

ASSEMBLY BILL

No. 1983

Introduced by Assembly Member Mansoor

February 23, 2012

An act to amend Section 11834.09 of the Health and Safety Code, relating to substance abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 1983, as introduced, Mansoor. Substance abuse: recovery and treatment facilities.

Existing law provides for the licensure, certification, and regulation of alcoholism or drug abuse recovery or treatment facilities serving adults, administered by the State Department of Alcohol and Drug Programs. Existing law authorizes the department to issue a license to specified types of facilities if certain criteria are met.

This bill would instead require the department to issue a license if these criteria are met.

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 11834.09 of the Health and Safety Code
2 is amended to read:
3 11834.09. (a) Upon receipt of a completed written application,
4 fire clearance, and licensing fee from the prospective licensee, and
5 subject to the department's review and determination that the
6 prospective licensee can comply with this chapter and regulations
7 adopted pursuant to this chapter, the department ~~may~~ shall issue

- 1 a single license to the following types of alcoholism or drug abuse
2 recovery or treatment facilities:
- 3 (1) A residential facility.
 - 4 (2) A facility wherein separate buildings or portions of a
5 residential facility are integral components of a single alcoholism
6 or drug abuse recovery or treatment facility and all of the
7 components of the facility are managed by the same licensee.
- 8 (b) Failure to submit a completed written application, fire
9 clearance, and payment of the required licensing fee in a timely
10 manner shall result in termination of the department's licensure
11 review and shall require submission of a new application by the
12 prospective licensee.
- 13 (c) Failure of the prospective licensee to demonstrate the ability
14 to comply with this chapter or the regulations adopted pursuant to
15 this chapter shall result in departmental denial of the prospective
16 licensee's application for licensure.