Article 2. Definitions

10501. Definitions.

(a) The following general definitions shall apply to terminology used in Chapter 5, except where specifically noted otherwise:

(1) “Administer” means the dispensing of medication, whether by injection, inhalation, ingestion, or other means, to the body.

(2) “Adolescent” means an individual between fourteen (14) and eighteen (18) years of age, who has not been emancipated pursuant to Part 6 (commencing with Section 7000), Division 11 of the Family Code.

(3) “Adult” means a person who is 18 years of age or older or a minor who has been emancipated pursuant to Part 6 (commencing with Section 7000), Division 11 of the Family Code.

(4) “Adult Facility” means a residential alcoholism or drug abuse recovery or treatment facility which is designed to serve adults.
(4)(5) “Alcoholism or Drug Abuse Recovery or Treatment Planning” means the development of a resident specific goal and a continuum of recovery or treatment objectives. It is the licensee's responsibility to provide the activities to facilitate this process.

(5)(6) “Alcoholism or Drug Abuse Recovery or Treatment Service” means a service which is designed to promote treatment and maintain recovery from alcohol or drug problems which includes one or more of the following: detoxification, group sessions, individual sessions, educational sessions, and/or alcoholism or drug abuse recovery or treatment planning treatment services, recovery services, and incidental medical services.

(7) “Applicant” is a person or legal entity who has submitted an application for licensure to the department to operate a residential alcoholism or drug abuse recovery or treatment facility. Applicant includes all persons who exercise any authority over the legal entity or facility. “Alcoholism or Drug Abuse Recovery or Treatment Facility” means any facility, building or group of buildings which is maintained and operated to provide 24-hour residential nonmedical alcoholism or drug abuse recovery or treatment services.

(8) “Assessment” means an evaluation by a counselor of a resident’s substance use disorder history.
“Authorized Representative” means any person or entity authorized by law to act on behalf of any resident of a residential alcoholism or drug abuse recovery or treatment facility. An authorized representative may be a minor's parent, a legal guardian, a conservator, a public placement agency, or a person granted power of attorney by the resident.

“Capacity” means the maximum number of residents for whom the facility has been licensed to provide services at any one time who may reside at the facility. Persons include residents, dependent children of residents, and staff.

“Case Management” means a treatment or recovery service that assists a resident to access needed medical, educational, social, prevocational, vocational, rehabilitative, or other community services.

“Conviction” means a final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere.

“Counselor” means an individual who is registered or certified pursuant to Title 9, Division 4 of Chapter 8 commencing with Section 13000.

“Counseling Service” means the same as defined in Section 13005, Division 4, Chapter 8.
(15) “Alcohol and other Drug (AOD) Counselor” means an individual who is registered or certified pursuant to Title 9, Division 4 of Chapter 8 commencing with Section 13000.

(40)(15) “Day” means calendar day unless otherwise specified.

(44)(16) “Detoxification Service” means a service designed to support and to assist an individual in the alcohol and/or drug withdrawal process and to explore plans for continued service.

(42)(17) “Department” means the Department of Alcohol and Drug Programs. Health Care Services.

(43)(18) “Director” means the Director of the Department of Alcohol and Drug Programs. Health Care Services.

(44)(19) “Education Session” means a treatment or recovery service of planned, structured, didactic presentation of information related to alcoholism and alcohol or drug abuse.

(15) “Evaluator” means any agent or employee of the Department who is authorized by the Director to conduct licensing evaluations on behalf of the Department.

(20) “Evaluation” means testing for the presence of illicit drugs or alcohol in the bloodstream or urine, or screening for co-occurring mental disorders.
“Facility” means a residential alcoholism or drug abuse recovery or treatment facility.

“Facility Administrator” means the individual responsible for the overall management of a residential alcoholism or drug abuse recovery or treatment facility.

“Goal” means a general statement of the applicant’s or licensee’s purpose in operating an alcoholism or drug recovery or treatment facility.

“Group Counseling” means an interaction in which one or more AOD counselors treat two or more residents at the same time, focusing on the resident’s treatment or recovery needs. “Group Session” means group interaction that encourages residents to identify and resolve alcohol- and/or drug-related problems, to examine personal attitudes and behavior, and provides support for positive changes in life style and recovery from alcoholism and/or drug abuse.

“Illcit drug” means any substance defined as a drug in Section 11014, Chapter 1, Division 10 of the Health and Safety Code, except:

(A) Drugs or medications prescribed by a physician or other person authorized to prescribe drugs, pursuant to Section 4036, Chapter 9, Division 2 of the Business and Professions Code, and used in the dosage and frequency prescribed; or
(B) Over-the-counter drugs or medications used in the dosage and frequency described on the box, bottle, or package insert, for the purpose for which the drug or medication is marketed.

(25) Incidental Medical Services means services provided at a licensed residential facility by a health care practitioner that address medical issues associated with either detoxification, treatment, or recovery services to assist in the enhancement of services.

(21)(26) “Individual Counseling” means a treatment or recovery service consisting of a private interaction with an AOD counselor and resident that focuses on the resident’s treatment or recovery needs. “Individual Session” means a private interaction between a resident and program staff which focuses on identification and resolution of alcohol- and/or drug-related problems, to examine personal attitudes and behavior and other barriers to recovery.

(22)(26) “Licensee” means the entity identified on the license(s), issued by the Department of Alcohol and Drug Programs, to provide residential alcoholism or drug abuse recovery or treatment services in accordance with the provisions of Chapter 7.5 (commencing with Section 11834.01), Part 2, Division 10.5 of the Health and Safety Code and the requirements of this chapter.
(27) “Medication Management” means a treatment or recovery service where the resident’s medication is centrally stored and monitored.

(23)(28) “Objective” means a specific, measurable step which can be evaluated to assess the licensee’s progress toward the achievement of the stated goal.

(24)(29) “Physician” means a person licensed as a physician and surgeon by the Medical Board of California or by the Osteopathic Medical Board of California.

(25)(30) “Premises” means the land, buildings, or other structures included in the license issued for an alcoholism or drug abuse recovery or treatment facility.

(31) “Recovery Planning” means a resident-developed set of goals and objectives to improve health, wellness, and rehabilitation from a resident’s substance use disorder under the guidance of an AOD counselor.

