

**87706 ADVERTISING DEMENTIA SPECIAL CARE, PROGRAMMING,
AND ENVIRONMENTS****87706**

- (a) In addition to the requirements in Section 87705, Care of Persons with Dementia, licensees who advertise, promote, or otherwise hold themselves out as providing special care, programming, and/or environments for residents with dementia or related disorders shall meet the following requirements:
- (1) The licensee shall ensure that direct care staff who provide care to any resident(s) with dementia meet the training requirements in Section 87707, Training Requirements if Advertising Dementia Special Care, Programming, and Environments, including six hours of resident care orientation within the first four weeks of employment and eight hours of in-service training per year on the subject of serving residents with dementia.
 - (A) Direct care staff includes staff used for staff mealtime and break relief.
 - (B) Direct care staff may provide dementia special care to residents in the facility or in designated areas of the facility.
 - (2) In addition to the requirements specified in Sections 87208(a) and 87705(b), the licensee shall include in the plan of operation a brief narrative description of the following facility features:
 - (A) Philosophy, including, but not limited to, program goals/objectives in relation to meeting the needs of residents with dementia.
 - (B) Pre-admission assessment, including the types of assessment tools used to determine residents' dementia care needs and who will participate in the assessment.
 - (C) Admission, including the following items that must be addressed when admitting a resident who requires dementia special care:
 1. Specification of the designated areas in the facility where dementia special care is provided, which may be the entire facility or only parts of it.
 2. Services available specific to residents with dementia.
 3. Procedures in place to ensure that the plan of operation is available for review upon request, as required by Section 87706(a)(3).
 - (D) Assessment(s), including the following as they pertain to residents receiving dementia special care:
 1. Types of assessments used;

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2. Who will participate in resident assessments and procedures for ensuring the opportunity for resident and family involvement; and
 3. Frequency of assessments.
- (E) Activity program for residents with dementia, including, but not limited to:
1. Types of activities;
 - a. Activities may include cognitive/mental stimulation (e.g., crafts, reading, writing, music, current events, reminiscences, movies); physical activities (e.g., gross and fine motor skills); work activities and life skills; social activities; cultural/religious activities; sensory activities; individual/group activities (e.g., games); pet care; and outdoor activities (e.g., field trips, gardening).
 2. Frequency of activities; and
 3. The process to determine what types of activities shall be planned to encompass residents' needs.
 - a. These needs are based on personal preferences, age, beliefs, culture, values, attention span, and life experiences (e.g., family and friend involvement, favorite pastimes, occupations, and geographic areas lived in and visited).
- (F) Staff qualifications. Describe the experience and education required for prospective direct care staff who will provide dementia special care.
- (G) Staff training. Describe the required training for direct care staff who provide dementia special care. At a minimum, the description shall include information on the time frame for training, as specified in Section 87707(a)(2), and the training topics, as specified in Section 87707(a)(2)(A).
- (H) Physical environment, including environmental factors that ensure a safe, secure, familiar and consistent environment for residents with dementia.
1. Environmental factors that may be considered include: bedroom decor; architectural and safety features (e.g., wide hallways, handrails, delayed egress, secured perimeters); lighting; colors and visual contrasts; types of furniture; signs; noise factors; memory boxes; nourishment and hydration stations; and functional outdoor space and exercise pathways.
- (I) Changes in condition. Procedures to be followed when a resident's condition changes, including, but not limited to, an explanation of:

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1. When a new care plan is required;
 2. At what point a physician (if any) is involved in developing a care plan;
 3. Special techniques/programs (if any) used for managing specific types of behavior; and
 4. The conditions that would require a resident to be relocated.
- (J) Success indicators, including procedures to:
1. Ensure an ongoing review of facility programs pertaining to care of residents with dementia;
 2. Make necessary adjustments to better meet residents' needs; and
 3. Assess the program's overall effectiveness/success.
 - a. Examples of areas that may be reviewed include incident reports, staffing levels, input from others, and resident participation in program activities.
- (3) The admission agreement, as specified in Section 87507(c), shall inform the resident or representative and the resident's responsible person, if any, or the conservator, that the facility features, as specified in Section 87706(a)(2), are described in the facility's plan of operation and that the plan of operation is available for review upon request.
- (4) The licensee shall maintain copies of all facility advertisements and marketing/promotional material that indicate the licensee provides special care, programming, and/or environments for residents with dementia or related disorders, and shall maintain the information for a minimum of three years.

