

Amend Section 87101 to read:

87101 DEFINITIONS (Continued)

87101

(b) (Continued)

- (3) "Bedridden person" means a person who is "nonambulatory" as specified in Section 87101(n); and who either requires assistance in turning and repositioning in bed, or is unable to independently transfer to and from bed, as specified in Health and Safety Code Section 1569.72(b)(1).

HANDBOOK BEGINS HERE

Health and Safety Code Section 1569.72(b)(1) provides in part:

"(b)(1) ...'bedridden' means either requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed,..."

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(c) (Continued)

Authority Cited: Sections 1569.23, 1569.30, 1569.616 and 1569.698, Health and Safety Code.

Reference: 42 CFR 418.3; Sections 1569.1, 1569.2, 1569.5, 1569.10, 1569.145, 1569.15, 1569.153, 1569.157, 1569.158, 1569.17, 1569.19, 1569.191, 1569.193, 1569.20, 1569.21, 1569.23, 1569.31, 1569.312, 1569.33, 1569.38, 1569.44, 1569.47, 1569.54, 1569.616, 1569.626, 1569.699, 1569.72, 1569.73, 1569.74, 1569.82, 1771 and 1797.196, Health and Safety Code; Sections 5350 and 15610.13, Welfare and Institutions Code; Sections 1500, 1800 and 4780, Probate Code.

Amend Section 87202 to read:

87202 FIRE CLEARANCE

87202

(a) All facilities shall maintain a fire clearance approved by the ~~city or county fire department, the district providing fire protection services, or the State Fire Marshal~~ fire authority having jurisdiction. Prior to accepting or retaining any of the following types of persons, the applicant or licensee shall notify the licensing agency and obtain, through the licensing agency an appropriate fire clearance; approved by the ~~city or county fire department, the district providing fire protection services, or the State Fire Marshal,~~ through the licensing agency fire authority having jurisdiction:

~~(1) Persons over 65 years of age.~~

~~(2) Nonambulatory persons.~~

(2) Bedridden persons pursuant to Health and Safety Code Section 1569.72(c), other than for a temporary illness or recovery from surgery as specified in Sections 87714(d) and (e).

HANDBOOK BEGINS HERE

Health and Safety Code Section 1569.72(c) provides in part:

"(c) ...bedridden persons may be admitted to, and remain in, residential care facilities for the elderly that secure and maintain an appropriate fire clearance. A fire clearance shall be issued to a facility in which a bedridden person resides if either of the following conditions are met:

(1) The fire safety requirements are met.

(2) Alternative methods of protection are approved."

HANDBOOK ENDS HERE

(A) For facilities that care for six or fewer residents, at least one of whom is bedridden, the provisions of Health and Safety Code Sections 1569.72(h)(2)(B)(ii) and 1569.72(i) apply.

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Health and Safety Code Sections 1569.72(h)(2)(B)(ii) provides:

"(h)(2)(B)(ii) Either the facility, the resident or residents' representative, or local fire official may request from the Office of the State Fire Marshal a written opinion concerning the interpretation of the regulations promulgated by the State Fire Marshal pursuant to this section for a particular factual dispute. The State Fire Marshal shall issue the written opinion within 45 days following the request."

Health and Safety Code Sections 1569.72(i) provides:

"(i) For facilities that care for six or fewer clients, a local fire official may not impose fire safety requirements stricter than the fire safety regulations promulgated for the particular type of facility by the Office of the State Fire Marshal or the local fire safety requirements imposed on any other single family dwelling, whichever is more strict."

HANDBOOK ENDS HERE

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1569.2, ~~and~~ 1569.312, and 1569.72, Health and Safety Code.

Amend Section 87208 to read:

87208 PLAN OF OPERATION

87208

(a) (Continued)

(7) Sketches, showing dimensions, of the following:

(A) Building(s) to be occupied, including a floor plan that describes the capacities of the building for the uses intended and a designation of the rooms to be used for nonambulatory residents and for bedridden residents, other than for a temporary illness or recovery from surgery as specified in Sections 87714(d) and (e).

(B) (Continued)

(d) A licensee who accepts or retains bedridden persons shall include additional information in the plan of operation as specified in Section 87714(f).

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Sections 1569.15, 1569.157, 1569.175, 1569.2, 1569.31, 1569.312, 1569.313, 1569.316, 1569.626, ~~and 1569.627,~~ and 1569.72, Health and Safety Code.

Amend Section 87212 to read:

87212 EMERGENCY DISASTER PLAN (Continued)

87212

(b) (Continued)

(2) Plan for evacuation including:

(A) Fire safety plan.

(B) Means of exiting.

(C) The assembly of residents to a predetermined evacuation site.

(D) Transportation arrangements.