(32) “Recovery Services” means any assistance provided to a resident to maintain the resident’s abstinence from the use alcohol or drugs, maintain sobriety, or maintain any goal or objective that a resident achieved during treatment for the resident’s substance use disorder. Recovery Services include the following: Assessment, Case Management, Counseling Services, Individual Counseling, Group
Counseling, Educational Sessions, Medication Management, Structured Living, and Recovery Planning.

(26)(33) “Resident” means an individual who resides in and receives services from a residential alcoholism or drug abuse recovery or treatment facility.

(27)(34) “Residential Alcoholism or Drug Abuse Recovery or Treatment Facility” means any facility, building, or group of buildings which is maintained and operated to provide 24-hour, residential, nonmedical, alcoholism or drug abuse recovery or treatment services.

(28)(35) “Revocation of License” means a disciplinary action taken by the Department to rescind a license issued pursuant to the provisions of Chapter 7.5 (commencing with Section 11834.01), Part 2, Division 10.5 of the Health and Safety Code and the requirements of this chapter.

(36) “Structured Living” means a treatment or recovery service where the facility requires residents to participate in some or all daily activities scheduled by the facility.

(29)(37) “Substantial Compliance” means the absence of any Class A or Class B deficiencies, as defined in Section 10543.
“Suspension of License” means a disciplinary action taken by the Department to discontinue program operations, as permitted under the license, for a specified period of time.

Treatment Planning means a written plan that establishes the development of a resident-specific goal and a continuum of recovery or treatment objectives, to improve the health, wellness, and recovery from alcohol or drug problems. It is the licensee's responsibility to provide the activities to facilitate this process.

“Treatment Services” means any assistance provided to a resident to assist the resident with the achievement of abstinence from the use of alcohol or drugs, achievement of sobriety, or achievement of any goal or objective determined by the resident or the facility to relieve the resident's substance use disorder. Treatment Services include the following: Assessment, Case Management, Counseling Services, Individual Counseling, Group Counseling, Educational Sessions, Medication Management, Structured Living, and Treatment Planning.

“Volunteer” means uncompensated personnel.


Subchapter 2. Licensing Process
Article 1. Departmental Authority to License

10502. Departmental Authority to License.

The Department of Alcohol and Drug Programs shall license residential alcoholism or drug abuse recovery or treatment facilities pursuant to the provisions of Chapter 7.5 (commencing with Section 11834.01), Part 2, Division 10.5 of the Health and Safety Code and the requirements of this chapter.


Article 3. Application for Licensure

10515. How to Obtain Application Information.

Application information may be obtained by contacting the Department, Licensing and Certification Division, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95811-4037 P.O Box 997413, MS 2601, 95899-7413 [telephone: (916) 322-2911, website: www.dhcs.ca.gov].


10516. Content of Application.

(a) The application and supporting documents shall contain the following:

(1) The name or proposed name and address of the facility;

(2) The name and mailing address of the applicant;
(A) If the applicant is a partnership, the name and principal business address of each partner, and a copy of the partnership agreement as filed with the county or state, as applicable;

(B) If the applicant is a corporation or association, the name and address of the principal place of business of the corporation or association; the name and title of the officer or employee who acts on behalf of the corporation or association; and a copy of the articles of incorporation and bylaws; and the name, address, title and percentage of ownership or controlling interest of each person(s) with an ownership or controlling interest of five (5) percent or more.

(C) If the applicant is a sole proprietor, the sole proprietor shall submit the “Application Supplement for Sole Proprietors Only” DHCS 5111 (Rev 7/13) incorporated by reference herein and a fictitious business name statement.

(3) The applicant’s ownership, control, or management of any current or formerly licensed residential alcoholism or drug abuse recovery or treatment facility.

(43) The name and address of the owner of the facility premises, place, or building, if the applicant is leasing or renting, including a current, executed lease agreement;

(54) The maximum number of residents to be served;
(65) A description of the demographics of the resident population to be served;

(76) The name of the facility administrator;

(87) A plan of operation as specified in Section 10517(a); and

(98) A statement describing the process for safeguarding the personal property of the residents, if it is the licensee's policy to accept such property for safekeeping.

(10) If an applicant has previously applied for a license to operate a residential alcoholism or drug abuse recovery or treatment facility, or previously held a license to operate a residential alcoholism or drug abuse recovery or treatment facility, and the application was denied or the previous license was revoked, suspended, terminated, surrendered, forfeited, expired, or otherwise had disciplinary or administrative action taken against it, including imposition of civil penalties, the applicant shall provide the following information regarding such prior licensure in the application:

(i) The name appearing on the license and the business name, or fictitious business name, of the residential alcoholism or drug abuse recovery or treatment facility previously licensed;

(ii) The address of any residential alcoholism or drug abuse recovery or treatment facility;

(iii) The license number of any residential alcoholism or drug abuse recovery or treatment facility;
(iv) The approximate dates of operation of any residential alcoholism or drug abuse recovery or treatment facility;

(v) The reason the application was denied.

(11) Failure of the applicant to provide the information required in paragraph (10) and its subparts shall constitute grounds for denying the license application, or revoking the license if the information required under paragraph (10) and its subparts is discovered to be false after issuance of a license, pursuant to Health and Safety Code section 11834.36(a)(5).

(b) The applicant shall sign the application.
   (1) If the applicant is a partnership, the application shall be signed by each partner.

   (2) If the applicant is a firm, association, corporation, county, city, public agency or other governmental entity, the application shall be signed by the chief executive officer or the individual legally responsible for representing the firm, association, corporation, county, city, public agency, or other governmental entity.

   (3) If the applicant is a sole proprietor, the application shall be signed by the sole proprietor.

