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## **Health and Safety Codes**

### **77029. Seclusion.**

Seclusion means the isolation of a patient in a locked area, for the purpose of modifying a behavior.

### **77033. Treatment Restraint.**

Treatment restraint means the use of restraining device during medically prescribed treatment or diagnostic procedures such as, but not limited to, intravenous therapy, tube feeding or catheterization.

### **77039. Safety, Zoning and Building Clearance.**

A license shall not be issued to any psychiatric health facility which does not conform to the State Fire Marshal's requirement for fire and life safety, zoning and building ordinances. The following evidence of such compliance shall be presented in writing to the department. The evidence of compliance must contain approval for the facility to use restraint and seclusion as required in section 77101(a) and (b).

### **77065. Psychiatric Nursing Services.**

- (d) Written nursing services policies and procedures shall be developed which include...
- (5) Conditions under which restraints are used, the application of restraints, and the mechanism used for monitoring and controlling their use.

### **77101. Types of Restraints and Seclusion.**

- (a) No physical restraints with locking devices shall be used or be available for use in the facility unless approved by the State Fire Marshal.
- (b) Seclusion as defined in section 77029 is considered to be a physical restraint.
- (c) Exclusion timeout as defined in Section 77010 is considered to be a physical restraint.
- (d) Treatment restraint, as defined in Section 77033, shall be accomplished by a soft tie only, so as not to cause harm to the patient and shall only be used during medically prescribed treatment or diagnostic procedures.

### **77103. Behavioral Restraint and Seclusion.**

- (a) Behavioral restraint and seclusion shall only be used as a measure to protect the patient from injury to self or others.

- (b) Behavioral restraint and seclusion shall only be used upon a physician's or clinical psychologist's written or verbal order, except under emergency circumstances. Under emergency circumstances behavioral restraint may be applied and then an order obtained as soon as possible, but at least within one hour of application. Telephone orders shall be received only by authorized professional staff, shall be recorded immediately in the patient's health record and, within twenty-four(24) hours, weekends and holidays excepted, signed by the prescriber.
- (c) Behavioral restraint and seclusion shall not be used as punishment or as a substitute for more effective programming or for the convenience of the staff.
- (d) Orders for behavioral restraint and seclusion shall be in force for not longer than 24 hours.