

## **XIX. ZERO TOLERANCE POLICY REGARDING CONSUMER ABUSE AND NEGLECT**

### **BACKGROUND**

The Regional Center of Orange County (RCOC) recognizes the importance of transparency and accountability to the community it serves. As required in Article I, Section 17 of RCOC's master contract with the State of California, RCOC is committed to reporting information with accuracy and transparency and maintaining full compliance with the laws, rules and regulations that govern RCOC's business. This includes annually notifying all its employees, its vendors and licensees of long-term health care facilities\* that are serving RCOC consumers that RCOC has a Zero Tolerance Policy regarding consumer abuse and neglect.

### **POLICY**

Consumer abuse committed by RCOC employees, or employees of RCOC vendors, or employees of licensees who operate long-term health care facilities will not be tolerated. All such abuse or allegations of such abuse will be thoroughly investigated. Any RCOC employee found to have engaged in abuse against a consumer will be subject to severe discipline, up to and including discharge, and will be referred to appropriate authorities. Any abuse found to have been committed by employees of RCOC vendors, or employees of licensees who operate long-term health care facilities, will be referred to the appropriate authorities and the vendor may also be subject to sanctions up to and including, removal from the list of those authorized to provide services for regional center consumers.

All RCOC employees who are mandated reporters pursuant to the California Penal Code and all employees of RCOC vendors and employees of licensees who operate long-term health care facilities who are mandated reporters shall strictly comply with the reporting laws at all times, including, but not limited to, Welfare and Institutions Code Section 15630. A mandated reporter must (unless exempt under law) report all consumer abuse to the applicable governmental authorities immediately or as soon as practicable after his or her discovery or reasonable belief that consumer abuse has occurred.

RCOC and all RCOC vendors and licensees who operate long-term health care facilities serving RCOC consumers shall ensure their employees are fully informed upon hire and annually thereafter regarding RCOC's Zero Tolerance Policy Regarding Consumer Abuse and Neglect and the mandatory abuse and neglect reporting laws. Each employee must be knowledgeable of their responsibility to protect consumers from abuse and neglect, the signs of abuse and neglect, the process for reporting suspected abuse or neglect, and the consequences of failing to follow the law and enforcing this policy.

RCOC's Zero Tolerance Policy Regarding Consumer Abuse and Neglect will be incorporated into any new or revised contract, vendorization or other agreement for consumer services.

If RCOC, or a RCOC vendor, or a licensee who operates a long-term health care facility becomes aware of consumer abuse, it shall take immediate action, to the extent permitted by law, to ensure the health and safety of the affected consumer and all other consumers receiving services and supports from RCOC. This obligation is in addition to those obligations required of mandated reporters to report consumer abuse under the reporting laws.

## **GUIDING PRINCIPLES**

- Persons served are in safe and supportive settings that promote a life of independence, acknowledge diverse cultural perspectives and that respect the inherent risks and valuable learning experiences that come from living in the community.
- Service coordinators inform families of their rights and the services and supports available to them.
- RCOC aspires to the highest standards of ethical conduct: doing what we say; reporting information with accuracy and transparency; and maintaining full compliance with the laws, rules and regulations that govern RCOC's business.
- The RCOC Board of Directors will possess the highest personal and professional ethics, integrity and values, and be committed to representing the long-term interests of the Orange County community it serves.

\* According to the State of California Health and Safety Code Section 1418,

(a) "Long-term health care facility" means any facility licensed pursuant to Chapter 2 (commencing with Section 1250) that is any of the following:

- (1) Skilled nursing facility.
- (2) Intermediate care facility.
- (3) Intermediate care facility/developmentally disabled.
- (4) Intermediate care facility/developmentally disabled habilitative.
- (5) Intermediate care facility/developmentally disabled-nursing.
- (6) Congregate living health facility.
- (7) Nursing facility.
- (8) Intermediate care facility/developmentally disabled-continuous nursing.

(b) "Long-term health care facility" also includes a pediatric day health and respite care facility licensed pursuant to Chapter 8.6 (commencing with Section 1760).

(c) "Long-term health care facility" does not include a general acute care hospital or an acute psychiatric hospital, except for that distinct part of the hospital that provides skilled nursing facility, intermediate care facility, or pediatric day health and respite care facility services.

(d) "Licensee" means the holder of a license issued under Chapter 2 (commencing with Section 1250) or Chapter 8.6 (commencing with Section 1760) for a long-term health care facility.

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