(E) Relocation sites which are equipped to provide safe temporary accommodations for residents.

(F) Supervision of residents during evacuation or relocation and contact after relocation to assure that relocation has been completed as planned.

(G) Means of contacting local agencies such as fire department, law enforcement agencies, civil defense and other disaster authorities.

(3) Provision for notifying a resident's hospice agency, if any, in the event of evacuation and/or relocating.

~~(A) Fire Safety Plan.~~

~~(B) Means of exiting.~~

~~(C) Transportation arrangements.~~

~~(D) Relocation sites which are equipped to provide safe temporary accommodations for residents.~~

~~(E) Supervision of residents during evacuation or relocation and contact after relocation to assure that relocation has been completed as planned.~~

~~(F) Means of contacting local agencies such as fire department, law enforcement agencies, civil defense and other disaster authorities.~~

(c) (Continued)

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Sections 1569.1, 1569.2, 1569.31, 1569.312 and 13131, Health and Safety Code.

Amend Section 87455 to read:

87455 ACCEPTANCE AND RETENTION LIMITATIONS (Continued) 87455

- (b) The following persons may be accepted or retained in the facility: (Continued)
- (6) Persons who are bedridden provided the requirements of Section 87714 are met.
- (67) (Continued)
- (c) No resident shall be accepted or retained if any of the following apply: (Continued)
- (2) The resident requires 24-hour, skilled nursing or intermediate care as specified in Health and Safety Code Sections 1569.72(a) and (a)(1).

HANDBOOK BEGINS HERE

Health and Safety Code Sections 1569.72(a) and (a)(1) provide in part:

"(a) ...no resident shall be admitted or retained in a residential care facility for the elderly if any of the following apply:

- (1) The resident requires 24-hour, skilled nursing or intermediate care."

HANDBOOK ENDS HERE

- (3) (Continued)
- ~~(4) The resident is bedridden, other than for a temporary illness or for recovery from surgery, except as otherwise provided in Section 87455(f).~~
- ~~(d) For the purposes of this section, "bedridden" means any of the following:~~
- ~~(1) An applicant or resident who requires assistance in turning and repositioning in bed and is unable to leave a building unassisted under emergency conditions.~~
- ~~(2) An applicant or resident who is unable to independently transfer to and from bed and is unable to leave a building unassisted under emergency conditions.~~
- ~~(e) For the purposes of this section, "temporary illness" means any illness which persists for 14 days or less.~~
- ~~(f) A bedridden resident may be retained in a residential care facility for the elderly in excess of 14 days if all the following requirements are satisfied:~~

- ~~(1) The facility notifies the department in writing regarding the temporary illness or recovery from surgery.~~
- ~~(2) The facility submits to the department, with the notification, a physician and surgeon's written statement to the effect that the resident's illness or recovery is of a temporary nature. The statement shall contain an estimated date upon which the illness or recovery will end or upon which the resident will no longer be confined to a bed.~~
- ~~(3) The department determines that the health and safety of the resident is adequately protected in that facility and that transfer to a higher level of care is not necessary.~~
- ~~(g) Notwithstanding the length of stay of a bedridden resident, every facility admitting or retaining a bedridden resident, as defined in this section, shall, within 48 hours of the resident's admission or retention in the facility, notify the local fire authority with jurisdiction in the bedridden resident's location of the estimated length of time the resident will retain his or her bedridden status in the facility.~~
- ~~(h)~~ (Continued)
- ~~(i)~~ (Continued)
- ~~(j)~~ (Continued)

Authority Cited: Sections 1569.30 and 1569.698, Health and Safety Code.

Reference: Sections 1250, 1569.1, 1569.2, 1569.31, 1569.312, 1569.54, 1569.699, and 1569.72, Health and Safety Code.

Amend Section 87508 to read:

87508 REGISTER OF RESIDENTS

87508

- (a) The licensee shall ensure that a current register of all residents in the facility is maintained and contains the following updated information:
- (1) ~~The resident's name and ambulatory status as specified in Sections 87506(b)(1) and (b)(10).~~ A list of the location and designation of the rooms to be used for bedridden and nonambulatory residents.
 - (2) (Continued)
 - (4) A categorical register of all bedridden or nonambulatory residents shall be maintained at the facility and made available immediately upon request to the licensing agency and/or emergency personnel to inspect upon request. Facilities must comply with the regulations set forth in Section 87212, specifically in the event of an emergency or evacuation, there must be a procedure that documents accountability for the safe exit of all resident(s) to a predetermined location.
- (b) (Continued)

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Section 1569.315, Health and Safety Code.

