

ASSEMBLY BILL

No. 726

Introduced by Assembly Member Fong

February 21, 2013

An act to amend Section 1550 of the Health and Safety Code, relating to community care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 726, as introduced, Fong. Community care facilities: licensure.

Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care facilities, as defined, by the State Department of Social Services. Violation of the provisions relating to community care facilities is a misdemeanor. Under existing law, the department may deny an application for, or suspend or revoke, any license or administrator certificate issued under the act, or may deny the transfer of a specified license, for, among other things, violations by the licensee or special permit holder of the act.

This bill would make technical, nonsubstantive changes to those provisions.

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

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

1 SECTION 1. Section 1550 of the Health and Safety Code is
2 amended to read:
3 1550. The department may deny an application for, or suspend
4 or revoke, any ~~license, license or any administrator certificate,~~
5 ~~certificate~~ issued under this ~~chapter~~ *chapter*, or may deny a transfer

1 *of a license pursuant to paragraph (2) of subdivision (c) of Section*
2 *1524, upon any of the following grounds and in the manner*
3 *provided in this chapter, or may deny a transfer of a license*
4 *pursuant to paragraph (2) of subdivision (b) of Section 1524 for*
5 *any of the following grounds:*

6 (a) Violation by the licensee or holder of a special permit of
7 this chapter or of the rules and regulations promulgated under this
8 chapter.

9 (b) Aiding, abetting, or permitting the violation of this chapter
10 or of the rules and regulations promulgated under this chapter.

11 (c) Conduct which is inimical to the health, morals, welfare, or
12 safety of either an individual in, or receiving services from, the
13 facility or the people of the State of California.

14 (d) The conviction of a licensee, or other person mentioned in
15 Section 1522, at any time before or during licensure, of a crime
16 as defined in Section 1522.

17 (e) The licensee of any facility or the person providing direct
18 care or supervision knowingly allows any child to have illegal
19 drugs or alcohol.

20 (f) Engaging in acts of financial malfeasance concerning the
21 operation of a facility, including, but not limited to, improper use
22 or embezzlement of client moneys and property or fraudulent
23 appropriation for personal gain of facility moneys and property,
24 or willful or negligent failure to provide services.