

AMENDED IN SENATE JULY 10, 2013

AMENDED IN SENATE JUNE 19, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 980

Introduced by Assembly Member Pan
(Coauthor: Assembly Member Atkins)

February 22, 2013

An act to add Section 18944.18 to the Health and Safety Code, relating to health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 980, as amended, Pan. Primary care clinics: abortion.

Existing law requires the California Building Standards Commission to codify all building standards of adopting agencies or state agencies that propose the building standards and statutes defining building standards into one California Building Standards Code. Existing law requires the commission to publish, or cause to be published, editions of the building standards code in its entirety once every 3 years.

This bill would require the commission, in conjunction with the Office of Statewide Health Planning and Development, to adopt emergency regulations to repeal a specific portion of the 2013 Triennial Edition of the Building Standards Code, and would prohibit the commission from adopting building code standards that establish construction requirements for primary care clinics that provide medication or aspiration abortion services that differ from construction standards applicable to other specified primary care clinics. The bill would require the State Department of Public Health, *no later than July 1, 2014*, to

repeal specified regulations relating to primary care clinics that provide abortions or revise regulations relating to abortion services in primary care clinics to ensure that any requirements specific to abortion services are consistent with applicable law and medical standards of care.

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 18944.18 is added to the Health and
2 Safety Code, to read:

3 18944.18. (a) It is the intent of the Legislature to preempt, and
4 to render inoperative, Section 1226.7 of the 2013 Triennial Edition
5 of the California Building Standards Code.

6 (b) Notwithstanding any other law, the California Building
7 Standards Commission shall not adopt building code standards
8 that establish construction requirements for primary care clinics
9 that provide medication or aspiration abortion services that differ
10 from construction standards applicable to other primary care clinics
11 described in Section 1226.6 of the 2013 Triennial Edition of the
12 California Building Standards Code.

13 SEC. 2. (a) The California Building Standards Commission,
14 in conjunction with the Office of Statewide Health Planning and
15 Development, shall adopt emergency regulations to delete Section
16 1226.7 of the 2013 Triennial Edition of the California Building
17 Standards Code, including all cross-references to that section, as
18 soon as possible. Notwithstanding the Administrative Procedure
19 Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of
20 Division 3 of Title 2 of the Government Code), the regulations
21 adopted under this subdivision shall become permanent without
22 further regulatory action.

23 (b) The State Department of Public Health shall, no later than
24 July 1, 2014, repeal regulations inconsistent with this act, including,
25 but not limited to Sections 75042, 75043, and 75044 of Title 22
26 of the California Code of Regulations or revise regulations relating
27 to abortion services in primary care clinics, including those
28 contained in Article 5 (commencing with Section 75040) of Chapter
29 7 of Division 5 of Title 22 of the California Code of Regulations,
30 to ensure that any requirements specific to abortion services, if

- 1 *any are required, are consistent with applicable law and medical*
- 2 *standards of care.*

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