

Questions for Stakeholder Meeting

Intermediate Care Facilities/Developmentally Disabled- Nursing-Habilitative-Continuous Nursing

The regulatory action amends the ICF/DD-H licensing and certification regulations in Title 22, Chapter 8.5, California Code of Regulations (sections 76800 – 76962) to apply to ICF/DD-N and ICF/DD-CN facilities. The combined chapter will include sections that apply to all three facility types (ICF/DD-N, ICF/DD-H, ICF/DD-CN) and sections specific to each facility type. The first set of questions addresses the needs of all three facility types. The second set of questions is specific to the two facility types being added to the regulations, ICF/DD-N and ICF/DD-CN facilities.

General Questions

1. What are the most important issues you would like to see addressed in the regulations?
2. Please describe any regulatory changes that could help improve the delivery of ICF/DD services for the three facility types.
3. Are there any patient/family rights or responsibilities that would be helpful to include that are not presently required in the regulations? Please describe.

License

4. Are there any issues not adequately addressed in the current regulations for licensing? If so, please describe the issues requiring clarification.
5. The statute contemplates non-client adults living in the facility. What issues should the Department consider when regulating non-clients who live in the facility? For example: Who specifically may live in the facility? What areas of the facility should they not have access? What is the duty of the facility to ensure the health and safety of clients and staff?

Services

6. What services should the facilities be required to provide?
7. What concerns, if any, does your organization have regarding the Individual Service Plan regulations as currently written (Section 76860)?
8. What issues should the Department be aware of in amending existing regulations on behavior management programs and restraint requirements?

9. What guidelines or standards does your organization rely on when establishing policies and procedures for client behavior management plans?
10. What issues should the Department be aware of in amending existing regulations on physician services?
11. What issues should the Department be aware of in amending existing regulations on dental services?
12. What issues should the Department be aware of in amending existing regulations on nursing services?
13. What guidelines or standards does your organization rely on when establishing policies and procedures for dietary/nutrition programs?

Administration

14. Are there any issues not adequately addressed in the current regulations for administrative policies? If so, please describe the administrative issues requiring clarification.
15. The Department is considering updates to reflect changes in state law and fire safety policy regarding smoking in health facilities. What issues should the Department be aware of in updating this section?
16. What issues should the Department be aware of when updating Disaster and Mass Casualty Plan regulations - in response to the Centers for Medicare and Medicaid Services update to emergency preparedness program regulations at 42 CFR section 483.475 (effective November 15, 2016)?

Physical Plant

17. Are there any issues not adequately addressed in the current regulations for physical plant requirements? If so, please describe the issues requiring clarification.

ICF/DD-N

18. The Department is considering adopting a new Article to address issues and requirements specific to ICF/DD-N facilities. What issues should the Department be aware of in adopting regulations?

ICF/DD-CN

19. The Department is considering addressing issues and requirements specific to ICF/DD-CN facilities. What issues should the Department be aware of in adopting regulations?
20. Current requirements for ICF/DD-CN facilities are through the Medicaid Home and Community Based Services (HCBS) Waiver program. Are there concerns or challenges associated with the HCBS standards that should be addressed in the regulations? Please describe.