

# CHOOSING A RESIDENTIAL CARE FACILITY FOR SENIORS IN CALIFORNIA

## *A Guide for Consumers*

*This resource guide is intended to provide an overview of licensed residential care facility services for seniors in California as well as best practice considerations to assist individuals and families in making an informed decision about out-of-home care. This guide provides a basic framework to understand better the factors involved in the decision-making process for selecting a licensed residential care facility.*

### 1. Making an Informed Choice

To make an informed choice when selecting residential care, you must first know what type of facility is appropriate for the level and type of care your loved one needs and desires. In California, residential care is provided both in facilities licensed to provide health care, such as skilled nursing facilities, and those licensed to provide non-medical care such as Residential Care Facilities for the Elderly (RCFEs), also known as assisted living facilities or board and care facilities. An RCFE licensee may permit incidental medical services to be provided to residents through a home health agency, licensed under [California Health and Safety Code \(HSC\), Chapter 8, section 1725 et seq.](#) when specified conditions are met. An additional option is [Continuing Care Retirement Communities](#) that provide a continuum of care options including independent living, assisted living, and skilled nursing, typically in a single community setting. The type of living arrangement chosen is based on need and/or preference.

If you or your loved one needs care and/or supervision, this guide is for you. The California Department of Social Services (CDSS) Community Care Licensing Division (CCLD) is responsible for the licensing and oversight of primarily non-medical, community-based facilities that care for seniors. CCLD's oversight authority can be found in the law, [California Health and Safety Code \(HSC\), section 1569 et. seq.](#) and in regulations, [California Code of Regulations Title 22 \(22 CCR\)](#). CCLD has [Regional Offices](#) throughout the state that provide local oversight in specific geographic areas. For information about facilities in your area, please refer to the [CCLD website](#). Information related to skilled nursing care can be found at the [California Department of Public Health](#).



**In this Resource Guide**

1. <a href="#">Making an Informed Choice</a>	2. <a href="#">Residential Care Facilities for the Elderly</a>
3. <a href="#">Continuing Care Retirement Communities</a>	4. <a href="#">What is a Facility License?</a>
5. <a href="#">First Step: Identify Your Needs</a>	6. <a href="#">Second Step: Choose a Sample of Facilities</a>
7. <a href="#">Third Step: Visiting the Facilities</a>	8. <a href="#">Filing a Complaint with Licensing</a>
9. <a href="#">Informational Resources</a>	10. <a href="#">Facility Visit Overview</a>
11. <a href="#">Notes Page</a>	

**2. Residential Care Facilities for the Elderly (RCFEs)**

RCFEs are housing arrangements where varying levels of care and supervision are provided. RCFEs are chosen voluntarily by the individual or by the individual’s guardian, conservator, or other responsible person. Most residents of RCFEs are 60 years of age or older. Residents below the age of 60 must have needs compatible with other residents (see 22 CCR, [Section 87101\(r\)\(5\)](#)).

Basic services, which are those services required to be provided by all RCFEs, must at the minimum include (see 22 CCR, [Section 87464\(f\)\(1\) to \(f\)\(7\)](#)):

- Care and supervision
- Safe and healthful living accommodations and services
- Three nutritionally well-balanced meals and snacks made available daily, including low salt or other modified diets prescribed by a doctor as medically necessary
- Personal assistance and care as needed by the resident and as indicated in the pre-admission appraisal, with those activities of daily living such as dressing, eating, bathing, and assistance with taking prescribed medications
- Regular observation of the resident's physical and mental condition
- Arrangements to meet health needs, including arranging transportation
- A planned activities program that includes social and recreational activities appropriate to the interests and capabilities of the resident

**3. Continuing Care Retirement Communities**

RCFEs can also be a part of a larger residential setting known as [Continuing Care Retirement Communities \(CCRCs\)](#). CCRCs can consist of independent living, assisted living, and skilled nursing services. The skilled nursing units are licensed to provide medical services and are licensed separately by the [California Department of Public Health](#). The [Continuing Care Contracts Bureau](#) of the CDSS is responsible for reviewing and approving applications to operate a CCRC and overseeing the financial/contract compliance.

A [continuing care contract](#) is an agreement between a resident and a CCRC provider where a promise to provide care for life, or at a minimum of one year, is made in exchange for a transfer of consideration. A continuing care contract may consist of one agreement or a series of agreements and other writings incorporated by reference. Most continuing care contracts call for payment of an entrance fee and monthly fees. Below are four (4) types of CCRC contracts:

### Life Care

This type of contract offers guaranteed access to all levels of care at essentially the same monthly fee paid previously for independent living.

