

Senate Bill No. 540

CHAPTER 322

An act to add Section 1569.628 to the Health and Safety Code, relating to residential care facilities for the elderly.

[Approved by Governor September 4, 2003. Filed with Secretary of State September 5, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

SB 540, Soto. Residential care facilities for the elderly: special services.

Existing law provides for the regulation and licensure of residential care facilities for the elderly by the State Department of Social Services. A violation of these provisions is a misdemeanor.

This bill would require a licensee of a residential care facility for the elderly that advertises or promotes special care, programming, or environments for persons with a specific health related condition, except as prescribed, to provide to each prospective resident prior to admission an accurate narrative description of these services and programs, in writing. The bill would require all reasonable efforts to be made to communicate this information to a person who is unable to read it himself or herself. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 1569.628 is added to the Health and Safety Code, to read:

1569.628. A licensee of a residential care facility for the elderly that advertises or promotes special care, programming, or environments for persons with a health related condition, except as specified in Section 1569.72, shall provide to each prospective resident an accurate narrative description of these programs and services. The description shall be provided in writing prior to admission. All reasonable efforts shall be made to communicate the information in the narrative description to a



person who is unable to read it himself or herself, including, but not limited to, reading the description out loud.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

