are met:
    - (A) There is written direction from a physician, on a prescription blank, specifying the name of the client, the name of the medication, all of the information specified in Section 81075(~~eb~~)(6)(D), instructions regarding a time or circumstance (if any) when it should be discontinued, and an indication of when the physician should be contacted for a medication reevaluation.
    - (B) (Continued)
- (o) For each client that the licensee determines there is a need, a licensee shall develop an individual medication-management plan provided all of the following conditions are met:
  - (1) The licensee has obtained a signed determination by a licensed medical professional that a client is able to hold, manage, and safeguard his/her own medications pursuant to Section 81069(e).
  - (2) The licensee shall ensure that the client's medications are stored so that they are inaccessible to other clients in the facility.
  - (3) The licensee shall ensure that facility staff responsible for educating and/or assisting the client with regard to storing and managing his/her own medications have received training from a licensed professional sufficient to meet the needs of the client. The licensed professional must be authorized by law to administer medications, including, but not limited to, a registered nurse, licensed vocational nurse or psychiatric technician.
    - (A) This training shall include hands-on instruction in both general and client-specific procedures; and shall consist of, but not necessarily be limited to, the following:

1. General properties of the medication(s) the client is taking;
  2. The specific reason(s) the client is taking the medication(s);
  3. Proper administration of the medication(s), including dosage information and potential side effects and drug interactions;
  4. Packaging/storage of the medication(s), including how to use pill boxes and medication organizers; and
  5. Any other information necessary to ensure that the needs of the client are met.
- (B) The licensee shall obtain from the licensed professional documentation outlining the information contained in the training and the names of facility staff who completed the training.
- (C) The licensee shall ensure that the licensed professional reviews staff performance as the licensed professional and/or the licensee deem necessary.
- (D) The training shall be completed prior to facility staff providing services to the client as part of the client's individual medication-management plan.
- (E) All training shall be documented in facility personnel files.
- (4) The licensee shall ensure that a log is maintained each time medication is taken by the client with the following information:
- (A) Medication name and dosage (e.g.: Amoxicillin, 250mg)
  - (B) Dosage times and instructions (e.g.: 3 times per day with meals)
  - (C) Time medication was given
  - (D) A current total count of the number of servings contained in the bottle or package shall be documented, in terms of measure or numerical count, for all medication that is within the facility upon bringing the medication into the facility and after each dose taken by the client.

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If the client has 10 pills of a given medication in his room and 20 are centrally stored, the total count of that medication would be 30.

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(E) Initials of staff verifying information in 81075(o)(4)(A) through (D) above.

- (5) The licensee shall ensure that the written individual medication-management plan is designed to provide staff support and encourage client independence, assist the client in holding, managing, and safeguarding all of his/her own medications consistent with California Code of Regulations, Title 9, Sections 532.1(c) and (g).

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California Code of Regulations, Title 9, Sections 532.1(c) and (g), provide in pertinent part:

Medical and psychiatric policies and practices of all programs shall be in writing and shall include, but not be limited to: . . .

(c) Client education, provided by program staff or consultants, about the role of medications and their potential side effects, with the goal of enabling the client to become responsible for his or her own medication; . . .

(g) Encouragement to clients, when part of the treatment/rehabilitation plan, to be personally responsible for holding, managing and safeguarding all of their medications.

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- (6) The individual medication-management plan shall be included in the client's written treatment/rehabilitation plan, which is part of the client's Needs and Services Plan, as specified in Section 81068.2(b)(3).
- (7) The client's progress in meeting the goals outlined in his/her individual medication-management plan shall be assessed and documented in the client's file as frequently as necessary, but at least weekly for the first month, and at least monthly thereafter.
- (8) The client's individual medication-management plan shall include provisions for terminating the client's participation in the plan if the client fails to make sufficient progress in meeting the plan's goals, or otherwise demonstrates that he/she is not capable of safely storing and managing his/her own medications.
- (9) Notwithstanding Sections 81075(k)(5) and (k)(6), a client may transfer to and temporarily store his/her own medication(s) in a pill box or medication organizer for no more than one week at a time, as part of the client's individual medication-management plan.

