

~~Once the admission agreement (LIC 604A 5/00), is updated and available, review of the admission agreement will be incorporated as part of the compliance visit.~~

## ACTION REQUIRED

### SB 540 (SOTO), CHAPTER 322, STATUTES OF 2003

**Affects:** Residential Care Facilities for the Elderly (RCFE)

**Subject:** Disclosure of Special Services for Persons with a Health Related Condition

**Summary:** This legislation adds Section 1569.628 to the Health and Safety (H&S) Code ~~(H&SC)~~. This section applies to licensees of an RCFE that advertises special care, programming, or environments for persons with a health related condition, except for residents requiring 24-hour, skilled nursing or intermediate care or who are bedridden, as specified in Section 1569.72. The licensee must, to provide to each prospective resident an accurate written narrative description of these programs and services to each resident prior to admission. The licensee must make All reasonable efforts must be made to communicate information in the narrative to a prospective resident, including reading the description out loud, if the individual is unable to read.

### IMPLEMENTATION:

This statute is self-sufficiently clear to implementing although until regulations may be ~~are~~ developed. During the next facility visit, notify the administrator of the new disclosure requirements and reference the notification on the licensing report.

### Disclosure Requirements:

Facilities that advertise or promote special care, programming, or environments for persons with a health related condition must maintain advertising material on file at the facility. In addition, licensees must maintain documentation showing that the written narrative summary is provided to any individual requesting information about the services being advertised. The LPA must review this advertising material to ensure that it is consistent with the facility's plan of operation submitted to the licensing agency pursuant to CCR section 87222(a)(2), and that ~~these~~ facilityies is are able to provide the promoted services under their plan of operation and within the confines of the facility license. H&S Code Section 1569.72, referenced in the legislation, does not allow ~~these~~ facilities to offer care and/or services beyond that allowed in regulations (CCR Article 8 ~~(Incidental Medical Services)~~, commencing with Section 87700-).

~~These facilities must provide to each prospective resident an accurate written narrative description of the special programs and services prior to admission. The licensee must also make a reasonable effort to communicate information in the narrative description to a person who is unable to read it him/herself, including, but not limited to, reading the description out loud.~~