

Dear Stakeholders:
The Division is proposing changes to Chapter 7, ALRs. The changes are highlighted in yellow below. Any questions or comments regarding these changes should be made by August 29, 2014 and directed to Laurie Schoder at laurie.schoder@state.co.us.

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2 **Health Facilities and Emergency Medical Services Division**

3 **STANDARDS FOR HOSPITALS AND HEALTH FACILITIES**

4 **CHAPTER VII - ASSISTED LIVING RESIDENCES**

5 **6 CCR 1011-1 Chap 07**

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7 **1.102 DEFINITIONS.**

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9 1.102(6) "Assisted living residence" means any of the following:

10 102(6)(a) A residential facility that makes available to three or more adults not related to the
11 owner of such facility, either directly or indirectly through a resident agreement with the
12 resident, room and board and at least the following services: personal services;
13 protective oversight; social care due to impaired capacity to live independently; and
14 regular supervision that shall be available on a twenty-four-hour basis, but not to the
15 extent that regular twenty-four hour medical or nursing care is required.

16 102(6)(b) A residential treatment facility for the mentally ill which is an assisted living residence
17 similar to the definition under Section 1.102 (6)(a), except that the facility is operated and
18 maintained for no more than sixteen (16) mentally ill individuals who are not related to the
19 licensee and are provided treatment commensurate to the individuals' psychiatric needs
20 which has received program approval from the Department of Human Services.

21 102(6)(c) A SUPPORTED LIVING PROGRAM RESIDENCE THAT, IN ADDITION TO THE CRITERIA SPECIFIED IN
22 PARAGRAPH (A) ABOVE, IS CERTIFIED BY THE COLORADO DEPARTMENT OF HEALTH CARE
23 POLICY AND FINANCING TO ALSO PROVIDE HEALTH MAINTENANCE ACTIVITIES, BEHAVIORAL
24 MANAGEMENT AND EDUCATION, INDEPENDENT LIVING SKILLS TRAINING AND OTHER RELATED
25 SERVICES AS SET FORTH IN THE SUPPORTIVE LIVING PROGRAM REGULATIONS AT 10 CCR 2505-
26 10, §8.515.85 (OCT. 1, 2014), WHICH ARE HEREBY INCORPORATED BY REFERENCE.

27 The term "assisted living residence" does not include:

28 (i) Any facility licensed in this state by the Department of Human Services as a
29 residential care facility for individuals with developmental disabilities pursuant to
30 Section 27-10.5-101, C.R.S., et seq.; or

31 (ii) Any individual residential support services for individuals with developmental
32 disabilities provided in accordance with Section 27-10.5-101, C.R.S., et seq.,
33 unless specifically authorized to be an assisted living residence by the
34 Department of Human Services.

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1 **1.105 ADMINISTRATIVE FUNCTIONS**

2 1.105(1) **Admissions**

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4 105(1)(b) Who May Not be Admitted to the Facility. A facility shall not admit or keep any resident
5 requiring a level of care or type of service which the facility does not provide or is unable
6 to provide, and in no event shall a facility admit or keep a resident who:

7 * * * * *

8 (iii) Needs medical or nursing services, as defined herein, on a twenty-four hour
9 basis, except for care provided **BY A SUPPORTIVE LIVING PROGRAM RESIDENCE OR**
10 **by a psychiatric nurse in those facilities which are licensed to provide services**
11 **specifically for the mentally ill.**

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13 1.105(6) **Discharge**

14 105(6)(a) A resident shall be discharged only for one or more of the following reasons:

15 (i) When the facility cannot protect the resident from harming him or herself or
16 others.

17 (ii) When the facility is no longer able to meet the resident's identified needs, based
18 on the facility's discharge policy.

19 (iii) **WHEN A SUPPORTIVE LIVING PROGRAM RESIDENT HAS MET HIS OR HER TRANSITIONAL**
20 **PLANNING GOALS.**

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