DRAFT

RCFE: Pre-licensing Tool¹

Pre-licensing visits are conducted prior to licensure to ensure the facility meets licensing requirements.

Pre-licensing visits are made by appointment. The appointment should be scheduled when the prospective licensee is in the CCLD office for their interview, which is conducted after the application package has been determined to be complete. ²

If multiple visits are needed to verify that the facility has made the corrections needed to meet licensing requirements, each visit is counted as a pre-licensing visit.

Facilities may not admit residents prior to licensure.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Citation</th>
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<tbody>
<tr>
<td>Authority to Enter and Inspect</td>
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</table>

**H&S §1569.32.** Any duly authorized officer, employee, or agent of the department may, upon presentation of proper identification, enter and inspect any place providing personal care, supervision, and services at any time, with or without advance notice, to secure compliance with, or to prevent a violation of, this chapter.

**H&S §1569.33.** (a) Every licensed residential care facility for the elderly shall be subject to unannounced inspections by the department. The department shall inspect these facilities as often as necessary to ensure the quality of care provided.

**T-22, §87755.** (a) Any duly authorized officer, employee or agent of the licensing agency may, upon proper identification and upon stating the purpose of his/her visit, enter and inspect the entire premises of any place providing services at any time, with or without advance notice.

(c) The licensing agency shall have the authority to inspect, audit, and copy resident or facility records upon demand during normal business hours. Records may be removed if necessary for copying. Removal of records shall be subject to the requirements in Sections 87412(f), 87506(d), and 87508(b).

¹ This tool is intended to review the most important measurable requirements, absent any residents. The LPAs are required to view the facility as if it was ready to admit a resident.

² See Evaluator Manual: Reference Material for Application
## Physical Plan/Environmental Safety

### Carbon Monoxide Detectors

**H&S §1569.311.** Every residential care facility for the elderly shall have one or more carbon monoxide detectors in the facility that meet the standards established in Chapter 8 (commencing with Section 13260) of Part 2 of Division 12. The department shall account for the presence of these detectors during inspections.

### Maintenance and Operation

**T-22, §87303.** (a) The facility shall be clean, safe, sanitary and in good repair at all times. Maintenance shall include provision of maintenance services and procedures for the safety and well-being of residents, employees and visitors.

1. Floor surfaces in bath, laundry and kitchen areas shall be maintained in a clean, sanitary, and odorless condition.

(c) All window screens shall be clean and maintained in good repair.

(d) There shall be lamps or light appropriate for the use of each room and sufficient to ensure the comfort and safety of all persons in the facility.

(e) Water supplies and plumbing fixtures shall be maintained as follows:

2. Faucets used by residents for personal care such as shaving and grooming shall deliver hot water. Hot water temperature controls shall be maintained to automatically regulate the temperature of hot water used by residents to attain a temperature of not less than 105 degree F (41 degree C) and not more than 120 degree F (49 degree C).

3. Taps delivering water at 125 degree F (52 degree C) or above shall be prominently identified by warning signs.

4. Grab bars shall be maintained for each toilet, bathtub and shower used by residents.

5. Non-skid mats or strips shall be used in all bathtubs and showers.

6. Toilet, handwashing and bathing facilities shall be maintained in operating condition. Additional equipment shall be provided in facilities accommodating physically handicapped and/or nonambulatory residents, based on the residents' needs.

(g) Facilities which have machines and do their own laundry shall:

1. Have adequate supplies available and equipment maintained in good repair. Space used to sort soiled linen shall be separate from the clean linen storage and handling area. Except for facilities licensed for fifteen (15) residents or less, the space used to do laundry shall not be part of an area used for storage of anything other than clean linens and/or other
supplies normally associated with laundry activities. Steam, odors, lint and objectionable laundry noise shall not reach resident or employee areas.

(2) Make at least one machine available for use by residents who are able and who desire to do their own personal laundry. This machine shall be maintained in good repair. Equipment in good repair shall be provided to residents who are capable and desire to iron their own clothes.

(h) Emergency lighting shall be maintained. At a minimum this shall include flashlights, or other battery powered lighting, readily available in appropriate areas accessible to residents and staff. Open-flame lights shall not be used.