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- (5) The licensee shall provide a description of program and services, as specified in Health and Safety Code section 1569.628.

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Health and Safety Code section 1569.628 provides:

A licensee of a residential care facility for the elderly that advertises or promotes special care, programming, or environments for persons with a health related condition, except as specified in Section 1569.72, shall provide to each prospective resident an accurate narrative description of these programs and services. The description shall be provided in writing prior to admission. All reasonable efforts shall be made to communicate the information in the narrative description to a person who is unable to read it himself or herself, including, but not limited to, reading the description out loud.

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- (A) This material shall be available to the public upon request.
 - (B) This material shall also be available to the licensing agency to inspect, audit, copy, and remove (if necessary for copying) upon demand during normal business hours as specified in Section 87755(c).
- (b) Licensees who will discontinue advertising, promoting, or otherwise holding themselves out as providing special care, programming, and/or environments for residents with dementia or related disorders shall:
- (1) Provide written notification to the licensing agency and to the resident and the responsible person, if any, or the conservator, at least 30 calendar days prior to discontinuing advertising or promoting dementia special care, programming, and/or environments.
 - (A) The notification shall specify the date that the licensee will cease advertising or promoting dementia special care, programming, and/or environments; and, therefore, shall no longer be required to meet the requirements specified in Section 87706(a) and the training requirements in Section 87707, Training Requirements if Advertising Dementia Special Care, Programming, and Environments.
 - (B) The licensee shall maintain a copy of the written notification in each resident's records.
 - (2) On the date specified in the notification, cease all advertisements, publications, and/or announcements that pertain to dementia special care including, but not limited to, those in magazines, newspapers, consumer reports, telephone directory yellow pages, professional or service directories, Internet, radio and/or television commercials.
 - (A) Long-term advertisements, such as yellow pages, shall be removed at the next renewal date.
 - (3) On the date specified in the notification, remove all written references that indicate that the licensee provides dementia special care, programming, and/or environments from all promotional material, advertisements, and/or printed material, including admission agreements and the plan of operation.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.15, 1569.22, 1569.31, 1569.312, 1569.33, 1569.355, 1569.62, 1569.625, 1569.626, 1569.627 and 1569.628, Health and Safety Code.

**87707 TRAINING REQUIREMENTS IF ADVERTISING DEMENTIA
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- (a) Licensees who advertise, promote, or otherwise hold themselves out as providing special care, programming, and/or environments for residents with dementia or related disorders shall ensure that all direct care staff, described in Section 87706(a)(1), who provide care to residents with dementia, meet the following training requirements:
- (1) Direct care staff shall complete six hours of orientation specific to the care of residents with dementia within the first four weeks of working in the facility.
 - (A) This orientation shall be repeated if either of the following occur:
 1. An employee returns to work for the same licensee after a break in service of more than 180 consecutive calendar days; or
 2. An employee goes to work for another licensee to provide dementia special care.
 - (B) This orientation shall be separate from other training and be exclusively on the care of residents with dementia.
 - (C) Various methods of instruction may be used, including, but not limited to, presenters knowledgeable about dementia; video instruction tapes; interactive material; books; and/or other materials approved by organizations or individuals specializing in dementia as specified in Section 87707(a)(2)(C).
 1. Instruction may include up to two hours of mentoring and hands-on training from direct care staff who have completed six hours of orientation specific to the care of residents with dementia and eight hours of in-service training on the subject of serving residents with dementia as specified in Sections 87707(a)(1) and (2).
 - (D) The licensee shall maintain in the personnel records documentation on the orientation that includes the date(s), the hours provided, the names of staff in attendance, and the method(s) of instruction used.
 - (2) Direct care staff shall complete at least eight hours of in-service training on the subject of serving residents with dementia within 12 months of working in the facility and in each succeeding 12-month period. Direct care staff hired as of July 3, 2004 shall complete the eight hours of in-service training within 12 months of that date and in each succeeding 12-month period.