Amend Section 87633 to read:

87633 HOSPICE CARE FOR TERMINALLY ILL RESIDENTS (Continued) 87633

(l) Residents receiving hospice care who are bedridden as defined in Section ~~87455(d)~~ 87101(b)(3), Acceptance and Retention Limitations Definitions, may reside in the facility provided the facility ~~notifies the local fire authority of the estimated length of time the resident will be bedridden~~ meets the requirements of Section 87714, Care of Bedridden Patients. Notification must occur within 48 hours of the individual's bedridden status.

(1) For terminally ill residents who are bedridden and receive hospice services, the care plan required in Section 87714(g)(1) shall be incorporated into the hospice care plan required in Section 87633(b), as appropriate.

(m) (Continued)

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Sections 1569.1, 1569.2, 1569.31, 1569.312, 1569.54, 1569.72, and 1569.73, Health and Safety Code.

Amend Section 87705 to read:

87705 CARE OF PERSONS WITH DEMENTIA (Continued) 87705

(b) In addition to the requirements as specified in Section 87208, Plan of Operation, the plan of operation shall address the needs of residents with dementia, including: (Continued)

(3) The needs of residents with dementia who are bedridden as specified in Section 87714(f).

(c) (Continued)

Authority Cited: Section 1569.30 and 1569.698, Health and Safety Code.

Reference: Sections 1569.2, 1569.31, 1569.312, 1569.698, 1569.699, 1569.72, and 13131, Health and Safety Code.

Adopt Section 87714:

87714 CARE OF BEDRIDDEN RESIDENTS

87714

- (a) This section applies to licensees who wish to accept or retain bedridden persons, as defined in Section 87101(b)(3).
- (b) A facility shall notify the local fire jurisdiction within 48 hours of accepting or retaining any bedridden person, as specified in Health and Safety Code Section 1569.72(f).

HANDBOOK BEGINS HERE

Health and Safety Code Section 1569.72(f) provides:

"(f) Notwithstanding the length of stay of a bedridden resident, every facility admitting or retaining a bedridden resident, as defined in this section, shall, within 48 hours of the resident's admission or retention in the facility, notify the local fire authority with jurisdiction in the bedridden resident's location of the estimated length of time the resident will retain his or her bedridden status in the facility."

HANDBOOK ENDS HERE

- (c) To accept or retain a bedridden person, other than for a temporary illness or recovery from surgery as specified in Sections 87714(d) and (e), a facility shall secure and maintain an appropriate fire clearance as specified in Section 87202(a)(2).
- (d) For the purposes of this section, "temporary illness" is defined in Health and Safety Code Section 1569.72(d)(1).

HANDBOOK BEGINS HERE

Health and Safety Code Section 1569.72(d)(1) provides:

"(d)(1) For purposes of this section, 'temporary illness' means any illness which persists for 14 days or less."

HANDBOOK ENDS HERE

- (e) A facility may retain a bedridden resident for more than 14 days if all of the requirements of Health and Safety Code Section 1569.72(e) are met.

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Health and Safety Code Section 1569.72(e) provides:

"(e) A bedridden resident may be retained in a residential care facility for the elderly in excess of 14 days if all of the following requirements are satisfied:

"(1) The facility notifies the department in writing regarding the temporary illness or recovery from surgery.

"(2) The facility submits to the department, with the notification, a physician and surgeon's written statement to the effect that the resident's illness or recovery is of a temporary nature. The statement shall contain an estimated date upon which the illness or recovery will end or upon which the resident will no longer be confined to a bed.

"(3) The department determines that the health and safety of the resident is adequately protected in that facility and that transfer to a higher level of care is not necessary.

"(4) This section does not expand the scope of care and supervision of a residential care facility for the elderly."

HANDBOOK ENDS HERE

- (1) If it is determined that a resident will be temporarily bedridden for more than 14 days, the facility shall notify the fire authority having jurisdiction of the revised estimated length of time that the resident will be bedridden, as required in Section 87714(b).
- (f) In addition to meeting the requirements specified in Section 87208, the plan of operation shall address the needs of bedridden residents, including, but not necessarily limited to, brief narrative descriptions of the following:
 - (1) Type of care to be provided, including goals and objectives.
 - (2) Descriptions of the licensee's plans to meet each of the requirements of Section 87714(g).
 - (3) Procedures for notifying, when a resident's condition changes or an incident occurs that threatens the health and safety of the resident, the resident's physician, as appropriate; the resident's responsible person or conservator, if any; and any family member who has requested notification.

