

Unlicensed Facility Fact Sheet

This tool has been developed to provide pertinent laws and regulations regarding unlicensed facilities and how to report identified unlicensed operations in the City and County of Los Angeles.

Unlicensed Facility Defined: (Health & Safety Code 1569.44 (Elderly) & 1503.5 (Adult))

A facility shall be deemed to be an “unlicensed facility” and “maintained and operated to provide residential [non-medical] care” if it is unlicensed and not exempt from licensure, and any one of the following conditions exist:

- The facility is providing care and supervision.
- The facility is held out as, or represented as, providing care and supervision.
- The facility accepts or retains residents who demonstrate the need for care and supervision.
- The facility represents itself as a licensed adult or elderly facility.

Defining Elements of Care and Supervision:

The following are key assessment areas to assist placement agencies in determining if facility is possibly an unlicensed operation:

- Residents receiving care with activities of daily living, such as bathing, toileting, and dressing.
- Residents receiving assistance with medication administration and/or facility centrally stores medications.
- Facility is representative payee for resident.
- Facility arranges and/or provides transportation to doctor’s appointments.

Facilities Exempt from Licensure:

If there are no present elements of care and supervision, the following facilities are exempt from licensure. Any allegations of abuse or neglect that are thought to have occurred in exempt facilities, must be reported to Adult Protective Services at 213-351-5401 or 800-992-1660.

- House, institution or hotel that supplies room and board only, or room only, or board only.
- Sober living facilities for persons recovering from alcoholism or drug addiction.
- Homeless shelters
- Care and supervision provided by a close friend, whereby friendship pre-existed a provider-recipient relationship.

Reports of known or suspected unlicensed facility operations are the investigative responsibility of Community Care Licensing and the Long-Term Care Ombudsman Program. If there is an allegation of abuse or neglect that is thought to have occurred in an unlicensed facility, a mandatory abuse report must be filed with the Long-Term Care Ombudsman Program or Law Enforcement.

Department of Social Services, Community Care Licensing Division

Adult Care: 323-980-4934 / Senior Care: 818-596-4334

&

WISE & Healthy Aging Long-Term Care Ombudsman Program of Los Angeles County

Araceli Ramirez, Unlicensed Facility Liaison: 213-617-8957 or 800-334-9473

Unlicensed Facility Screening Tool

If you answer yes to any of the following questions, you have identified an unlicensed facility that requires licensure and must be reported to Community Care Licensing and additionally may be reported to the Long-Term Care Ombudsman Program.

- | | Yes | No |
|--|--------------------------|--------------------------|
| 1. Does the unlicensed facility assist resident(s) with toileting? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Does the unlicensed facility assist resident(s) with bathing? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Does the unlicensed facility assist with transferring in and out of wheelchair? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Does the unlicensed facility provide skilled nursing care? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Does the unlicensed facility provide care to bed bound resident(s)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Does the unlicensed facility store and administer medications for resident(s)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Does the unlicensed facility arrange medical appointments for resident(s)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Does the unlicensed facility transport resident(s) to medical appointments? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Is the unlicensed facility the representative payee for resident(s)? | <input type="checkbox"/> | <input type="checkbox"/> |

Department of Social Services, Community Care Licensing Division

Adult Care: 323-980-4934 / Senior Care: 818-596-4334

&

WISE & Healthy Aging Long-Term Care Ombudsman Program of Los Angeles County

Araceli Ramirez, Unlicensed Facility Liaison: 213-617-8957 or 800-334-9473

The WISE & Healthy Aging Long-Term Care Ombudsman Program is partially funded by the County of Los Angeles Community & Senior Services, Area Agency on Aging, through the Older Americans Act of 1965, as amended, the City of Los Angeles Department of Aging, and through private foundation grants and donations. Funding provided by the Archstone Foundation.