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- (A) A minimum of two of the following training topics shall be covered annually, and all topics shall be covered within a three-year period:
1. Effects of medications on the behavior of residents with dementia;
 2. Common problems, such as wandering, aggression, and inappropriate sexual behavior;
 3. Positive therapeutic interventions and activities such as exercise, sensory stimulation, activities of daily living, and social, recreational and rehabilitative activities.
 4. Communication skills (resident/staff relations);
 5. Promoting resident dignity, independence, individuality, privacy and choice; and
 6. End of life issues, including hospice.
- (B) Training may be provided at the facility or offsite and may include a combination of observation and practical application.
- (C) The training shall be developed by, or in consultation with, an individual(s) or organization(s) with expertise in dementia care and with knowledge on the training topic areas specified in Section 87707(a)(2)(A).
1. Examples of organizations that specialize in dementia care include, but are not limited to: the Alzheimer's Association, Alzheimer's Disease Diagnostic and Treatment Centers affiliated with the University of California, Family Caregiver Alliance and Caregiver Resource Centers, American Society on Aging, colleges and universities, and individuals with educational and professional qualifications specific to dementia.
 - a. If the consultant and trainer are the same person(s), the documentation requirements specified in Sections 87707(a)(2)(D) and (F) shall both be met.
- (D) The licensee shall maintain the following documentation for the consultant(s) described in Section 87707(a)(2)(C):

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1. Name, address, and telephone number;
 2. Date(s) when consultation was provided;
 3. Organization affiliation (if any), as specified in Section 87707(a)(2)(C), and/or educational and professional qualifications specific to dementia; and
 4. The training topics, specified in Section 87707(a)(2)(A), for which consultation was provided.
- (E) All trainers shall meet the following education and experience requirements:
1. A minimum of eight hours of certifiable continuing education or three semester units, or the equivalent, from an accredited educational institution, on topics relevant to caring for individuals with dementia.
 - a. Examples of acceptable instruction include, but are not limited to, classes in aging, gerontology, geriatrics, and/or psychosocial needs of the elderly.
 2. One of the following experience requirements:
 - a. Current employment as a consultant with expertise in dementia care, as specified in Section 87707(a)(2)(C).
 - b. Two years full-time experience, or the equivalent, within the last four years, as an RCFE administrator or as a direct care provider for individuals with dementia.
- (F) The licensee shall maintain the following documentation on the trainer(s) described in Section 87707(a)(2)(E):
1. Name, address, and telephone number;
 2. Topics/subject matter taught;
 3. Dates/hours of training provided;

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4. Notation that indicates which of the criteria for experience the trainer meets, as specified in Section 87707(a)(2)(E)2., and maintain verification of qualifying criteria; and
 5. Proof of completion of the educational requirements, as specified in Section 87707(a)(2)(E)1., which may include the following:
 - a. If the educational hours/units are obtained through an accredited educational institution, documentation shall include a copy of a transcript or official grade slip showing a passing mark.
 - b. If the educational hours/units are obtained through continuing education, documentation shall include a transcript or official grade slip showing a passing mark, if applicable, or a Certificate of Completion.
- (G) The documentation required in Sections 87707(a)(2)(D) and (F) shall be retained for at least three years following the date consultation services/training were provided.
1. This documentation shall be available to the licensing agency to inspect, audit, copy, and remove (if necessary for copying) upon demand during normal business hours as specified in Section 87755(c).
- (H) The licensee shall maintain in the personnel records documentation on the in-service training required in Section 87707(a)(2) for direct care staff and include the training topic(s) covered, as required in Section 87707(a)(2)(A).

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.31, 1569.33, 1569.62, 1569.625 and 1569.626, Health and Safety Code.

**87725.2 ADVERTISING DEMENTIA SPECIAL CARE, PROGRAMMING,
AND/OR ENVIRONMENTS AS OF JULY 3, 2004****87725.2**

Repealed by Manual Letter No. CCL-08-01, effective 3/5/08.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.31, 1569.33, 1569.62, 1569.625, 1569.626 and 1569.627, Health and Safety Code.