- (g) Licenses who accept or retain bedridden residents shall ensure the following:
- (1) In accordance with Section 87467, Resident Participation in Decision Making, a care plan to meet each bedridden resident's needs is developed, followed and updated as the resident's condition changes.
 - (A) The resident's physician, or a licensed health care professional designated by the resident's physician, shall be consulted on the development of the care plan.
 - (B) The licensee shall ensure that each care plan is kept current and accurately matches the services being provided, and that the resident's needs are met at all times.
 - (2) Each bedridden resident has an updated medical assessment if necessary, as specified in Section 87458(c), and reappraisals are done as frequently as necessary, as specified in Section 87463.
 - (A) Any updated medical assessment and reappraisal(s) shall include an assessment of the resident's bedridden care needs.
 - (B) When a medical assessment, reappraisal or observation indicates that the resident's bedridden care needs have changed, corresponding changes shall be made in the care and supervision provided to that resident and shall be reflected in the resident's care plan required in Section 87714(g)(1).
 - (3) In addition to the on-the-job training requirements in Section 87411(d), direct care staff who care for bedridden residents meet the training requirements of Section 87613, General Requirements for Restricted Health Conditions.
 - (A) Training for direct care staff who care for bedridden residents shall include, but not be limited to, the following:
 1. Proper procedures for repositioning residents when necessary;
 2. Evaluation of skin integrity;
 3. Infection control;
 4. Appropriate nutritional and fluid intake;
 5. Use of assistive devices and equipment;

6. Techniques for providing bedridden residents with sensory stimulation, such as reading aloud to residents or the use of audio/video tapes;
 7. Any techniques that a trained layperson can perform to help prevent respiratory complications such as pneumonia, gastrointestinal motility disorders such as constipation, and bladder problems in bedridden residents;
 8. How to recognize when a bedridden resident is in distress and needs medical intervention; and
 9. Have knowledge of and training to carry out the emergency disaster plan required in Section 87212.
- (4) Documentation of bedridden-related staff training, as required in Sections 87714(g)(3) and (g)(3)(A), is maintained in the personnel records as specified in Sections 87411(c)(6) and 87412(c)(2).
 - (5) In accordance with the personnel requirements specified in Section 87411(a), there is an adequate number of trained direct care staff to meet each bedridden resident's needs as identified in his/her current care plan required in Section 87714(g)(1).
 - (6) In addition to the requirements specified in Section 87415, Night Supervision, awake night staff on duty or on call are capable of meeting the repositioning and other needs of bedridden residents, as necessary.
 - (A) In addition to the requirements in Section 87415(a), a facility with fewer than 16 residents shall have at least one night staff person awake, on duty, and capable of meeting the repositioning and other needs of bedridden residents, as necessary, if any bedridden resident is determined to require constant or intermittent awake night supervision in his/her current care plan required in Section 87714(g)(1).
 - (7) In addition to the requirements specified in Section 87303(i), facilities licensed for fewer than 16 residents that care for a bedridden resident(s) have and utilize a signal system or other appropriate means of communication that enables the bedridden resident(s) to summon facility staff immediately when needed.
 - (8) There is ongoing, prompt access to licensed health care professionals for consultation on bedridden issues or the specific needs of a bedridden resident(s), as necessary.
 - (9) Assistive devices and equipment are available and utilized as necessary to meet the needs of bedridden residents. Assistive devices and equipment may include, but are not limited to, the following:

- (A) Egg-crate mattresses (or equivalent) to relieve pressure;
- (B) Partial bed rails;
- (C) Privacy curtains and/or screens, if necessary;
- (D) Over-bed tables;
- (E) Heel and elbow protectors;
- (F) Bed pans;
- (G) Bedside commodes;
- (H) Urinals;
- (I) Trapeze bars;
- (J) Patient lifts; and
- (K) Wheelchairs.

(10) In addition to Section 87219, Planned Activities, there are planned activities that address the needs and limitations of bedridden residents, including the need for sensory stimulation.

(h) In addition to the reporting requirements specified in Section 87211, the licensee shall ensure the following for its bedridden residents:

(1) When there is any change in a bedridden resident's health condition that threatens the health and safety of the resident, the physician, home health care agency, hospice provider, and authorized representative or conservator, if any, of the resident are contacted.

(2) Reports required by this section and Section 87211 shall be made by telephone within one working day, and in writing within seven calendar days; and shall specify all of the following:

(A) The name, age and sex of each affected resident.

(B) The date and nature of the reportable event, as well as any pertinent background information about the circumstances leading up to the event.

(C) Actions taken by the licensee and any other parties to resolve the reportable event and to prevent similar occurrences in the future.

- (i) The facility's emergency disaster plan, required by Section 87212, shall address safety issues pertaining to bedridden residents in a disaster or an emergency.
- (j) Nothing contained in this section or in Chapter 8 precludes the licensing agency from requiring the relocation of a bedridden resident whose needs are not being met in a facility, or whose needs are beyond the scope of care of the facility.

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Sections 1569.1, 1569.2, 1569.31, 1569.312, 1569.54, 1569.62, 1569.625, 1569.72, and 1569.80, Health and Safety Code.