



California
Department of
Health Services

SANDRA SHEWRY
Director

State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

December 12, 2005

AFL 05-42

To: All Skilled Nursing Facilities and Intermediate Care Facilities

Subject: Information regarding R-05-01: Standard Admission Agreement

On July 6, 2005, Standard Admission Agreement Regulations (R-05-01) were approved and filed with the Secretary of State. The regulations will go into effect January 2, 2006.

This means on that date:

- Every licensed skilled nursing facility and intermediate care facility in California, including distinct-part facilities in hospitals, must use the Standard Admission Agreement for all new resident admissions to their facilities.
- The Agreement includes a comprehensive Resident Bill of Rights as a mandatory attachment (Attachment A). It shall be the responsibility of the facilities to duplicate and distribute the Attachment with each Standard Admission Agreement. All Agreements should be reproduced in black type on one-sided plain white paper, and in not less than 12-point Arial font, consistent with the final regulations.
- Nothing in the regulations precludes a facility from distributing other information to residents during the admission process, including facility-specific rules or procedures, and other agreements such as arbitration agreements.
- No facility may require a resident to sign any other document at the time of or as a condition of admission to a facility, nor as a condition of continued stay in the facility. This includes arbitration agreements.
- No facility may alter the Standard Admission Agreement without prior written approval from the Department, obtained via a request to alter the Agreement submitted directly to:

Marylyn Willis, R.N., Chief
Legislation and Regulations Unit
Licensing and Certification Program
Department of Health Services
1615 Capitol Avenue, Ste. 73.481
MS 3201
P.O. Box 997413
Sacramento, CA 95899-7413

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The complete regulations rulemaking file can be reviewed at:
<http://www.applications.dhs.ca.gov/regulations/searchRegulation.asp?REGID=R-5-01&submit1=Submit>)

For your information, a typographical error has been identified on page 13 of the Standard Admissions Agreement, which uses “my” instead of “may” in the following sentence:

“Other than as noted for a duly authorized Resident’s Representative, the Resident my [*sic*] not assign or otherwise transfer his or her interests in this Agreement.”

The Department is effecting a change to the Code of Regulations to correct this error; in the meantime, all users should manually correct their copy of the Agreement, and initialize the correction. We apologize for this error.

The Agreement will not be applied retroactively. A summary of Frequently Asked Questions regarding usage of the Standard Admission Agreement will soon be posted on DHS’ website. Additionally, in accordance with the requirements of Health and Safety Code §1599.61(e), the Department is in the process of translating the Resident Bill of Rights (Attachment A), which will be made available for distribution thereafter.

Thank you for your attention to these requirements.

Sincerely,

Original Signed by Brenda G. Klutz

Brenda G. Klutz
Deputy Director