### Refundable

A refundable continuing care contract includes a promise by the provider to pay an entrance fee refund when the promise to refund some or all of the initial entrance fee extends beyond the resident's sixth year of residency.

### Repayable

A repayable contract includes a promise to repay all or a portion of an entrance fee that is conditioned upon re-occupancy or resale of the unit previously occupied by the resident.

### Equity

Under an equity agreement, the resident owns their home or unit outright, but must pay a monthly service fee or "membership fee" for services and amenities, including home maintenance. The home/unit will eventually pass on to the resident's heirs or the estate when the resident expires, just as any home would. Important Note: Once the resident expires, the monthly service fee may continue until the heirs resell the residence to another person who qualifies based on age, finances, and health.

All contract types offer access to a continuum of care. Still, only the Life Care Contract promises that care at an agreed-upon fee, and for the resident's life (even if the resident's funds become inadequate to cover the full costs of future services and care) will remain the same.

Certain benefits and risks are associated with entering into a continuing care contract. Prospective residents are encouraged to consult with legal and financial professionals before signing to ensure they have made an informed choice regarding this continuum of care option.

#### 4. What is a Facility License and Why Is It Important?

When selecting a facility, it is important to make sure that the facility has a license. Some individuals try to provide services without licenses. Licensees must post their licenses in a prominent location within the facility, accessible to public view.

- A license assures protections provided by the law.
- A license is required for any person or facility providing care or supervision to non-relatives (except for facilities that are not required to be licensed).
- A license establishes the facility's standards in providing care and supervision.

CCLD issues licenses to individuals or entities meeting the operating conditions required by [laws](#) and [regulations](#). CCLD also ensures facility compliance by conducting inspection visits and complaint investigations, providing technical assistance, requiring staff background checks, reviewing facility records, and implementing other quality control measures.

#### 5. First Step: Identify Your Needs and Preferences

Consider your unique needs and preferences, or those of your loved one, when selecting a facility, such as:

- Services and surroundings – Do you or your loved one have regular medical needs or require special needs, such as dementia or hospice care? While all licensees are required to provide basic services, not all licensees are able to provide the specialized services you may need or want. Are the other residents compatible with you or your loved ones needs? The other residents will be roommates, housemates, and/or dining-mates and a lot of time is spent with them. Along these lines, other important items such as staffing, menu, amenities, and availability of recreation and socialization programs should be considered.
- Size and layout – Facilities vary in size and layout. Some licensees provide care for six residents or less. Others provide care for more than a hundred residents at a time. The size of the facility and its layout, such as whether it has separate wings or buildings, may affect the feel of the living environment, so you must decide what option you or your loved one would be comfortable with. Additionally, consider whether you or your loved one need a place with a layout suitable for those using assistive devices to get around or who have difficulty climbing stairs.
- Location – Do you or your loved one need a facility close to family? Is proximity to long-time friends, religious institutions, favorite sports for outings, or physicians a vital concern?

#### 6. Second Step: Choose a Sample of Facilities to Consider

Plan to check out several facilities that are of interest. CCLD maintains an informational [website](#) that includes a [search tool](#) to help users locate facilities in their geographic area and obtain additional information about the facility. Information available on this website also includes:

- An overview of CCLD
- A description of RCFEs
- A directory of local and regional CCLD offices (Regional Offices)

- Requirements - [laws](#) and [regulations](#)
- Recent citations on CCLD licensed facilities
- Facility license status, date licensed, Regional Office responsible for the facility, visits to the facility, complaints, licensing reports, etc.

You may first wish to view facility information online through the CDSS's [facility search site](#). If you wish to review the public files of care facilities you are considering, contact your CCLD [Regional Office](#). The public file contains citations, civil penalties, and administrative actions (if any) issued to the facility.

## 7. Third Step: Visiting Facilities

Use your best judgment when visiting facilities; you remain the expert on your own needs and preferences or those of your loved one. To make the most of such visits and keep them focused on your priorities, you may wish to develop a list of areas to review. Page seven (7) contains a "Facility Visit Overview" to help as a guide. Page eight (8) is a blank page for you to take notes about your visits. Ask questions if terms are unfamiliar. Ask for clarifications as needed. Keep in mind that the facility you are touring may become your home or the home of a loved one.