(i) Facilities shall have signal systems which shall meet the following criteria:

1. All facilities licensed for 16 or more and all residential facilities having separate floors or buildings shall have a signal system which shall:
   A. Operate from each resident's living unit.
   B. Transmit a visual and/or auditory signal to a central staffed location or produce an auditory signal at the living unit loud enough to summon staff.
   C. Identify the specific resident living unit.

2. Facilities having more than one wing, floor or building shall be permitted to have a separate system in each, provided each meets the above criteria.

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<tr>
<th>Personal Accommodations and Services</th>
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**T-22, §87307.** (a) Living accommodations and grounds shall be related to the facility's function. The facility shall be large enough to provide comfortable living accommodations and privacy for the residents, staff, and others who may reside in the facility. The following provisions shall apply:

(2) Resident bedrooms shall be provided which meet, at a minimum, the following requirements:

A. Bedrooms shall be large enough to allow for easy passage between and comfortable usage of beds and other required items of furniture specified below, and any resident assistant devices such as wheelchairs or walkers.
B. No room commonly used for other purposes shall be used as a sleeping room for any resident. This includes any hall, stairway, unfinished attic, garage, storage area, shed or similar detached building.
C. No bedroom of a resident shall be used as a passageway to another room, bath or toilet.
D. Not more than two residents shall sleep in a bedroom.

(b) Toilets and bathrooms shall be conveniently located. The licensed capacity shall be established based on Section 87158, Capacity, and the following:

1. At least one toilet and washbasin for each six (6) persons, which include residents, family and personnel.
(2) At least one bathtub or shower for each ten (10) persons, which includes residents, family and live-in personnel.

(c) Individual privacy shall be provided in all toilet, bath and shower areas.

(d) The following space and safety provisions shall apply to all facilities:
   (1) Sufficient room shall be available to accommodate persons served in comfort and safety.
   (2) The premises shall be maintained in a state of good repair and shall provide a safe and healthful environment.
   (3) All persons shall be protected against hazards within the facility through provision of the following:
       (A) Protective devices such as nonslip material on rugs.
       (B) Information and instruction regarding life protection and other appropriate subjects.
   (4) Stairways, inclines, ramps and open porches and areas of potential hazard to residents with poor balance or eyesight shall be made inaccessible to residents unless equipped with sturdy hand railings and unless well-lighted.
   (5) Night lights shall be maintained in hallways and passages to nonprivate bathrooms.
   (6) All outdoor and indoor passageways and stairways shall be kept free of obstruction.
   (7) Fireplaces and open-faced heaters shall be adequately screened.

(e) Facilities providing services to residents who have physical or mental disabilities shall assure the inaccessibility of fishponds, wading pools, hot tubs, swimming pools or similar bodies of water, when not in active use by residents, through fencing, covering or other means.

Security Window Bars

H&S §1569.6991. On and after January 1, 1999, no security window bars may be installed or maintained on any residential care facility for the elderly unless the security window bars meet current state and local requirements, as applicable, for security window bars and safety release devices.

T-22, §87468. (a) Each resident shall have personal rights which include, but are not limited to, the following:
   (6) To leave or depart the facility at any time and to not be locked into any room, building, or on facility premises by day or night. This does not prohibit the establishment of house rules, such as the locking of doors at night, for the protection of residents; nor does it prohibit, with permission of the licensing agency, the barring of windows against intruders.

Storage Space

T-22, §87309. (a) Disinfectants, cleaning solutions, poisons, firearms and other items which could pose a danger if readily available to clients shall be stored where inaccessible to clients.
   (1) Storage areas for poisons, and firearms and other dangerous weapons shall be locked.
(2) In lieu of locked storage of firearms, the licensee may use trigger locks or remove the firing pin.  
   (A) Firing pins shall be stored and locked separately from firearms.  
   (3) Ammunition shall be stored and locked separately from firearms.

(b) Medicines shall be stored as specified in Section 87465(c) and separately from other items specified in (a) above.

(c) The items specified in (a) above shall not be stored in food storage areas or in storage areas used by or for clients.