(c) In addition to the requirements of section (a), an applicant seeking Department approval to provide incidental medication services shall submit the following:
(1) Floor plans that describe where Incidental Medical Services will be provided, intended use, and dimensions of the room

(2) A description of the Licensee’s Incidental Medical Services Protocols

(3) A valid copy of the Health Care Practitioner’s license in good standing

(4) The Health Care Practitioner Acknowledgment DHCS Form 5266

(5) A current Facility Staffing Data form DHCS 5050


10517. Documentation to be Submitted with Application.

(a) As a condition of licensure, each applicant shall submit to the Department the following documents with the application for licensure:

(1) A valid and appropriate fire clearance issued from the fire authority having jurisdiction for the area in which the facility is located. The fire clearance shall include a determination of the number of beds for ambulatory residents and for nonambulatory residents in the facility and any restrictions regarding nonambulatory clearances. The fire clearance shall be conducted no more than six (6) months prior to the date the Department receives the application for licensure.
(2) A current, written, plan of operation, containing at least:

(A) A statement of program goals and objectives;

(B) An outline of activities and services to be provided by the licensee

(C) A description of the alcoholism or other drug abuse recovery or treatment services to be provided

(D) A statement of the facility's resident admission policies and procedures;

(E) Assurance of nondiscrimination in employment practices and provision of benefits and services on the basis of race, color, national origin, religion, sex, or mental or physical disabilities, pursuant to Title VI of the Civil Rights Act of 1964 (Section 2000d, Title 42, United States Code), the Rehabilitation Act of 1973 (Section 794, Title 29, United States Code); the Americans with Disabilities Act of 1990 (Section 12132, Title 42, United States Code); Section 11135 of the California Government Code; and Chapter 6 (commencing with Section 10800), Division 4, Title 9 of the California Code of Regulations.

(F) A copy of the facility's resident admission agreement;

(G) A table of the administrative organization of the facility.

(H) A staffing plan, job descriptions, and minimum staff qualifications;
(H)(I) A sketch or pictorial representation of the grounds, showing buildings, driveways, fences, storage areas, pools, gardens, recreation areas, and other space used by residents;

(J)(J) Floor plans which describe the dwelling capacity, intended use, and dimensions of the rooms; The floor plan shall identify the number of beds in each bedroom, including beds for program staff and dependent children, and the location of each toilet, sink and shower;

(J)(K) Sample menus and a schedule for one calendar week, indicating the times of day that meals are to be served; and

(K)(L) Consultant and community resources to be utilized by the facility as part of its program.

(M) Medication policies and procedures

(N) Detoxification protocols, if applicable. and

(O) Programs written goals for controlling licit medications.

(b) If water for human consumption is not from a municipal source, the applicant shall provide evidence of an on-site inspection of the source of the water and a bacteriological analysis which establishes the safety of the water for human consumption. The inspection and analysis shall be conducted by the local health department, the State Department of Health Services or a licensed commercial
laboratory. The licensee shall repeat the on-site inspection and water analysis at least once each calendar year.


10518. Where to Submit Completed Applications.

Applicants shall submit completed applications for licensure to the Licensing and Certification Division, Section, Department of Alcohol and Drug Programs, Health Care Services, P.O Box 997413, MS 2601, 95899-7413, 1700 K Street, Sacramento, CA 95811-4037.

As used in this regulation, “completed application” means an application for licensure which includes all of the information and documentation required in Sections 10516 and 10517 and all fees pursuant to Chapter 5.5, commencing with Section 10700.


10522. Departmental Review of Application.

(a) The Department shall:

(1) Review the application for licensure and attached documentation, required pursuant to Section 10516 and 10517, to determine completeness and compliance with the requirements of this chapter;
(2) Complete a site visit to determine the applicant's ability to comply with the requirements of this chapter; and

(3) Determine the number of residents for whom a license shall be issued, based on the available living and sleeping space in the proposed facility, and not to exceed the capacity allowed in the fire clearance. The Department may reduce the capacity allowed in the fire clearance upon a determination that the maximum capacity presents a danger to the health, safety, or wellbeing of the residents.

(b) Within 45 working days of receipt of the application, the Department shall notify the applicant whether the application is complete or incomplete. If the application is incomplete, the Department shall specify the information or documentation which is missing, and the applicant shall have sixty (60) working days from the date of the notification to provide the missing information or documentation.

(c) Within No later than 120 working days of determining that the application is complete, the Department shall issue to the applicant by certified first class mail a license, in accordance with Section 10526, or a written notification of denial of licensure, pursuant to Section 10540.

(d) The Department may terminate the review of an application if:

(1) Departmental review determines that the applicant was formerly licensed to operate a community care facility or a residential alcoholism or drug abuse recovery or treatment facility, and the license was administratively suspended or revoked pursuant to Section 11500 et seq. of the
Government Code or denied within two (2) five (5) years of the date the current application was submitted for review;

(i) the licensee was administratively suspended or revoked pursuant to Section 11500 et seq. of the Government Code within (5) years;

(ii) the licensee was surrendered after the commencement of any licensing action within the past five (5) years;

(iii) a license was denied within the past five (5) years of the date the current application was submitted for review.

(2) The applicant fails to provide additional information or documentation within sixty (60) working days, as required in Subsection (b) of this regulation;

(3) A fire clearance for the applicant's facility is denied;

(4) The applicant fails to submit the required fee for licensure; or

(5) The applicant submits a written request to withdraw the application.

(e) Termination of the review process shall not constitute denial of licensure and shall not constitute a licensing action.

(f) If the Department terminates a review pursuant to Subsection (d) of this regulation, the Department applicant shall require submit a new application and fees for licensure.
10524. Withdrawal of Application.

(a) The applicant may withdraw an application for licensure by submitting a written request to the Deputy Director of the Licensing and Certification Division, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95811-4037 P.O Box 997413, MS 2601, 95899-7413.

(b) Withdrawal shall not prohibit the Department from taking action to deny an application for licensure.


(a) A license shall automatically terminate by operation of law whenever the licensee:
(1) Sells or transfers ownership of the facility, unless the transfer of ownership applies to the transfer of stock when the facility is owned by and licensed as a corporation, and when the transfer of stock does not constitute a majority change in ownership;

(2) Voluntarily surrenders the license to the Department;

(3) Moves operation of the facility to a new location [except as specified in Subsections (b) and (c) of this regulation];

(4) Dies (only if the licensee is a sole proprietor);

(5) Actually or constructively abandons the facility.

(b) To prevent a lapse in licensure in the event that operation of the facility is moved to a new location, at least 45 days prior to the move, the licensee shall submit to the Department. If the licensee fails to comply with this requirement, the license shall terminate as of the date that operation of the facility is moved [except as specified in Subsection (c) of this regulation].

