

Termination of Residency by the Assisted Living Facility Effective 10/1/2019

Pursuant to A.A.C. R9-10-807(G)(1-3)

G. A manager may terminate residency of a resident as follows:

1. Without notice, if the resident exhibits behavior that is an immediate threat to the health and safety of the resident or other individuals in an assisted living facility;
2. With a 14-calendar-day written notice of termination of residency:
 - a. For nonpayment of fees, charges, or deposit; or
 - b. Under any of the conditions in subsection (C)*; or
3. With a 30-calendar-day written notice of termination of residency, for any other reason.

* Subsection (C):

C. A manager shall not accept or retain an individual if:

1. The individual requires continuous:
 - a. Medical services;
 - b. Nursing services, unless the assisted living facility complies with A.R.S. § 36-401(C);
or
 - c. Behavioral health services;
2. The primary condition for which the individual needs assisted living services is a behavioral health issue;
3. The services needed by the individual are not within the assisted living facility's scope of services and a home health agency or hospice service agency is not involved in the care of the individual;
4. The assisted living facility does not have the ability to provide the assisted living services needed by the individual; or
5. The individual requires restraints, including the use of bedrails.