<table>
<thead>
<tr>
<th>Centrally-Stored Medications – Safe and Locked Place¹</th>
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</table>

**T-22, §87465. (h)** The following requirements shall apply to medications which are centrally stored:

1. Medications shall be centrally stored under the following circumstances:
   - (A) The preservation of medicines requires refrigeration, if the resident has no private refrigerator.
   - (B) Any medication is determined by the physician to be hazardous if kept in the personal possession of the person for whom it was prescribed.
   - (C) Because of potential dangers related to the medication itself, or due to physical arrangements in the facility and the condition or the habits of other persons in the facility, the medications are determined by either a physician, the administrator, or Department to be a safety hazard to others.

2. Centrally stored medicines shall be kept in a safe and locked place that is not accessible to persons other than employees responsible for the supervision of the centrally stored medication.

<table>
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<tr>
<th>Operational Requirements</th>
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</table>

**Plan of Operation⁴/Staffing Plan**

**T-22, §87208. (a)** Each facility shall have and maintain a current, written definitive plan of operation. The plan and related materials shall be on file in the facility and shall be submitted to the licensing agency with the license application. Any significant changes in the plan of operation which would affect the services to residents shall be submitted to the licensing agency for approval.

   5. Staffing plan, qualifications and duties.
   6. Plan for training staff, as required by Section 87411(c).

<table>
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<tr>
<th>Fire Clearance</th>
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¹ Since there are no residents in the facility, the LPA asks where centrally-stored medications will be stored to underscore a safe and locked place, and not stored next to items that present a risk to residents.

⁴ Since the Plan of Operation is being reviewed as a part of application processing, only verify that the plan is on file in the facility.
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<tr>
<th>T-22, §87202(a) All facilities shall maintain a fire clearance approved by the city, county, or city and county fire department or district providing fire protection services, or the State Fire Marshal. Prior to accepting or retaining any of the following types of persons, the applicant or licensee shall notify the licensing agency and obtain an appropriate fire clearance approved by the city, county, or city and county fire department or district providing fire protection services, or the State Fire Marshal: (1) Nonambulatory persons. (2) Bedridden persons</th>
</tr>
</thead>
</table>

**Staffing**

**Note:** Verification of the staffing plan in the facility plan of operation.

**Personnel Records/Staff Training**

**Criminal Record Clearance/Exemption**

**H&S §1569.17.** (b) In addition to the applicant, the provisions of this section shall apply to criminal record clearances and exemptions for the following persons:

1. (A) Adults responsible for administration or direct supervision of staff.
2. (B) Any person, other than a client, residing in the facility. Residents of unlicensed independent senior housing facilities that are located in contiguous buildings on the same property as a residential care facility for the elderly shall be exempt from these requirements.
3. (C) Any person who provides client assistance in dressing, grooming, bathing, or personal hygiene. Any nurse assistant or home health aide meeting the requirements of Section 1338.5 or 1736.6, respectively, who is not employed, retained, or contracted by the licensee, and who has been certified or recertified on or after July 1, 1998, shall be deemed to meet the criminal record clearance requirements of this section. A certified nurse assistant and certified home health aide who will be providing client assistance and who falls under this exemption shall provide one copy of his or her current certification on file as long as the care is being provided by the certified nurse assistant or certified home health aide at the facility. Nothing in this paragraph restricts the right of the department to exclude a certified nurse assistant or certified home health aide from a licensed residential care facility for the elderly pursuant to Section 1569.58.
4. (D) Any staff person, volunteer, or employee who has contact with the clients.
5. (E) If the applicant is a firm, partnership, association, or corporation, the chief executive officer or other person serving in a similar capacity.

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5 Although the administrator, staff and volunteers may not be identified at the time of a Pre-Licensing Visit, the LPA confirm that any person subject to a criminal record clearance or exemption must have had the clearance/exemption prior to licensure.
(F) Additional officers of the governing body of the applicant or other persons with a financial interest in the applicant, as determined necessary by the department by regulation. The criteria used in the development of these regulations shall be based on the person’s capability to exercise substantial influence over the operation of the facility.

(2) The following persons are exempt from requirements applicable under paragraph (1):

(A) A spouse, relative, significant other, or close friend of a client shall be exempt if this person is visiting the client or provides direct care and supervision to that client only.

(B) A volunteer to whom all of the following apply:

(i) The volunteer is at the facility during normal waking hours.