A licensee may request to relocate the facility’s operation to a new location by submitting a supplemental application and fees to the Department at least 45 working days prior to the desired relocation date. The Department shall, within 90 working days of receipt of the request either approve, deny, in writing, the request for relocation. The licensee shall not relocate to the new location until the licensee receives written approval for the relocation.
(c) To prevent a lapse in licensure, in the event that the licensee moves operation of the facility to a new location due to emergency (e.g. fire, flood, vandalism, etc.), within 60 days after the date of the move, the licensee shall submit to the Department an amended relocation fees and supplemental application. If the licensee fails to comply with this requirement, the license shall terminate as of the date on the 61st day after the date of the move.


10529. Extension of Period of Licensure.

(a) At least 90 days prior to the expiration date noted on the license, the Department Licensee shall send a notice to the licensee which shall submit an application for renewal and renewal fees to the Department:

(1) Inform the licensee of the date when the current period of licensure will expire, as specified on the license;

(2) Inform the licensee that the period of licensure will be extended if the licensee:

   (A) Updates the licensing information contained in the licensee's application for licensure;

   (B) Pays all licensing fees in accordance with Section 10701;
(C) Pays any civil penalties assessed in accordance with Section 10547 and adjudicated pursuant to Section 10550; and

(D) Maintains a valid fire clearance.

(3) Notify the licensee that failure to pay all licensing fees due or to return the information requested by the date of expiration specified on the notice will result in automatic expiration of the license and that continued operation of the facility beyond the date of expiration is prohibited by Section 11834.30 of the Health and Safety Code and Section 10505 of this chapter.

(b) The license shall be extended for a two-year period if:

(1) The licensee complies with subsection (a), and

(2) The Department determines that the licensee is in compliance with all applicable laws and regulations, and

(3) The licensee has a current and valid fire clearance

(c) The licensee shall expire on the date specified on the current license if:

(1) the licensee fails to comply with subsection (a); or

(2) the Department determines that the licensee is not in compliance with all applicable laws and regulations, or

(3) the Department has petitioned the court to enjoin, or

(4) the licensee fails to pay any civil penalties or fees
If the licensee complies with the requirements of Subsection (a)(2) of this regulation, the Department shall automatically extend the period of licensure, unless the Department has petitioned the court to enjoin operation of the facility, pursuant to Section 10548(f).

(c) If the licensee fails to comply with the requirements of Subsection (a)(2) of this regulation, the license shall automatically expire as of the date specified on the license.

(d) The Department shall not extend the period of licensure until licensing fees and/or civil penalties, assessed pursuant to 10542, or assessed pursuant to 10547 and adjudicated pursuant to Section 10550, have been paid in full.

(e) Failure to pay licensing fees and/or civil penalties, assessed pursuant to Section 10547 and adjudicated pursuant to Section 10550, within thirty (30) days after the date the period of licensure expires shall be deemed a voluntary relinquishment of the license.

(f) In the event that the licensee voluntarily relinquishes the license, in order to reapply for licensure, the licensee shall:

(1) Submit a new application for licensure, pursuant to Article 3 (commencing with Section 10514) of this chapter;

(2) Pay a licensing fee; and

(3) Pay all outstanding licensing fees and all unpaid civil penalties, assessed pursuant to Section 10547 and adjudicated pursuant to Section 10550.
Article 6. Enforcement

10540. Denial of Licensure.

(a) The Department may deny an initial, renewal, or supplemental application for a license for any of the following reasons:

(1) Review of the application indicates that the applicant is not in compliance with the provisions of Chapter 7.5 (commencing with Section 11834.01), Part 2, Division 10.5 of the Health and Safety Code and the requirements of this chapter;

(2) The applicant fails to remedy each any deficiency identified pursuant to Section 10544 of this chapter;

(3) The facility is not in substantial compliance with this chapter; or

(4) The applicant fails to pay any civil penalty assessed pursuant to Section 10547 and adjudicated pursuant to Section 10550.

(5) The applicant previously held a license to operate a community care facility or a residential alcoholism or drug abuse recovery or treatment facility, and the license was administratively suspended or revoked pursuant to Section 11500 et seq. of the Government Code or denied by
the Department within two (2) five (5) years of the date the current application was submitted for review;

(b) If the Department denies an application for licensure, the Department shall send a written notice of denial to the applicant by certified first class mail. The notice shall:

(1) Explain the reasons for denial; and

(2) Notify the applicant that he/she shall cease operating the alcoholism or drug abuse recovery or treatment facility within 10 days of the date of the notice;

(3) Advise the applicant of his/her right to a hearing in accordance with the provisions of Chapter 5, (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code;

(4) Notify the applicant that the Department shall assess a civil penalty of two hundred ($200) dollars a day, beginning on the 11th day after the date of the notice, if the applicant continues to operate an unlicensed facility.


(a) If an unlicensed facility provides residential alcoholism or drug abuse recovery or treatment services, the facility is operating in violation of Chapter 7.5
If an unlicensed facility is alleged to be in violation of Chapter 7.5 (commencing with Section 11834.30) of Part 2 of Division 10.5 of the Health and Safety Code, and Chapter 5, Division 4, Title 9, Section 10505 of the California Code of Regulations, the Department shall conduct an investigation.

If the Department determines, as the result of its investigation, that an unlicensed facility is operating in violation of Chapter 7.5 (commencing with Section 11834.30) of Part 2 of Division 10.5 of the Health and Safety Code, and Chapter 5, Division 4, Title 9, Section 10505 of the California Code of Regulations, the Department shall deliver to the facility, in person or by certified first class mail, a notice which shall notify the operator of the facility that the facility is operating without a license, in violation of Section 11834.30 of the Health and Safety Code and Section 10505 of this chapter. If delivered in person, the notice shall be delivered within ten (10) working days of the completion of the investigation. If mailed by certified first class mail, the notice shall be postmarked within ten (10) working days of the completion of the investigation. The completion of the complaint investigation is when all evidence has been inspected and witnesses who are relevant to the allegations have been interviewed. The complaint investigation is complete for the purposes of this section when all evidence is reviewed, all witnesses are interviewed, and the Department makes a finding substantiating the allegation of an unlicensed facility operating in violation of law.
(d) The Department shall not disclose the identity of the complainant unless authorized in writing by the complainant.

(e) Within ten (10) working days of receipt of the complaint, the Department shall initiate an investigation by assigning the complaint to a Departmental complaint investigator.

