



RON CHAPMAN, MD, MPH
Director & State Health Officer

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



EDMUND G. BROWN, JR.
Governor

February 21, 2014

AFL 14-08

TO: Congregate Living Health Facilities (CLHFs)

SUBJECT: Diagnostic Admission Requirements at CLHFs

AUTHORITY: Health and Safety Code (HSC) Sections 1250(i)(2) and 1267.12

The purpose of this All Facilities Letter (AFL) is to remind CLHFs that the admission of residents must be upon the order of a physician and surgeon.

Each CLHF must have policies to ensure compliance with Health and Safety Code Section 1267.12, which provides:

No person shall be admitted, or accepted for care, or discharged, by a congregate living health facility except upon the order of a physician and surgeon. Admission criteria shall be subject to review and approval by the state department. All persons admitted or accepted for care by the congregate living health facility shall remain under the care of a physician and surgeon who shall see the resident at least every 30 calendar days or more frequently if required by the resident's medical condition.

CLHFs are advised to retain documentation for each resident in their admission's file in order to verify that, upon admission, the resident met the requirement in HSC 1250(i)(2)(A)-(C), in that the physician certifies that the patient was:

- a mentally alert, person with physical disabilities, who may be ventilator dependent;
- a person with a diagnosis of terminal illness, a diagnosis of a life-threatening illness, or both; or,
- a catastrophically and severely disabled person.

The California Department of Public Health may request documentation to verify compliance with this requirement at any time.

Please note that facilities are responsible for following all applicable laws. Any failure of the California Department of Public Health to expressly notify facilities of statutory or

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regulatory requirements does not relieve facilities of their responsibility in that regard. Facilities should refer to the full text of all applicable sections of the Health and Safety Code and Title 22 of the California Code of Regulations to ensure compliance.

If you have questions regarding any of the matters discussed in this AFL, please contact your local District Office.

Sincerely,

Original signed by Jean Iacino

Jean Iacino
Interim Deputy Director
Center for Health Care Quality