(ii) The volunteer is directly supervised by the licensee or a facility employee with a criminal record clearance or exemption.

(iii) The volunteer spends no more than 16 hours per week at the facility.

(iv) The volunteer does not provide clients with assistance in dressing, grooming, bathing, or personal hygiene.

(v) The volunteer is not left alone with clients in care.

(C) A third-party contractor retained by the facility if the contractor is not left alone with clients in care.

(D) A third-party contractor or other business professional retained by a client and at the facility at the request or by permission of that client. These individuals shall not be left alone with other clients.

(E) Licensed or certified medical professionals are exempt from fingerprint and criminal background check requirements imposed by community care licensing. This exemption does not apply to a person who is a community care facility licensee or an employee of the facility.

(F) Employees of licensed home health agencies and members of licensed hospice interdisciplinary teams who have contact with a resident of a residential care facility at the request of the resident or resident’s legal decisionmaker are exempt from fingerprint and criminal background check requirements imposed by community care licensing. This exemption does not apply to a person who is a community care facility licensee or an employee of the facility.

(G) Clergy and other spiritual caregivers who are performing services in common areas of the residential care facility, or who are advising an individual resident at the request of, or with permission of, the resident, are exempt from fingerprint and criminal background check requirements imposed by community care licensing. This exemption does not apply to a person who is a community care facility licensee or an employee of the facility.

(H) Any person similar to those described in this subdivision, as defined by the department in regulations.

(I) Nothing in this paragraph shall prevent a licensee from requiring a criminal record clearance of any individual exempt from the requirements of this section, provided that the individual has client contact.

T-22, §87355. (e) All individuals subject to a criminal record review pursuant to Health and Safety Code Section 1569.17(b) shall prior to working, residing or volunteering in a licensed facility:

(1) Obtain a California clearance or a criminal record exemption as required by the Department or
(2) Request a transfer of a criminal record clearance as specified in Section 87355(c) or
(3) Request and be approved for a transfer of a criminal record exemption, as specified in Section 87356(r), unless, upon request for a transfer, the Department permits the individual to be employed, reside or be present at the facility.

(j) The licensee shall maintain documentation of criminal record clearances or criminal record exemptions of employees in the individual’s personnel file as required in Section 87412, Personnel Records.

(k) The licensee shall maintain documentation of criminal record clearances or criminal record exemptions of volunteers that require fingerprinting and non-client adults residing in the facility.

(1) Documentation shall be available at the facility for inspection by the Department.

<table>
<thead>
<tr>
<th>Personnel File⁶</th>
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<tr>
<td>T-22, §87412. (a) The licensee shall ensure that personnel records are maintained on the licensee, administrator and each employee.</td>
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<tr>
<td>(b) Personnel records shall be maintained for all volunteers and shall contain the following:</td>
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<tr>
<td>(c) Licensees shall maintain in the personnel records verification of required staff training and orientation.</td>
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<tr>
<td>(d) The licensee shall maintain documentation that an administrator has met the certification requirements specified in Section 87406, Administrator Certification Requirements or the recertification requirements in Section 87407, Administrator Recertification Requirements.</td>
</tr>
<tr>
<td>(g) All personnel records shall be maintained at the facility.</td>
</tr>
<tr>
<td>(1) The licensee shall be permitted to retain such records in a central administrative location provided that they are readily available to the licensing agency at the facility as specified in Section 87412(f).</td>
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<tr>
<th>Resident Records⁷/Incident Records</th>
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<tr>
<td>Resident Records</td>
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<tr>
<td>T-22, §87506. (a) The licensee shall ensure that a separate, complete, and current record is maintained for each resident in the facility or in a central administrative location readily available to facility staff and to licensing agency staff.</td>
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⁶ The LPA asks about the location of the personnel files.
⁷ The LPA asks about the location of separate resident records and how confidentiality will be protected.
(c) All information and records obtained from or regarding residents shall be confidential. 
(1) The licensee shall be responsible for storing active and inactive records and for safeguarding the confidentiality of their contents. The licensee and all employees shall reveal or make available confidential information only upon the resident's written consent or that of his designated representative.

