

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



May 2, 2008

CCL INFORMATION RELEASE NO. 2008-01REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation Change
 Court Order
 Initiated by CCL

TO: ALL SENIOR CARE PROGRAM STAFF

**SUBJECT: RESIDENTIAL CARE FACILITIES FOR THE ELDERLY CHANGES
IN REGULATION SEQUENCE AND ORGANIZATION**

The new Residential Care Facilities for the Elderly (RCFE) regulations are now in effect. This package created new articles, renamed certain articles and sections, and reorganized them into logical sequence for clarity and ease of use. This package does not alter any requirement, condition, prescription, or any other regulatory element of the current regulations.

- A copy of the regulations with changes shown is available at:
<http://www.cdss.ca.gov/ord/PG1547.htm>.
- An official copy of the regulations is available through Westlaw at:
<http://ccr.oal.ca.gov/>
- An official copy of the regulations is also available for a fee through Barclays Law Publishers at (800) 888-3600 or by e-mail at barclaysccr@thomson.com

Overview of Changes

Some of the regulation changes included the relocation of regulations from Articles with too much content into more appropriate Articles that have less content. For example, regulations related to Administrator Requirements under Article 6, Continuing Requirements are now located in the newly created Article 7, titled Personnel.

To provide ease of reading and to remove duplicate wording, in the "Definition" section, definitions are no longer redundant. An example of this change is as follows:
~~Allowable Health Condition.~~ "Allowable Health Condition" means any health condition that the licensee is allowed... "Note, the terms Allowable Health Condition are not repeated.

Licensing staff are advised that these regulations are not currently available on the Community Care Licensing Division Webpage under the Laws and Regulations Section or on the Field Automation System. Efforts are underway to update these resources for licensing staff. Licensing Program Analysts (LPAs) may either download a PDF copy of the regulations from the link provided above onto his/her laptop or print a hard copy for manual use. LPAs may also access the regulations through Westlaw. During each visit, LPAs shall inform licensees/facility staff that the new regulations have been approved and provide them with information about how to access the regulations. If deficiencies are observed, LPAs shall cite from the current updated RCFE regulations.

There are two attachments to this Information Release. Attachment I is a new Unofficial Table of Contents to accompany the regulation package. This may be used until the Office of Regulation Development formally posts the Official Table of Contents. To further assist licensing staff in navigating through the changes, Attachment II is a Matrix that identifies the Changes to Article/Regulation Section Numbers and Titles.

Note: There is one outstanding correction to Barclays/West that is being corrected. In Barclays, Section 87102, Description of Forms is under Article 2. License. The correct placement of this regulation is under Article 1. Definitions and Forms. Until this correction has been made, LPAs may use the Barclay's reference, although incorrect, it is still considered law at this time.

If you have any questions or need further information, please contact Thomas Stahl, Chief of the Policy Development Bureau at (916) 322-5528.

Sincerely,

Original signed by Jo Frederick

JO FREDERICK, Deputy Director
Community Care Licensing Division

Attachments

ATTACHMENT I

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ATTACHMENT II
CALIFORNIA CODE OF REGULATIONS
TITLE 22, DIVISION 6, CHAPTER 8
RCFE REGULATIONS
(Matrix of Changes in RCFE Regulations)

The following Matrix identifies the original RCFE Article/Regulation Number and Title along with the new RCFE Article/Regulation Number and Title. It begins with the changes related to the Articles and moves into specific regulation section changes. This package created new articles, renamed certain articles and sections, and reorganized them into logical sequence for clarity and ease of use. This package does not alter any requirement, condition, prescription, or any other regulatory element of the current regulations. Not all regulations are affected.

