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## 42 C.F.R. § 483.440

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### Condition of participation: Active treatment services.

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- (a) *Standard: Active treatment.* (1) Each client must receive a continuous active treatment program, which includes aggressive, consistent implementation of a program of specialized and generic training, treatment, health services and related services described in this subpart, that is directed toward—
- (i) The acquisition of the behaviors necessary for the client to function with as much self determination and independence as possible; and
  - (ii) The prevention or deceleration of regression or loss of current optimal functional status.
- (2) Active treatment does not include services to maintain generally independent clients who are able to function with little supervision or in the absence of a continuous active treatment program.
- (b) *Standard: Admissions, transfers, and discharge.* (1) Clients who are admitted by the facility must be in need of and receiving active treatment services.
- (2) Admission decisions must be based on a preliminary evaluation of the client that is conducted or updated by the facility or by outside sources.
- (3) A preliminary evaluation must contain background information as well as currently valid assessments of functional developmental, behavioral, social, health and nutritional status to determine if the facility can provide for the client's needs and if the client is likely to benefit from placement in the facility.
- (4) If a client is to be either transferred or discharged, the facility must—
- (i) Have documentation in the client's record that the client was transferred or discharged for good cause; and
  - (ii) Provide a reasonable time to prepare the client and his or her parents or guardian for the transfer or discharge (except in emergencies).
- (5) At the time of the discharge, the facility must—
- (i) Develop a final summary of the client's developmental, behavioral, social, health and nutritional status and, with the consent of the client, parents (if the client is a minor) or legal guardian, provide a copy to authorized persons and agencies; and
  - (ii) Provide a post-discharge plan of care that will assist the client to adjust to the new living environment.

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