(1) The Department shall order the operator of the unlicensed facility to cease operation immediately upon receipt of the notice. Upon receipt of the notice, the unlicensed facility shall, within fifteen (15) days of receipt of after mailing of the notice, respond in writing that the facility has ceased providing all alcoholism or drug abuse recovery or treatment services. The written response shall be postmarked no later than the date specified in the notice.

(2) The notice of operation in violation of law shall specify that the Department will take action in accordance with Subsection (g) of this regulation if the unlicensed facility fails to cease operation immediately upon receipt of the notice and fails to notify the Department of such cessation within fifteen (15) days of the receipt after mailing of the notice.

(f) The complaint investigator may interview residents and/or facility staff in private, and inspect relevant records without the prior consent of the facility operator.

(g) If the unlicensed facility fails to cease operation immediately upon receipt of the notice of operation in violation of law and fails to notify the Department of such
cessation within fifteen (15) days of the receipt mailing of the notice, on or after the 16th day the Department shall:

(1) Assess a civil penalty of two hundred ($200) dollars per day against the operator of the unlicensed facility.

(A) If the facility operator or his/her representative provides written notification to the Department that the unlicensed facility has ceased operation, the civil penalty shall cease as of the date the notification is postmarked.

(B) The Department may conduct a site visit to verify that the unlicensed facility is no longer in violation of Chapter 7.5 (commencing with Section 11834.30) of Part 2 of Division 10.5 of the Health and Safety Code, and Chapter 5, Division 4, Title 9, Section 10505 of the California Code of Regulations. If the site visit indicates that the unlicensed facility is still in violation of Chapter 7.5 (commencing with Section 11834.30) of Part 2 of Division 10.5 of the Health and Safety Code, and Chapter 5 of Division 4, Title 9, Section 10505 of the California Code of Regulations, the Department may assess the two hundred ($200) dollars per day civil penalty without interruption from the date the facility received the notice of operation in violation of law.

(2) Petition the superior court in and for the county in which the violation occurred to enjoin the unlicensed operation of the facility. Any such action
shall conform to the requirements of Chapter 3 (commencing with Section 525), Title 7, Part 2 of the Code of Civil Procedure, except that the Director shall not be required to allege facts necessary to show or tending to show lack of adequate remedy at law or irreparable damage or loss.

(h) All civil penalties, assessed pursuant to this regulation and adjudicated pursuant to Section 10550, shall be due and payable upon receipt of a notice of payment issued by the Department, and shall be paid by certified check or money order made payable to the Department of Alcohol and Drug Programs.


10544. Licensing Compliance Reviews.

(a) The Department shall review each alcoholism or drug abuse recovery or treatment facility to determine compliance at least once during every period of licensure.

(b) Any authorized employee or agent of the Department may enter and inspect any alcoholism or drug abuse recovery or treatment facility at any reasonable time, upon presentation of proper identification, with or without advance notice, to determine compliance with the provisions of Chapter 7.5 (commencing with Section 11834.01), Part 2, Division 10.5 of the Health and Safety Code and the requirements of this chapter.
(c) The Department may interview residents and/or facility staff in private, and inspect relevant licensee records in private without the prior consent of the licensee.

(d) At the completion of the compliance review, the reviewer Department may conduct an face-to-face exit interview with the licensee or his/her designee to discuss any deficiencies noted. If the reviewer does not conduct a face-to-face exit interview, the reviewer shall conduct a telephone interview with the licensee or his/her designee as soon as possible upon conclusion of a site visit and document in the licensing report or notice of deficiency why he/she did not conduct a face-to-face exit interview. A licensing report is issued when there are no deficiencies; a notice of deficiency is issued when there are deficiencies.

(e) The reviewer Department shall prepare a written notice of deficiency listing all deficiencies.

(f) The notice of deficiency shall specify:

(1) The section number, title, and code of each statute or regulation which has been violated;

(2) The manner in which the licensee failed to comply with a specified statute or regulation, and the particular place or area of the facility in which it occurred;

(3) The date by which each deficiency shall be corrected; and
(4) The amount of civil penalty to be assessed in accordance with Section 10547 and the date the Department shall begin to assess the penalty, if the licensee fails to correct the noticed deficiencies in accordance with the corrective action plan.

(g) The reviewer Department shall provide the written notice of deficiency to the licensee or his/her designee:

(1) In person before leaving the facility; or

(2) By certified first class mail, postmarked within ten (10) working days of the completion of the licensing compliance review. If the reviewer mails the notice of deficiency to the licensee, a return receipt shall be requested.

(h) If any Class A deficiencies have been cited, before leaving the facility the reviewer Department shall provide the written notice of deficiency to the licensee or his/her designee.

(i) The notice of deficiency shall require the licensee to correct deficiencies as specified below:

(1) Class A deficiencies shall be abated or eliminated immediately upon receipt of the notice of deficiency by the licensee or his/her designee of the facility;

(2) Class B deficiencies shall be corrected within thirty (30) days of receipt of the notice of deficiency unless the reviewer Department determines, based on review, that the deficiency is sufficiently serious to require
correction within a shorter period of time. In that event, the reviewer Department shall explain how the deficiency jeopardizes the health or safety of the residents;

(3) Class C deficiencies shall be corrected within thirty (30) days of receipt of the notice of deficiency, unless the reviewer Department determines that the deficiency cannot be completely corrected within thirty (30) days. In that event, the reviewer Department shall specify in the notice of deficiency the time in which the deficiency shall be corrected and the reason why it cannot be corrected within thirty (30) days.

(j) If the licensee or his/her designee refuses to accept receipt of a written notice of deficiency, the date of the notice shall constitute the date of receipt.


(a) The licensee shall submit written verification of correction for each deficiency identified in the notice of deficiency to the manager of the Licensing and Certification Division, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95811-4037 to the Department at the address set forth in the notice of deficiency. The written verification shall substantiate that the deficiency has been corrected and specify the date when the deficiency was corrected. The written verification shall be postmarked no later than the date specified in the
notice of deficiency. The written verification shall specify the date of correction for each deficiency and include evidence of correction in the form of documentation, e.g., invoices for repairs, updated polices or procedures, or photographs. Deficiencies shall not be cleared if no evidence of correction is submitted to the Department or if the evidence submitted is inadequate to determine whether the deficiency is remediated."