(p) Facility staff shall not transfer medication(s) from its originally received container to a pill box or medication organizer for a client, but shall supervise or assist the client as needed with this task.

(q) The licensee shall ensure that the client's pill box is up to date and contains the correct and most current prescribed medication(s).

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502, 1502(a)(7), 1507, 1530 and 1531, Health and Safety Code.

Amend Section 81077.2 to read:

81077.2 CARE FOR CLIENTS WHO RELY UPON OTHERS TO PERFORM 81077.2  
ALL ACTIVITIES OF DAILY LIVING

- (a) A licensee may ~~accept~~ admit or retain a client who relies upon others to perform all activities of daily living for them.
- (b) Prior to ~~accepting~~ admitting a client into care, the licensee shall complete the following:
  - (1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1507 and 1530, Health and Safety Code.

Amend Section 81077.4 to read:

81077.4 CARE FOR CLIENTS WITH INCONTINENCE

81077.4

- (a) A licensee may ~~accept~~ admit or retain a client who has bowel and/or bladder incontinence.
- (b) If a licensee ~~accepts~~ admits or retains a client who has bowel and/or bladder incontinence, the licensee is responsible for all of the following:
  - (1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507, 1530 and Health and Safety Code.

Amend Section 81077.5 to read:

81077.5 CARE FOR CLIENTS WITH CONTRACTURES

81077.5

- (a) A licensee may ~~accept~~ admit or retain a client who has contractures.
- (b) If a licensee ~~accepts~~ admits or retains a client who has contractures, the licensee is responsible for all of the following:
  - (1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81087 to read:

81087 BUILDINGS AND GROUNDS

81087

(a) (Continued)

(l) The licensee shall ensure that items which could pose a danger if readily available to clients, including but not limited to Ddisinfectants, cleaning solutions, and poisons and other items that could pose a danger if readily available to clients shall be are stored where inaccessible to clients.

(1) (Continued)

(n) Notwithstanding Section 81087(l), cleaning supplies, cleaning solutions and disinfectants may be made available to clients provided all of the following conditions are met:

(1) These products are made available in order to meet the client involvement requirements for an individual client as specified in the California Code of Regulations, Title 9, Division 1, Chapter 3, Article 3.5, Section 532.4.

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California Code of Regulations, Title 9, Section 532.4, provides in pertinent part:

(b) Clients shall be involved, depending on capability, in the operation of the household. This shall include participation in the formulation and monitoring of house rules, as well as in the daily operation of the facility, including but not limited to cooking, cleaning, menu planning and activity planning.

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(2) These products shall only be made available to clients who can use the products without being a danger to themselves or others as determined by the assessment required in Section 81068.2(b)(6).

(3) The licensee ensures that, if necessary, facility staff instruct clients on how to safely handle and use these products. Any such instruction shall be documented in the client's file; and shall include the date the instruction was provided, and the name and the signature of the staff person providing the instruction.

(4) The licensee ensures that products are inaccessible to any client for whom these products may pose a danger if readily available.

(~~n~~o) Medicines shall be stored ~~as specified in section 81075 (j) and (k) and~~ separately from other items specified in 81087(l) and 81087(n) above.

(~~n~~p) The items specified in Section 81087(l) shall not be stored in food storage areas ~~or~~. The items specified in Section 81087(l) shall not be stored in storage areas used by or for clients unless they are being stored to meet the provisions of Section 81087(n).

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7) and 1531, Health and Safety Code.

Amend Section 81088 to read:

81088      FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES      81088

(a) (Continued)

(f) Solid waste shall be stored, located and disposed of in a manner that will not transmit communicable diseases or odors, pose a risk to health and safety, create a nuisance, or provide a breeding place or food source for insects or rodents.

(1) All containers used for storage of solid and liquid waste, including movable bins, ~~used for storage of solid wastes~~ shall have tight-fitting covers that are kept on the containers; shall be in good repair and shall be leak-proof and rodent-proof.