ARTICLE SECTION NUMBERS AND TITLES

Original Article Number	New Article Number	Original Article Title	New Article Title <i>(If applicable)</i>
Article 1	No change	Definitions	Definitions and Forms
Article 2	No change	License	No change
Article 3	No change	Application Procedures	No change
Article 4	Moved to Article 14	Administrative Actions	Operating Requirements
Article 5	Moved to Article 13	Enforcement Provisions	Physical Environments and Accommodations
Article 6			Background Check
Article 7	Moved to Article 5	Physical Environment	Personnel
Article 8		Incidental Medical Services	Resident Assessments, Fundamental Services and Rights
Article 9	Moved to Article 15	Administrator Certification Training Programs	Resident Records

Original Article Number	New Article Number	Original Article Title	New Article Title <i>(If applicable)</i>
	Article 10		Food Services
	Article 11		Health-Related Services and Conditions
	Article 12		Dementia
	Article 13		Enforcement
	Article 14		Administrative Actions - General
	Article 15		Administrator Certification Training Programs – Vendor Information

REGULATION SECTION NUMBERS AND TITLES

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
87102 ¹		Definitions - Forms	Descriptions of Forms
87110	87204	Limitations - Capacity and Ambulatory Status	
87111	87206	Advertisements and License Number	

¹ Regulation Section 87102, currently under Article 2, will be in Article I pending Barclays/Westlaw correction..

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
87112	87207	False Claims	
87113	87109	Transferability	Transferability of License
87114	87111	Continuation of License Under Emergency Conditions/Sale of Property	
87115	87113	Posting of License	
87116	87209	Program Flexibility	
87117	87114	Applicant/Licensee Mailing Address	
87118	No renumbering	Nondiscrimination	
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87219	87355	Criminal Record Clearance	
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87220	87202	Fire Clearance	
87222	87208	Plan of Operation	

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
87223	87212	Disaster and Mass Casualty Plan	Emergency Disaster Plan
87224	87156	Licensing Fees	
87225	87215	Commingling of Money	
87226	87216	Bonding	
87227	87217	Safeguards for Cash Resources, Personal Property, and Valuables of Residents	Safeguards for Resident Cash Personal Property, and Valuables
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87228	87157	Application Review	
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87234	87120	Repealed	

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
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87236	87112	Conditions for Forfeiture of a Residential Care Facility for the Elderly License	Conditions for Forfeiture of License
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87346	87777	Exclusions	
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87452	87756(c-e)	Deficiencies in Compliance	Under: Evaluation Visit
87453	87759	Follow-up Visits to Determine Compliance	
87454	87761	Penalties	

Original Section Number	New Section Number	Original Section Title	New Section Title (If applicable)
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87455.1	87766	Denial or Revocation of License For Failure To Pay Civil Penalties	
87457	87768	Unlicensed Facility Penalties	
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87566	87412	Personnel Records	

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
87567	87456	General	Evaluation of Suitability for Admission
87568	87507	Admission Agreements	
87569	87458	Medical Assessment	
87570	87506	Resident Records	
87571	87508	Register of Residents	
87572	87468	Personal Rights	
87573	87311	Telephones	
87574	87312	Motor Vehicles Used in Transporting Residents	
87575	87465	Incidental Medical and Dental Care	Incidental Medical and Dental Care Services
87575.1	87469	Advance Health Care Directives, Requests To Forego Resuscitative Measures, DO-NOT Resuscitate Forms	
87575.2	87607	Automated External Defibrillators (AEDS)	
87576	87555	Food Services	General Food Service Requirements
87577	87307	Personal Accommodations and Services	

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
87578	87608	Personal Assistance and Care	Postural Supports
87579	87219	Planned Activities	
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87588	87505	Documentation and Support	

Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
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Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
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Original Section Number	New Section Number	Original Section Title	New Section Title <i>(If applicable)</i>
87707	87623	Indwelling Urinary Catheter/Catheter Procedure	Indwelling Urinary Catheter
87708	87625	Managed Bowel and Bladder Incontinence	Managed Incontinence
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87711	87629	Injections	
87712	87630	Protective Supervision-(obsolete)	
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87714	87640	Repealed	
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Original Section Number	New Section Number	Original Section Title	New Section Title (If applicable)
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87724	87705	Care of Persons with Dementia	
87725	87706	Advertising Dementia Special Care, Programming, and/or Environments	
87725.1	87707	Training Requirements If Advertising Dementia Special Care, Programming And/Or Environments	
87725.2	No renumbering	Advertising Dementia Special Care, Programming, and/or Environments as of July 3, 2004	Repealed - obsolete
87730	87785	Initial Certification Training Program Approval Requirements	
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