(b) If the licensee cannot correct a Class B or C deficiency by the date specified in the notice of deficiency, the licensee shall submit a written corrective action plan to the manager of the Licensing and Certification Division, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95811-4037 address specified in the report. The written corrective action plan shall be postmarked no later than the date specified in the notice of deficiency.

(c) The written corrective action plan shall:

(1) Specify what steps the licensee has taken to correct the deficiency;

(2) Substantiate Explain why the deficiency cannot be corrected as specified in the notice of deficiency; and

(3) Specify State when each deficiency will be corrected.

(d) In reviewing the licensee's corrective action plan, the Department shall consider:

(1) The potential hazard presented by the deficiency;

(2) The number of residents impacted;
(3) Documentation submitted by the licensee as applicable to substantiate:

(A) Lack of availability of funds, equipment, or personnel necessary to correct the deficiency;

(B) Estimated time necessary for delivery and installation of necessary equipment; and/or

(C) Estimated time necessary to make structural modifications.

(e) Within ten days of receipt by the Department of the written verification and/or corrective action plan, the Department shall notify the licensee, in writing by first class mail, whether the written verification and/or corrective action plan has been approved.


10548. Suspension or Revocation of Licensure.

(a) The Department may seek suspension or revocation of a license held by a licensee, in accordance with Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code, when:
(1) The licensee is issued a notice of deficiency for any action which has resulted in death, serious physical harm, or imminent danger to a resident of the facility; or

(2) The licensee fails to correct, eliminate or immediately abate any Class A deficiency by the date specified in the notice of deficiency; or

(3) The licensee repeatedly fails to correct, Class B deficiencies; or

(4) The licensee has failed to pay civil penalties, assessed in accordance with Section 10547 and adjudicated pursuant to Section 10550.

(5) The licensee provides false information to the Department, including false documentation, false statements and the concealment of documentation, including destruction of documents or other tangible information, concealment of witnesses, or encouraging, persuading, or coercing witnesses to provide false or misleading information to the Department by means of threats, sanctions, or any other means;

(6) The licensee holds multiple licenses and one or more of those licenses has been revoked and the Department has determined that the licensee is unable to comply with all applicable laws and regulations;

(7) The licensee has been cited for operating a facility without a license within the past five (5) years from the application date as provided in Section 11834.30 of the Health and Safety Code, or the Department has brought an action to enjoin the unlicensed operation of a facility owned and
operated by a licensee as provided in Section 11834.32 of the Health and Safety Code:

(8) The fire clearance of the facility is suspended, revoked, or terminated by the local fire authority.

(b) The Department shall deliver to the licensee, in person or by certified mail, an accusation and notice of suspension or revocation, which shall:

(1) Inform the licensee that the facility's license is being suspended or revoked and the effective date of the suspension or revocation;

(2) Explain the reason(s) for the suspension or revocation;

(3) Order the licensee to suspend operation of the facility as of the date specified on the notice; and

(4) Explain the licensee's right to a hearing and the procedure for requesting a hearing, pursuant to Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code.

(c) Within fifteen (15) days of the date of receipt of the licensee's notice of defense to the accusation, the Department shall request the Office of Administrative Hearings to set the matter for hearing.

(d) Departmental action to suspend or revoke licensure shall comply with the requirements set forth in Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code.
(e) Expiration, forfeiture, or surrender of a license shall not prohibit the Department from taking action to deny, suspend, or revoke licensure pursuant to the provisions of Chapter 7.5 (commencing with Section 11834.01), Division 10.5, of the Health and Safety Code or this chapter.

(f) The Department may suspend licensure of a facility prior to hearing when such action is necessary to protect residents of the facility from physical or mental abuse, abandonment or any other substantial threat to the residents' health or safety. If the Department takes such action, the notice of suspension shall specify the licensee's legal right to petition the court to enjoin closure of the facility pursuant to Chapter 3 (commencing with Section 525), Title 7, Part 2 of the Code of Civil Procedure, in addition to the requirements of Subsection (b) of this regulation.

NOTE: Authority cited: Sections 11755, 11834.50 and 11835, Health and Safety Code. Reference: Sections 11834.32, 11834.34, 11834.36, 11834.37, 11834.39 and 11834.45, Health and Safety Code; Chapter 3 (commencing with Section 525), Title 7, Part 2 of the Code of Civil Procedure; and Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2, Government Code.

**Article 7. Licensing Appeals**

(a) The licensee may appeal a notice of civil penalty by forwarding a written request for review to the Director, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95811-4037.

(b) The written request for review shall be postmarked within fifteen (15) working days of receipt by the licensee of the written notice of civil penalty. The written request for review shall include:

(1) A statement of the statute or regulation which is at issue and the legal basis for the licensee's appeal.

(2) A statement of the facts supporting the licensee's position.

(c) Failure to submit the written request for review, pursuant to Subsection (b) of this regulation, shall be deemed a waiver of administrative review.

(d) Within fifteen (15) thirty (30) working days of receipt of the request for review, the Director or the Director's designee shall schedule and hold an informal conference with the licensee, unless the Director or the Director's designee and the licensee agree to settle the matter based upon the information submitted with the request for review.

(e) Failure to hold the informal conference within fifteen (15) thirty (30) working days of the receipt of the request shall be deemed a waiver of the civil penalties by the Department unless the licensee:

(1) Fails to attend the conference as scheduled,

(2) Waives the fifteen (15) thirty (30) working day requirement, or
(3) Waives his/her right to the informal conference.

(f) The licensee shall have the following rights at the informal conference:

(1) The right to be represented by legal counsel.

(2) The right to present oral and written evidence.

(3) The right to explain any mitigating circumstances.

(g) The representatives of the Department who issued the Notice of Deficiency or the Notice of Civil Penalties shall attend the informal conference and present evidence and information, oral or written, in substantiation of the alleged violation.

(h) The conference shall be conducted as an informal proceeding, and shall not be conducted in the manner of a judicial hearing under the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) Part 1, Division 3, Title 2 of the Government Code), and need not be conducted according to the technical rules relating to evidence and witnesses.

(i) Neither the licensee nor the Department shall have the right to subpoena any witness to attend the informal conference. However, both the licensee and the Department may present any witness to present evidence and information on its behalf at the conference.

