

AMENDED IN ASSEMBLY APRIL 27, 2010

AMENDED IN ASSEMBLY APRIL 12, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2512

Introduced by Assembly Member Blumenfield

February 19, 2010

An act to amend Section 127045 of, and to add Section 130061.6 to, the Health and Safety Code, relating to seismic safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 2512, as amended, Blumenfield. Seismic safety: Office of Statewide Health Planning and Development and *Development*: health facilities.

(1) ~~Existing~~

Existing law establishes the Office of Statewide Health Planning and Development within the California Health and Human Services Agency and vests various functions with the office, including, among other things, the maintenance of the Health Professions Career Opportunity Program, establishing a contract program for funding certain allied health manpower training projects, and establishing a health care workforce clearinghouse.

Existing law authorizes the office to enter into agreements and contracts with any person, department, agency, corporation, or legal entity that are necessary to carry out specified functions vested in the office.

Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, establishes, under the jurisdiction of the office, a program of seismic safety building standards for certain hospitals constructed

on and after March 7, 1973. Existing law requires the office to assess an application fee for the review of facilities design and construction, and requires that full and complete plans be submitted to the office for review and approval.

This bill would authorize the office to enter into agreements and contracts that are necessary to carry out various duties regarding the above-described seismic safety building standards program.

~~(2) Existing law requires that, after January 1, 2008, any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life be used only for nonacute care hospital purposes, except that the office may grant a 5-year extension under prescribed circumstances. Existing law also allows the office to grant an additional extension to the January 2008 deadline for certain general acute care hospital buildings owned or operated by a county, city, or county and city that has requested an extension of this deadline by January 1, 2009, if specified conditions are met, including a requirement that the hospital owner submit, by January 1, 2010, a facility master plan with prescribed information for specified buildings that the hospital intends to replace by a specified date.~~

~~This bill would extend until June 30, 2011, the above-described January 1, 2009, deadline for requesting the January 1, 2008, deadline extension to a hospital owned or operated by a nonprofit organization that exclusively provides pediatric care at no cost to the patient, meeting all of the specified conditions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 127045 of the Health and Safety Code
2 is amended to read:
3 127045. The office may enter into agreements and contracts
4 with any person, department, agency, corporation, or legal entity
5 that are necessary to carry out the functions vested in the office
6 by this chapter, Article 1 (commencing with Section 127875),
7 Article 2 (commencing with Section 127900), Article 5
8 (commencing with Section 128050) of Chapter 2, Article 2
9 (commencing with Section 128375), Article 3 (commencing with
10 Section 128425) of Chapter 5 of Part 3, and Article 3 (commencing
11 with Section 129750) of Chapter 1 of Part 7.

1 SEC. 2.—It is the intent of the Legislature to create a mechanism
2 that will allow a hospital to meet seismic safety requirements in
3 new facilities and provide state agencies and the public with more
4 timely and detailed information about the progress the hospital is
5 making toward seismic safety compliance.

6 SEC. 3.—Section 130061.6 is added to the Health and Safety
7 Code, to read:

8 130061.6. (a) The office may also approve an extension of the
9 deadline described in subdivision (a) or (b) of Section 130060 for
10 a general acute care hospital building that is classified as a
11 nonconforming SPC-1 building and is owned or operated by a
12 nonprofit organization that exclusively provides pediatric care at
13 no cost to the patient and is located in a city with a population
14 greater than three million persons that has requested an extension
15 of this deadline by June 30, 2011, if the owner or operator files a
16 declaration with the office stating that as of the date of the filing,
17 the owner lacks the ability to meet the requirements of subdivision
18 (a) of Section 130060 for that building pursuant to subparagraph
19 (B) of paragraph (3) of subdivision (b) of Section 130060, the
20 owner or operator is negotiating an agreement with a city or county
21 to purchase or lease public land that meets the requirements to
22 relocate to a compliant SPC-5 and NPC-4 or NPC-3 building that
23 is constructed on or after January 1, 2011, and that the owner is
24 committed to replacing that building by January 1, 2020, with
25 other buildings on the public land that meet the requirements of
26 Section 130065.

27 (b) Approval of the extension shall be subject to compliance
28 with all of the following conditions:

29 (1) The hospital owner submits by January 1, 2012, a facility
30 master plan for all buildings that are subject to subdivision (a) of
31 Section 130060 that the hospital intends to replace by January 1,
32 2020. The facility master plan shall identify at least all of the
33 following:

34 (A) A description of each building that is subject to subdivision
35 (a) of Section 130060.

36 (B) The plan to replace the building with one or more buildings
37 that comply with Section 130065.

38 (C) The building to be removed from acute care service and the
39 projected date of that action.

- 1 ~~(D) The location of any new building or buildings to replace~~
2 ~~the building described in subparagraph (C):~~
- 3 ~~(E) A copy of the preliminary design for the new building or~~
4 ~~buildings:~~
- 5 ~~(F) The number of beds available for acute care use in each new~~
6 ~~building:~~
- 7 ~~(G) The timeline for completed plan submission.~~
- 8 ~~(H) The proposed construction timeline.~~
- 9 ~~(I) The proposed cost at the time of submission.~~
- 10 ~~(J) A copy of any record of the hospital governing board's~~
11 ~~approval of the master plan.~~
- 12 ~~(2) By January 1, 2015, the hospital owner submits to the office~~
13 ~~a building plan that is deemed ready for review by the office, for~~
14 ~~each building or for review by a qualified inspector retained by~~
15 ~~the applicant at its own cost.~~
- 16 ~~(3) By January 1, 2016, the hospital owner receives a building~~
17 ~~permit to begin construction for each building that the owner~~
18 ~~intends to replace pursuant to the master plan.~~
- 19 ~~(4) Within six months of receipt of the building permit, the~~
20 ~~hospital owner provides the office with a construction timeline~~
21 ~~that identifies at least all of the following:~~
- 22 ~~(A) A description of each building that is subject to subdivision~~
23 ~~(a) of Section 130060:~~
- 24 ~~(B) The project number or numbers for replacement of each~~
25 ~~building:~~
- 26 ~~(C) The projected construction start date or dates and projected~~
27 ~~construction completion date or dates:~~
- 28 ~~(D) The building or buildings to be removed from acute care.~~
- 29 ~~(E) The estimated cost of construction.~~
- 30 ~~(F) The name of the contractor.~~
- 31 ~~(5) By January 1, 2017, and every six months thereafter, the~~
32 ~~hospital owner shall report to the office on the status of the project,~~
33 ~~including any delays or circumstances that could materially affect~~
34 ~~the estimated completion date.~~
- 35 ~~(6) The hospital owner pays to the office an additional fee, to~~
36 ~~be determined by the office, sufficient to cover the additional cost~~
37 ~~incurred by the office for maintaining all reporting requirements~~
38 ~~established under this section, including, but not limited to, the~~
39 ~~costs of reviewing and verifying the financial information~~
40 ~~submitted pursuant to this section. This additional fee shall not~~

- 1 ~~include any cost for review of the plans or other duties related to~~
- 2 ~~receiving a building or occupancy permit.~~

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