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<th>Resident Rights/Information</th>
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<tr>
<td><strong>Resident Rights Posted</strong></td>
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<tr>
<td>H&amp;S §1569.267(b) Licensees shall prominently post, in areas accessible to the residents and their representatives, a copy of the residents’ rights.</td>
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<tr>
<td><strong>Visiting Policy</strong></td>
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<tr>
<td>H&amp;S §1569.313. Each residential care facility for the elderly shall state, on its client information form or admission agreement, and on its patient’s rights form, the facility’s policy concerning family visits and other communication with resident clients and shall promptly post notice of its visiting policy at a location in the facility that is accessible to residents and families.</td>
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<tr>
<td>The facility’s policy concerning family visits and communication shall be designed to encourage regular family involvement with the resident client and shall provide ample opportunities for family participation in activities at the facility.</td>
</tr>
<tr>
<td><strong>Resident Council</strong></td>
</tr>
<tr>
<td>H&amp;S §1569.157(a) Every licensed residential care facility for the elderly, at the request of two or more residents, shall assist the residents in establishing and maintaining a single resident council at the facility. The resident council shall be composed of residents of the facility. Family members, resident representatives, advocates, long-term care ombudsman program representatives, facility staff, or others may participate in resident council meetings and activities at the invitation of the resident council.</td>
</tr>
<tr>
<td>(h) The text of this section with the heading “Rights of Resident Councils” shall be posted in a prominent place at the facility accessible to residents, family members, and resident representatives.</td>
</tr>
<tr>
<td><strong>Complaint/Emergency Contact Poster</strong></td>
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<td>H&amp;S §1569.33(i)(1)-(2)</td>
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8 LPAs must check that text of H&S Code §1569.157 is posted in accordance with subsection (h).
### H&S §1569.33. (i) (1)
The department shall design, or cause to be designed, a poster that contains information on the appropriate reporting agency in case of a complaint or emergency.

(2) Each residential care facility for the elderly shall post this poster in the main entryway of its facility.

### Admission Agreement

### H&S §1569.881. (b)
Every residential care facility for the elderly shall conspicuously post in a location accessible to the public view within the facility either a complete copy of the admission agreement or a notice of its availability from the facility.

### Planned Activities

#### T-22, §87219(a) Residents shall be encouraged to maintain and develop their fullest potential for independent living through participation in planned activities. The activities made available shall include:

1. Socialization, achieved through activities such as group discussion and conversation, recreation, arts, crafts, music, and care of pets.
2. Daily living skills/activities which foster and maintain independent functioning.
3. Leisure time activities cultivating personal interests and pursuits, and encouraging leisure-time activities with other residents.
4. Physical activities such as games, sports and exercise which develop and maintain strength, coordination and range of motion.
5. Education, achieved through special classes or activities.
6. Provision for free time so residents may engage in activities of their own choosing.

(b) Residents served shall be encouraged to contribute to the planning, preparation, conduct, clean-up and critique of the planned activities.

#### Community-Centered Activities

T-22, §87219(c) The licensee shall arrange for utilization of available community resources through contact with organizations and volunteers to promote resident participation in community-centered activities which may include:

1. Attendance at the place of worship of the resident's choice.
2. Service activities for the community.
3. Community events such as concerts, tours and plays.

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9 Since the interests, preferences and abilities of future residents are not known, the LPA will ask about the prospective licensee's approach to planned activities and using community resources.
(4) Participation in community organized group activities, such as senior citizen groups, sports leagues and service clubs.