(j) The proceedings at the informal conference may be recorded by either party on audio tape.
(k) The decision to affirm, modify, or dismiss the Notice of Civil Penalties shall be mailed by the Director or the Director's designee to the licensee postmarked no later than ten (10) working days from the date of the informal conference. The decision shall state with particularity the reason for affirming, modifying, or dismissing the Notice of Civil Penalties. A copy of the decision shall be transmitted to each party to the appeal.

(l) If the civil penalty, discussed at the informal conference, was assessed for failure to correct a Class A violation, the decision made at the informal conference shall be deemed final.

(m) If the civil penalty, discussed at the informal conference, was assessed for failure to correct a Class B or C violation, the decision shall include a statement from the Director or the Director's designee notifying the licensee of the right of further administrative appeal to the decision made at the informal conference. A hearing may be requested in accordance with Chapter 5 (commencing with Section 11500) Part 1, Division 3, Title 2 of the Government Code.

(1) The licensee may appeal the decision made at the informal conference by submitting a written request to the Director, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95811-4037, postmarked no later than ten (10) working days from the date of the decision. Upon receipt of the request for appeal, the Department shall initiate administrative review and request that the matter be set for hearing. The Department shall notify the licensee of the time and place of the hearing.
(2) Failure of the licensee to timely submit the written request for an administrative hearing shall be deemed a waiver of further administrative review and the decision of the Director or the Director's designee shall be deemed the final decision of the Department.

(3) In the event the licensee appeals the Department's proposed assessment of penalties, collection of the penalties shall be subject to the outcome of the final administrative appeal.

(4) A civil penalty shall be deemed final if:

(A) The licensee fails to appeal the civil penalty in a timely manner, pursuant to Subsections (c) and (m)(2) of this regulation; or

(B) A final determination has been made on an action previously pending administrative review.

(5) After deemed final, the civil penalty shall be paid to the Department within sixty (60) days of receipt of the notice of final adjudication. Failure to pay the civil penalty within sixty (60) days of receipt of the notice of final adjudication shall result in automatic termination of the license.

NOTE: Authority cited: Sections 11755, 11834.50 and 11835, Health and Safety Code. Reference: Sections 11834.34, 11834.36, 11834.37, 11834.45 and 11834.50, Health and Safety Code; and Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code.
Subchapter 3. Compliance Requirements

Article 1. Physical Environment

10561. Reporting Requirements.

(a) Each licensee or applicant shall follow the prescribed procedures of Section 10561(b) of this subchapter in the occurrence of any events identified in Section 10561(b)(1) of this subchapter.

(b) Upon the occurrence of any of the events identified in Section 10561(b)(1) of this subchapter the licensee shall make a telephonic report to department licensing staff within one (1) working day. The telephonic report is to be followed by a written report in accordance with Section 10561(b)(2) of this subchapter to the department within seven (7) days of the event. If a report to local authorities exists which meets the requirements cited, a copy of such a report will suffice for the written report required by the department.

(1) Events reported shall include:

(A) Death of any resident and/or dependent child of a resident from any cause.

(B) The death of any person that occurs at the facility.

(C) Any facility related injury of any resident which requires medical treatment.
All cases of communicable disease reportable under Section 2502 of Title 17, California Code of Regulations shall be reported to the local health officer in addition to the department.

Poisonings.

Catastrophes such as flooding, tornado, earthquake or any other natural disaster.

Fires or explosions which occur in or on the premises.

Information provided shall include the following:

Residents' name, age, sex, and date of admission.

Date, time, and nature of event.

Attending physician's name, findings and treatment, if any.

Within ten (10) working days of the following occurrence, the licensee shall report to the Department any:

Organizational changes specified in the application.

Change in the licensee's or applicant's mailing address.

Change of the administrator of the facility. Such notification shall include the new administrator's name, address and qualifications.

10565. Personnel Records.

(a) Personnel records shall be completed and maintained for each employee, shall be available to the department for review, and shall contain the following information:

(1) Employee's full name.

(2) Driver's license number, class, and expiration date if the employee is to transport residents.

(3) Date of employment.

(4) Home address and phone number.

(5) Past experience, including types of employment and former employers.

(6) Duty statement.

(7) Termination date if no longer employed by the facility.

(b) All personnel shall have on file the record of the health screening as specified in Section 10564(c)(1), (2) of this subchapter.

(c) All records shall be maintained at the facility site. The licensee shall be permitted to retain such records in a central administrative location provided that they are readily available to the department at the facility site upon request.

(d) Personnel records shall be retained for three years after the termination date of employment.
(e) Personnel records to those who provide Incidental Medical Services shall also contain:

(1) Health Care Practitioner Acknowledgement Form DHCS Form 5266, and
(2) Documentation related to health care practitioner registration, certification, and licensure.

10568. Resident Records.

(a) A separate, complete, and current record shall be maintained in the facility for each resident.

(b) Each record shall contain information including but not limited to the following:

(1) Name of resident.

(2) Birthdate.

(3) Sex.

(4) Date of Admission.

(5) A signed copy of the admission agreement specified in Section 10566 of this subchapter.

(6) Health screening record, as specified in Section 10567.

(7) Record of any illness or injury requiring treatment by a physician or dentist and for which the facility provided assistance or referral for the resident in meeting necessary medical and dental needs.
(8) Record of any permitted current medication including the name of the person who prescribed the medication and instructions for its use.

(9) Date and reason for termination of services.

(c) All information and records obtained from or regarding residents shall be confidential and maintained in conformity with Title 42, Subchapter A, Part 2 Sections 2.1 through 2.67-1, Code of Federal Regulations, hereby incorporated by reference into these regulations.

(d) Resident records shall be updated as necessary to ensure current accuracy.

(e) Original or photographic reproduction of all resident records shall be retained for at least three (3) years following termination of service to the resident.

(f) A licensee that primarily provides detoxification services may be exempt from the requirements of Section 10568(b)(5),(9) of this subchapter.

(g) A signed copy of the health care practitioner client assessment, DHCS form 4026

Article 3. Program Services

10572. Health-Related Services.

(a) The licensee shall ensure that residents receive necessary first aid and information about and/or referral to needed medical, psychological or dental services.

(b) During the provision of alcoholism or drug abuse recovery or treatment services as defined in section 10501(a) of this subchapter there shall be at least one staff member on duty at all times person in the facility who is capable of providing cardiopulmonary resuscitation and first aid, notwithstanding section 10572(b)(1) of this subchapter. Individuals providing cardiopulmonary resuscitation and first aid shall be qualified by the American Red Cross or other recognized agencies.