(A) Inside wastebaskets are not required to have a cover unless they hold items that may pose a risk to health and safety if left uncovered or are used in a kitchen/food preparation area or a bathroom.

(2) Solid and liquid waste containers that hold decaying waste, including movable bins, ~~receiving putrescible waste~~ shall be emptied at least once per week or more often if necessary to comply with Section 81088(f) above.

(3) (Continued)

Authority Cited: Section 1530, Health and Safety Code

Reference: Sections 5670 and 5671, Welfare and Institutions Code; Sections 1501, 1502(a)(7) and 1531, Health and Safety Code.

Amend Section 81090 to read:

81090 HEALTH AND SAFETY SERVICES 81090

- (a) Waivers or exceptions will not be granted to ~~accept~~ admit or retain clients who have health conditions prohibited by Section 81091.
- (b) The Department may grant an exception allowing ~~acceptance~~ admission or retention of a client who has a medical or health condition not listed in Section 81092 if all of the following requirements are met:
  - (1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1507 and 1530, Health and Safety Code.

Amend Section 81092 to read:

81092      RESTRICTED HEALTH CONDITIONS

81092

- (a) A licensee may ~~accept~~ admit or retain clients who have the conditions listed in this section only if all requirements of Article 8 are met.
- (b) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.3 to read:

81092.3 INHALATION-ASSISTIVE DEVICES

81092.3

(a) A licensee may ~~accept~~ admit or retain a client who requires the use of an inhalation-assistive device if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.4 to read:

81092.4 COLOSTOMY/ILEOSTOMY

81092.4

(a) A licensee may ~~accept~~ admit or retain a client who has a colostomy or ileostomy if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.5 to read:

81092.5    FECAL IMPACTION REMOVAL, ENEMAS, OR SUPPOSITORIES                      81092.5

(a) A licensee may ~~accept~~ admit or retain a client who requires manual fecal impaction removal, enemas, or use of suppositories if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.6 to read:

81092.6 INDWELLING URINARY CATHETER/CATHETER PROCEDURE 81092.6

(a) A licensee may ~~accept~~ admit or retain a client who requires an indwelling catheter if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.7 to read:

81092.7 STAPH OR OTHER SERIOUS, COMMUNICABLE INFECTIONS 81092.7

(a) A licensee may ~~accept~~ admit or retain a client who has a staph or other serious communicable infection if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.8 to read:

81092.8     DIABETES

81092.8

(a) A licensee may ~~accept~~ admit or retain a client who has diabetes if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1531, Health and Safety Code.

Amend Section 81092.9 to read:

81092.9 WOUNDS

81092.9

(a) A licensee may ~~accept~~ admit or retain a client who has a serious wound if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.10 to read:

81092.10 GASTROSTOMY FEEDING, HYDRATION, AND CARE

81092.10

(a) A licensee may ~~accept~~ admit or retain a client who requires gastrostomy care, feeding, and/or hydration if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81092.11 to read:

81092.11 TRACHEOSTOMIES

81092.11

(a) A licensee may ~~accept~~ admit or retain a client who has a tracheostomy if all of the following conditions are met:

(1) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, 1507 and 1530, Health and Safety Code.

Amend Section 81094 to read:

81094 HEALTH CONDITION RELOCATION ORDER

81094

(a) (Continued)

(b) The Department will give written notice to the licensee ordering the relocation of the client and informing the licensee of the client's right to an Interdisciplinary Team review of the relocation order.

(1) Concurrently the Department will give the notice of the health condition relocation order and information about the client's right to request review of the relocation order to the client. The Department will mail, by certified mail, or deliver a copy within one working day to the client's authorized representative, if any and responsible person.

(A) If the client has no authorized representative, as defined in Section 81001(a)(~~56~~), the relocation order shall be sent to the responsible person and representative payee, if any.

(2) (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1507, 1530, 1531 and 1556 Health and Safety Code.