LEGAL BACKGROUND AND AUTHORITY

42 CFR, Part 442, Subpart F, Standards for Intermediate Care Facilities Other Than Facilities for the Mentally Retarded; 42 CFR, Part 456, Subpart I, Inspections of Care in Skilled Nursing and Intermediate Care Facilities and Institutions for Mental Diseases

CITATION OF REGULATION

SUBPART F - Standards for Intermediate Care Facilities

Other Than Facilities for the Mentally Retarded

# 442.306 Written policies and procedures: Admission.

The ICF must have written policies and procedures that insure that it admits as residents only those individuals whose needs can be met--

(a) By the ICF itself;

(b) By the ICF in cooperation with community resources; or

(c) By the ICF in cooperation with other provides of care affiliated with or under contract to the ICF.

# 456.609 Determinations by team.

The team must determine in its inspection whether--

(a) The services available in the facility are adequate to--

(1) Meet the health needs of each recipient, and the rehabilitative and social needs of each recipient in an ICF; and

(2) Promote his maximum physical, mental, and psychosocial functioning.

(b) It is necessary and desirable for the recipient to remain in the facility;

(c) It is feasible to meet the recipient's health needs and, in an ICF, the recipient's rehabilitative needs, through alternative institutional or noninstitutional services; and

(d) Each recipient under age 21 in a psychiatric facility and each recipient in an institution for the mentally retarded or persons with related conditions is receiving active treatment as defined in #441.154 of this subchapter.

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