(1) Facilities providing detoxification services shall ensure that at least one person is always on the premises who is capable of providing cardiopulmonary resuscitation and first aid.

(c) First aid supplies shall be maintained and be readily available in the facility.

(1) The supplies shall be maintained and be readily available in the facility.

(A) A current edition of a first aid manual approved by the American Red Cross, the American Medical Association or a state or federal health agency.

(B) Sterile first aid dressings.

(C) Bandages or roller bandages.
(D) Adhesive tape.

(E) Scissors.

(F) Tweezers.

(G) Thermometers.

(H) Antiseptic solution.

(d) The following information shall be readily available:

(1) The name, address and telephone number of emergency agencies, including but not limited to the fire department, crisis center or paramedical unit.

(2) The name and telephone number of an ambulance service.

(3) It is recommended that residents sign consent forms in advance to permit the authorization of emergency medical care.

(e) No person, who, within the previous 24 hours, has consumed, used, or is still otherwise under the influence of alcohol or drugs as specified in section 10501(a), shall be permitted on the premises except for individuals admitted for detoxification or withdrawal. The licensee shall have specific written rules and policies and procedures to enforce this provision.

(f) Licit medications which are permitted by the licensee shall be controlled as specified by the licensee’s written goals, objectives and procedures. Licit medications which have any depressive, stimulative, or any other psychoactive
characteristic shall not be used by any resident, staff, volunteer, or other person, and shall not be kept on the premises, except when the medication is prescribed by an individual authorized to do so pursuant to section 4036, chapter 9, division 2 of the Business and Professions Code, and who has full knowledge that the medication is to be used by a person affiliated with an alcoholism or drug abuse recovery or treatment facility.

(g) All resident medications must be self-administered. Staff may assist a client with medication. Staff may assist a resident with medication only in the following limited situations:

1. Removing the unopened container in which the resident's medications are stored from a secure storage area.
2. Handing the unopened container, in which the client's medications are stored, to the resident.
3. Observing the resident self-administer the medication.
4. Retrieving the closed container in which the resident's medications are stored and returning the container to a secure storage area.
5. As evidence that medication is self-administered, the staff member assisting the resident shall:

   A. Record and sign, in the resident's medication record, the date and time the resident was observed self-administering their medications.
(B) Immediately report to a physician any unusual signs, symptoms or actions on the part of the resident that was observed.

(C) Immediately transfer the resident to a facility where they can receive urgent or emergent care.

(6) In the provision of medication assisted treatment.

(g)(h) Prescription medications which are not removed by the resident upon discharge or termination of services shall be destroyed in accordance with the licensee’s policies and procedures, and at a minimum, no more than 30 days after discharge or termination of services, by the facility administrator, or a designated substitute, and one other adult staff member who is not a resident. Both shall sign a record, to be retained for at least one (1) year, which lists the following:

(1) Name of the resident.

(2) The prescription number and the name of the pharmacy.

(3) The drug name, strength and quantity destroyed.

(4) The date of destruction.

10575. **Detoxification**

(a) Each resident shall be closely observed and physically checked at least every 30 minutes during the first 12 hours following admission by a staff person or volunteer. The close observation and physical checks shall continue beyond the initial 12-hour period for as long as the withdrawal signs and symptoms warrant. Documentation of the information that supports a decrease in observation and physical checks shall be recorded in the resident's file by a staff person or volunteer.

(1) Documentation of observations and physical checks shall be recorded in a systematic manner.

(2) Licensee shall have program staff, who have been trained to provide evaluation, detoxification, and referral services.

(b) Detoxification Staffing

(1) At least one staff member shall be assigned to observe detoxification residents at all times.

(2) Staff shall physically check each participant for breathing by a face-to-face physical observation at least every 30 minutes.

(3) In a program with 15 or fewer residents who are receiving detoxification services, there shall be at least one staff member or volunteer on duty and awake at all times with a current cardiopulmonary resuscitation certificate and current first aid training.

(4) In a program with more than 15 residents who are receiving detoxification services, there shall be at least two staff or volunteers on
duty and awake at all times, one of whom shall have a current cardiopulmonary resuscitation certificate and current first aid training.

(5) Residents shall not be used to fulfill the requirements of this Section.

Article 4. Physical Environment


(a) Facilities shall be clean, safe, sanitary and in good repair at all times for the safety and well-being of residents, employees and visitors.

(1) The licensee shall take measures to keep the facility free of flies and other insects.

(2) The licensee shall provide for the safe disposal of contaminated water and chemicals used for cleaning purposes.

(3) The facility must be separate and secure. Facility living, sleeping, bathing and toiletry areas shall be enclosed by permanent walls, floors, ceilings and doors.

(A) This is not to preclude the use of more than one building in meeting the requirements for licensure.

(B) This is not to preclude the use of a wing(s) of a building or floor(s) of a building in meeting the requirements for licensure.
(4) Facility access by individuals who are neither residents, facility staff, volunteers, nor authorized visitors shall be limited and monitored by the facility.

(b) All residents shall be protected against hazards within the facility through provision of protective devices including nonslip material on rugs.

(c) All outdoor and indoor passageways, stairways, inclines, ramps, open porches and other areas of potential hazard shall be kept free of obstruction.

(d) General permanent or portable storage space shall be available for the storage of facility equipment and supplies. Facility equipment and supplies shall be stored in appropriate space and shall not be stored in space designated for other activities.

(e) All in-ground pools and above-ground pools which cannot be emptied after each use shall have an operative pump and filtering system.

(f) Where female and male residents are housed in the same facility, the licensee shall ensure minimal personal security and privacy which will include but not be limited to the following:

(1) Separate and adequate toilet, hand washing, and bathing facilities for females and males. Such facilities shall be in proximity of designated sleeping quarters.
(2) Separate and adequate sleeping areas for females and males.-Such areas shall be enclosed by permanent walls which extend from the floor to the ceiling and a permanent door.

(3) Twenty-four (24) hour staff coverage.

(g) Persons other than residents, program staff, and dependent children of residents shall not reside at the facility.

Reference: Sections 11834.01 and 11834.50, Health and Safety Code