

AMENDED IN SENATE JANUARY 4, 2012

**SENATE BILL**

**No. 630**

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**Introduced by Senator Alquist**

February 18, 2011

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An act to amend Sections 130060 and 130064 of, and to add Sections 130065.1 and 130066 to, add Section 1317.10 to the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 630, as amended, Alquist. Hospitals: seismic safety. licensure.

~~(1) Existing~~

*Existing law provides for the licensure of health facilities, including general acute care hospitals, by the State Department of Public Health.*

*Existing law requires emergency services and care to be provided to any person requesting the services or care, or for whom services or care is requested, for any condition in which the person is in danger of loss of life, or serious injury or illness, at any licensed health facility that maintains and operates an emergency department to provide emergency services to the public when the health facility has appropriate facilities and qualified personnel available to provide the services or care.*

*Existing law prohibits the transfer of a person needing emergency services and care from one hospital to another for any nonmedical reason, unless specified conditions are met, including a requirement that the person be examined and evaluated by a physician and surgeon.*

*This bill would require, notwithstanding the above-described prohibition, for purposes of providing emergency services and care to patients with conditions related to active labor presenting to the*

*emergency department of Stanford Hospital and Clinics, that Stanford Hospital and Clinics and Lucile Packard Children's Hospital at Stanford be treated as a single licensed facility if the two hospitals have entered into a specified agreement. The bill also would make findings and declarations regarding the necessity for a special statute.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, establishes, under the jurisdiction of the Office of Statewide Health Planning and Development, a program of seismic safety building standards for certain hospitals constructed on and after March 7, 1973. Existing law authorizes 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.

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 of that deadline, under prescribed circumstances, for both structural and nonstructural requirements. Existing law also authorizes the office to grant an additional extension if the hospital building meets designated criteria, including appropriately retrofitting the facility, as specified.

This bill would, among other things, revise the conditions that a hospital owner would be required to meet in order for the office to grant an additional extension. This bill would authorize the department to revoke the extension if the construction is abandoned or suspended for at least 6 months, except as specified.

(2) Existing law authorizes the office to grant a 3-year extension of the 5-year extension in lieu of the previously described additional extension under specified conditions. Existing law also authorizes a grant of an additional extension of up to 2 years if specified criteria are met. Existing law requires a hospital owner that applies for this extension to pay to the office a fee for reporting requirements for this extension.

This bill would repeal the office's authority to grant the additional extension of up to 2 years.

This bill would require a hospital that has an SPC-1 building to post a specified sign at all public entrances to the building and certify to the office that it has complied with specified requirements. It would also subject a hospital, that fails to post pursuant to the requirement, to civil penalties.

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1     SECTION 1. *The Legislature finds and declares all of the*  
2 *following:*
- 3     (a) *Stanford Hospital and Clinics and Lucile Packard Children's*  
4 *Hospital at Stanford have a unique circumstance in which both*  
5 *hospitals are colocated on the same hospital campus. The hospitals*  
6 *occupy adjacent buildings that are physically attached inpatient*  
7 *facilities connected by an interior corridor so that passage from*  
8 *the emergency department at Stanford Hospital and Clinics to the*  
9 *obstetrics unit at Lucile Packard Children's Hospital at Stanford*  
10 *does not require exposure to the external environment.*
- 11     (b) *The emergency physicians at Stanford Hospital and Clinics*  
12 *and the obstetricians at Lucile Packard Children's Hospital at*  
13 *Stanford have clinical privileges to practice at both hospitals.*
- 14     (c) *Stanford Hospital and Clinics does not have an obstetrics*  
15 *unit and is not licensed for perinatal services but Lucile Packard*  
16 *Children's Hospital at Stanford does have an obstetrics unit and*  
17 *is licensed for perinatal services.*
- 18     (d) *Without this special statute, patients in active labor who*  
19 *arrive at the Stanford Hospital and Clinics Emergency Department*  
20 *can face up to a 90-minute delay to satisfy the existing law's*  
21 *requirements to be transferred to the obstetrics unit at Lucile*  
22 *Packard Children's Hospital at Stanford.*
- 23     (e) *Due to the unique physical arrangement between Stanford*  
24 *Hospital and Clinics and Lucile Packard Children's Hospital at*  
25 *Stanford, the average time to transport a patient from the*  
26 *emergency department at Stanford Hospital and Clinics to the*  
27 *obstetrics unit at Lucile Packard Children's Hospital at Stanford*  
28 *is five minutes.*
- 29     (f) *On average, 29 patients arrive at the Stanford Hospital and*  
30 *Clinics Emergency Department each month in active labor and in*  
31 *need of perinatal services.*
- 32     (g) *These patients and their unborn children would receive*  
33 *appropriate care at Lucile Packard Children's Hospital at Stanford*  
34 *because of the dedicated obstetrics unit.*

1     *(h) It is in the interest of the state and women and children to*  
2     *provide the timely transfer of women in active labor who arrive*  
3     *at the Stanford Hospital and Clinics emergency department to the*  
4     *obstetrics unit at Lucile Packard Children's Hospital at Hospital.*

5     SEC. 2. Section 1317.10 is added to the Health and Safety  
6     Code, to read:

7     1317.10. Notwithstanding Sections 1317 and 1317.2, Stanford  
8     Hospital and Clinics and Lucile Packard Children's Hospital at  
9     Stanford shall be treated as a single licensed facility for purposes  
10    of providing emergency services and care to patients with  
11    conditions related to active labor presenting to the emergency  
12    department at Stanford Hospital and Clinics if the two hospitals  
13    have entered into an agreement in which Lucile Packard Children's  
14    Hospital at Stanford accepts and provides emergency services and  
15    care to all patients who are in active labor presenting to the  
16    emergency department at Stanford Hospital and Clinics, without  
17    regard to insurance status, financial status, or other nonclinical  
18    factors.

19    SEC. 3. The Legislature finds and declares that a special law  
20    is necessary and that a general law cannot be made applicable  
21    within the meaning of Section 16 of Article IV of the California  
22    Constitution because of the unique circumstances where Stanford  
23    Hospital and Clinics and Lucile Packard Children's Hospital at  
24    Stanford are physically attached inpatient facility buildings  
25    connected by an interior corridor so that passage from the  
26    emergency department at Stanford Hospital and Clinics to the  
27    obstetrics unit at Lucile Packard Children's Hospital at Stanford  
28    does not require exposure to the external environment.

29    SEC. 4. This act is an urgency statute necessary for the  
30    immediate preservation of the public peace, health, or safety within  
31    the meaning of Article IV of the Constitution and shall go into  
32    immediate effect. The facts constituting the necessity are:

33    In order to more expeditiously transfer patients who are  
34    presenting labor conditions to a hospital that may provide more  
35    specialized labor care, it is necessary for this act to take effect  
36    immediately.

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**All matter omitted in this version of the bill appears in the bill as introduced in the Senate, February 18, 2011. (JR11)**

CORRECTIONS:  
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