

**CITATION(S)**

**Substantial Inadequacy T17 56054**

- ☐ (1) Conditions posing a threat to the health and safety of any consumer, that are not considered an immediate danger as specified in Section 56053 ;
- ☐ (2) Provision of fewer direct care staff hours than are required by the facility's approved service level;
- ☐ (3) Violations of consumers' rights as defined in Section 56002 (a)(8);
- ☐ (4) Failure to provide consumer services as specified in the consumer's IPP
- ☐ (5) Failure to comply with the terms of the consumer's Admission Agreement
- ☐ (6) Deficiencies or irregularities in the handling of the consumer's cash resources, personal property, and valuables;
- ☐ (7) Failure to comply with the requirements for administrator and staff qualifications and/or administrator and staff training;
- ☐ (8) Failure of a Service Level 4 facility to utilize the instructional methods and techniques which are specified in the facility's program design;
- ☐ (9) Failure of a Service Level 4 facility to utilize the methodology for measurement of consumer progress toward achievement of IPP objectives which is specified in the facility's program design;
- ☐ (10) Failure to take a required action pursuant to Section 56052 within the specified timeframe;
- ☐ (11) Failure to (A) File an accurate and complete report verifying the use of rate increase funds authorized by Welfare and Institutions Code Section 4681.4(a) or (b) as required by Title 17, California Code of Regulations, Section 56934(a) ;
- ☐ (11) Failure to (B) Utilize Welfare and Institutions Code Section 4681.4 (a) or (b) rate increase funds for the purposes specified in Title 17, California Code of Regulations, Section 56932(a)(1) through (3);
- ☐ (11) Failure to (C) Utilize Welfare and Institutions Code Section 4681.4 (a) or (b) rate increase funds for a purpose which has been approved by the Department pursuant to Title 17, California Code of Regulations, Section 56932(a)(4)
- ☐ (12) Failure to ensure that a direct care staff (A) Completes the competency-based training

and testing required by Section 56033 (a)(1) or (2);

- ☐ (12) Failure to ensure that a direct care staff (B) Completes any additional training required by Section 56033 (d)(2);
- ☐ (12) Failure to ensure that a direct care staff complies with Section 56033 (f)(1) or (2) when the direct care staff has failed to satisfactorily complete the competency-based training and competency testing.
- ☐ (13) Failure to report special incidents pursuant to Section 54327 (b) When the regional center receives a report that there are substantial inadequacies in the services of a facility, or when the regional center discovers that there are substantial inadequacies in the services of a facility, the regional center shall have the authority to make an unannounced visit(s) to the facility.

#### **Immediate Danger T17 56053**

- ☐ (a) Situations which come to the attention of, or are reported to, the regional center and which appear to constitute an immediate danger shall be investigated immediately following the notification. Situations which shall be investigated include but are not limited to:
  - ☐ (1) Life threatening structural conditions
  - ☐ (2) Suspicion or allegations of abuse of a consumer
  - ☐ (3) A consumer(s) in the facility with no direct supervision unless there is an IPP objective and waiver or exception, approved pursuant to Title 22, California Code of Regulations, Section 80024
  - ☐ (4) Failure to provide a consumer(s) with a medically prescribed special diet(s); or
  - ☐ (5) The presence of an individual exhibiting aggressive or assaultive behavior which is life threatening to self or others.
- ☐ (b) When the regional center determines that the purpose of the visit would be thwarted if advance notice were given, the regional center shall have the authority to make an unannounced visit to the facility to verify the existence of the immediate danger.
- ☐ (c) In cases of alleged consumer abuse, the regional center shall
  - ☐ (1) Immediately forward any allegations regarding consumer abuse to the applicable protective services agency; and
  - ☐ (2) Cooperate with the investigating agency as requested
- ☐ (d) Immediately after verifying that a situation exists which constitutes an immediate danger, the regional center shall take the following actions:
  - ☐ (1) Meet with the administrator to describe the situation(s) which constitutes the immediate danger; and
  - ☐ (2) Notify the Department of Social Services' Community Care Licensing Division district office of the conditions which constitute the immediate danger.

- ☐ (e) The regional center shall determine whether the immediate danger can be corrected within 24 hours of verification.
  - ☐ (1) When the immediate danger cannot be corrected within 24 hours of verification, the regional center shall initiate the emergency relocation of the consumer(s) subject to the immediate danger.
  - ☐ (2) When the immediate danger can be corrected within 24 hours of verification, and the safety of the consumer(s) can be assured, the regional center shall verify that the correction of the immediate danger has occurred.
- ☐ (A) The regional center shall verify the correction of the immediate danger within 24 hours of notification by the facility that the immediate danger has been corrected.
- ☐ (f) The regional center shall document all actions taken pursuant to subsections (a) through (e) above.

## **Title 22**

- ☐ T22-80072: Clients are treated with respect, afforded dignity and privacy and free from intimidation.
- ☐ T22-80072: Clients rights to select a facility is honored.
- ☐ T22-80072: Clients rights are posted.
- ☐ T22-80072: The denial of clients' rights and SIR's are properly documented.
- ☐ T22-80076: Adequate and nutritious meals and snacks are served.
- ☐ T22-83076: Food supply is adequate and free from contamination and spoilage
- ☐ T22-85075: Weight/height records are maintained for each client
- ☐ T22-80076: Residents with prescribed diets receive appropriate foods
- ☐ T22-87575, T22-80087, T22-80075: Medications are properly labeled, and administered; and are stored and locked in a central location.
- ☐ T22-80075: Medical and dental care is provided as appropriate, but at least annually.
- ☐ T22-80075: Complete First Aid supplies and manual are available.
- ☐ T22-83087.4, T22-80076: Toxic substances are safely stored
- ☐ T22-80075, T22-80076: Adaptive equipment and prosthetic devices are used when appropriate and are regularly maintained
- ☐ T22-80076: Sanitation practices are adequate
- ☐ T22-80023: Staff and residents can participate in a documented and posted evacuation plan.
- ☐ T22-83076: Facility program design reflects procedures for restrictive health conditions
- ☐ T22-80070: Complete and current records are maintained for each client and are on-site
- ☐ T22-85064: Administrator certification is on file
- ☐ T22-80075: Certificates and CEU'S are on file for each DSP
- ☐ T22-80065: Number of staff/consultant hours meet facility service level requirements
- ☐ T22-80065: Staff have appropriate statutory clearances, education, and/or experiences
- ☐ T22-80010: Number of clients does not exceed capacity as reflected on current license

- ☐ T22-80087: Facility is clean, safe, and sanitary e.g. operative security bars, 2 emergency exits for each room, and bodies of water secured
- ☐ T22-80088, T22-87576: Room and water temperatures are comfortable and safe
- ☐ T22-80090, T22-80020, T22-87691: Fire Extinguishers
- ☐ T22-80077: Emergency exit plan posted
- ☐ T22-80075: Emergency phone numbers posted
- ☐ T22-85088: One bathroom for every six consumers
- ☐ T22-87577: Individual personal hygiene supplies available
- ☐ T22-80072, T22: 85088: Provisions for modesty and privacy [doors & windows preclude observation from the outside]
- ☐ T22-85087, T22-87577: Bedroom is single use room, not for storage, hallway, etc.
- ☐ T22-80026: The income, disbursements and expenditures for each resident are maintained in a record that shows current balance.
- ☐ T22-80026: Receipts are maintained for purchase made for residents
- ☐ T22-80026: Residents funds are separate from facility funds
- ☐ T22-80026: Clients P.& I monies are not used for basic services