

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.