## 8. Filing a Complaint with Licensing

If during a facility visit, you observe something you feel is not right and wish to file a confidential and anonymous complaint, you may do so by contacting the CCLD's:

[Centralized Complaint and Information Bureau](#) at:  
1-844-LET US NO (1-844-538-8766); or [letusno@dss.ca.gov](mailto:letusno@dss.ca.gov).

Once the complaint is submitted, the local [Regional Office](#) will contact the person filing the complaint (the complainant) by phone to obtain additional information. An unannounced visit to the facility will be conducted within ten days to initiate the investigation process. The complainant will be informed of the results of the investigation. Licensing complaints can be filed by anyone who believes a licensee is violating applicable [laws](#) and [regulations](#). Complainants can be anyone and include facility residents, family and friends, neighbors, healthcare professionals, and visitors.

## 9. Informational Resources

For further information on consumer-related matters specific to RCFEs, please visit the following links:

### Reference Information

#### *Resident's Bill of Rights*

22 CCR:

- [Section 87468 – Personal Rights of Residents](#)
- [Section 87468.1 – Personal Rights of Residents In all Facilities](#)
- [Section 87468.2 – Additional Personal Rights of Residents In Privately Operated Facilities](#)

#### Resident Councils

HSC:

- [Section 1569.157](#)

22 CCR

- [Section 87221](#)

#### Family Councils

HSC:

- [Section 1569.158](#)

#### Continuing Care Retirement Community

Resident Associations

HSC:

- [Section 1771.7](#)

#### Consumer Advocacy Organizations and Provider Associations

##### *Consumer Advocacy (Not a complete listing)*

- [Long-Term Care Ombudsman](#)
- [California Continuing Care Residents Association](#)
- [California Advocates for Nursing Home Reform](#)
  - Overview of Assisted Living/Residential Care Facilities for the Elderly (RCFE)
  - RCFEs: Evaluation Checklist
  - RCFEs: Dementia Care Checklist
  - Continuing Care Retirement Communities

##### *Provider Associations (Not a complete listing)*

- [California Assisted Living Association](#)
- [LeadingAge CA](#)
- [6Beds, Inc.](#)

## 10. Facility Visit Overview

- Observe the facility's indoor and outdoor areas. Are they clean, safe, and in good repair? Make a note of concerns in any of these areas (see 22 CCR, [Section 87303](#)).
- If facility residents agree to do so, talk with them and ask what they like about living at the facility and what things they believe could be improved. Be respectful of their time and privacy.
  - What do you observe to be the overall mood and demeanor of the residents? Are residents' content, friendly, withdrawn, hostile, or anxious?



- What do you observe to be the nature/quality of interactions between staff and residents? Are staff friendly, caring, or inattentive?
- Do the residents know about their resident council meetings? When and how often they are held? Do they find these meetings helpful in voicing their needs and concerns? Is there follow-through on their requests and suggestions from the facility staff?
- Talk to the facility administrator (the person in charge of daily operations at the facility), an admissions coordinator, or other members of the facility staff. Observe their overall dynamics.
  - Is there a notable staff presence at the facility?
  - Do you find the facility management and staff helpful? Do they seem friendly and professional? Do they address or speak of and to residents in a respectful and caring tone?
  - Ask about conditions in and around the facility. The following are examples:
    - Neighborhood security; the quality of relations between the facility and the surrounding community
    - Accessibility/proximity to public libraries, entertainment, points of interest, etc.
    - Convenient access to health/mental health service providers
    - Accommodation of recreational activities, family visitations, and supervised group outings; available transportation services (in-house or public)
    - Policies for the safeguarding of residents' cash resources, property, and valuables
    - Medication procedures and policies
    - Facility's most recent licensing evaluation report and relations with CCLD
    - Frequency of care staff training, supervision, and evaluation of job-performance
- Ask to see a copy of the Admission Agreement to check for clarity in the language used to explain the services provided and the terms of the agreement. By law, [admission agreements](#) must be printed in black type and not less than 12 point type size, on plain white paper and one-sided only.
  - Are fees for additional items and services (beyond the basic services) clearly explained (what they are and cost)?
  - Are payment options/schedules and refund policies clearly spelled out (a best practice)?
  - Are the eviction policies clearly identified?
- Ask to see the meal menu to see if it reflects a balanced, nutritious, and varied selection of foods. Sample meals, if offered.
- Ask if the facility has a [resident](#) and/or [family](#) council. In the case of CCRCs, ask if there is a resident association.

Thank you for taking time to learn more about selecting licensed residential care in California.

**Notes Page**