<table>
<thead>
<tr>
<th>Food Service</th>
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| **Food Service - General Requirements**
| T-22, §87555. |
| **(b)** The following food service requirements shall apply: |
| (19) There shall be one or more dining rooms or similar areas suitable for serving residents at a meal service, in shifts where appropriate. The dining areas shall be convenient to the kitchen so that food may be served quickly and easily and shall be attractive and promote socialization among the diners. |
| (20) The ventilating systems in food preparation areas shall be maintained in working order and shall be operated when food is being prepared. Food preparation equipment shall be placed to provide aisles of sufficient width to permit easy movement of personnel, mobile equipment and supplies. |
| (21) Freezers of adequate size shall be maintained at a temperature of 0 degree F (-17.7 degree C), and refrigerators of adequate size shall maintain a maximum temperature of 40 degree F (4 degree C). They shall be kept clean and food stored to enable adequate air circulation to maintain the above temperatures. |
| (22) Adequate space shall be maintained to accommodate equipment, personnel and procedures necessary for proper cleaning and sanitizing of dishes and other utensils. |
| (24) Pesticides and other toxic substances shall not be stored in food storerooms, kitchen areas, or where kitchen equipment or utensils are stored. |
| (25) Soaps, detergents, cleaning compounds or similar substances shall be stored in areas separate from food supplies. |
| (26) Supplies of nonperishable foods for a minimum of one week and perishable foods for a minimum of two days shall be maintained on the premises. |
| (31) Dishes and utensils shall be disinfected: |
| (A) In facilities using mechanical means, by either maintaining hot water at a minimum temperature of 170 degree F (77 degree C) at the final rinse cycle of dishwashing machines, or by disinfecting as specified in (B) below. |
| (B) In facilities not using mechanical means, by an alternative comparable method approved by the licensing agency or by the local health department, such as the addition of a sanitation agent to the final rinse water. |

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10 Since the facility will not necessarily have food supplies, the LPA will check the location of meal service, ask about sample menus, if required, freezer/refrigerator clean & at safe temperature, no toxic substances not stored in food storerooms, supply of nonperishable food for one week, & method for disinfecting dishes/utensils.
(32) Equipment of appropriate size and type shall be provided for the storage, preparation and service of food and for sanitizing utensils and tableware, and shall be well maintained.

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<td>N/A</td>
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### Incidental Medical and Dental

#### First Aid Kit

**T-22, §87465.** (a)(9) If a facility has no medical unit on the grounds, a complete first aid kit shall be maintained and be readily available in a specific location in the facility. The kit shall be a general type approved by the American Red Cross, or shall contain at least the following:

- **A** A current edition of a first aid manual approved by the American Red Cross, the American Medical Association or a state or federal health agency.
- **B** Sterile first aid dressings.
- **C** Bandages or roller bandages.
- **D** Scissors.
- **E** Tweezers.
- **F** Thermometers.

#### Automated External Defibrillator [AED][^12]

**T-22, §87607.** (a) A licensee is permitted to maintain and operate an AED at the facility if all of the following requirements are met:

1. The licensee shall notify the licensing agency in writing that an AED is in the facility and will be used in accordance with all applicable federal and other state requirements.
2. The licensee shall maintain at the facility the following:
   - **B** A training manual from an American Heart Association- or American Red Cross-recognized AED training class.
   - **C** A log of checks of operation of the AED containing the dates checked and the name of person checking.
   - **D** A copy of a valid AED operator’s certificate for any employee(s) authorized by the licensee to operate the AED. The certificate shall indicate that the AED training course completed complies with the standards of the American Heart Association or the American Red Cross. If it does not, then other evidence indicating that the AED training course completed complies with the standards of the American Heart Association or the American Red Cross shall be available at the facility.

[^11]: The needs of residents are not yet known.

[^12]: Ask if the facility intends to maintain and operate an AED. Check that the facility is compliant with the requirements listed.
(4) A supply kit shall be maintained at the facility and be readily available for use with the AED. The kit shall contain at least the following:
   (A) A back-up battery set.
   (B) An extra set of pads.
   (C) A safety razor for shaving chest hair when necessary to apply the pads.
   (D) A cardiovascular pulmonary resuscitation barrier (a face shield or mask) for protection from transmission of infectious disease.
   (E) Two pairs of unused medical examination gloves (latex or non-latex).

### Disaster Preparedness

**Emergency Plan/Disaster & Mass Casualty Plan**

H&S §1569.695

(c) The department’s Community Care Licensing Division shall confirm, during comprehensive licensing visits, that the plan is on file at the facility.

(e) This subdivision shall not apply to residential care facilities for the elderly that have obtained a certificate of authority to offer continuing care contracts, as defined in paragraph (5) of subdivision (c) of Section 1771.

T-22, §87212. (a) Each facility shall have a disaster and mass casualty plan of action. The plan shall be in writing and shall be readily available.

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13 For Pre-licensing visits, the Disaster and Mass Casualty Plan is to be confirmed as on file at the facility.