

Assembly Bill No. 980

CHAPTER 663

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

[Approved by Governor October 9, 2013. Filed with Secretary of State October 9, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 980, 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 state the intent of the Legislature that all primary care clinics, including primary care clinics that provide abortion services, be subject to the same licensing and building standards. The bill would require the commission, in conjunction with the Office of Statewide Health Planning and Development (OSHPD), to repeal a specific provision of the 2013 Triennial Edition of the Building Standards Code, as soon as possible. The bill would grant OSHPD emergency regulatory authority to implement these provisions, and would make these regulations permanent without further regulatory action. The bill would require the State Department of Public Health, no later than July 1, 2014, to repeal certain regulations relating to abortion services in primary care clinics.

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

SECTION 1. (a) It is the intent of the Legislature that all primary care clinics, including primary care clinics that provide abortion services, be subject to the same licensing and building standards.

(b) It is the intent of the Legislature to render unenforceable Section 1226.7 of the 2013 Triennial Edition of the California Building Standards Code. It is the intent of the Legislature that the public agencies charged with authority to enforce Section 1226.7 of the 2013 Triennial Edition of the California Building Standards Code not enforce that section.

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

18944.18. (a) The California Building Standards Commission, in conjunction with the Office of Statewide Health Planning and Development,

shall repeal Section 1226.7 of the 2013 Triennial Edition of the California Building Standards Code, including all cross-references to that section, as soon as possible. The Office of Statewide Health Planning and Development is granted emergency regulatory authority to implement this subdivision. Notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the regulations adopted under this subdivision shall become permanent without further regulatory action.

(b) The State Department of Public Health shall, no later than July 1, 2014, repeal the regulations relating to abortion services in primary care clinics contained in Article 5 (commencing with Section 75040) of Chapter 7 of Division 5 of Title 22 of the California Code of Regulations.