

AMENDED IN SENATE AUGUST 5, 2014

AMENDED IN SENATE JUNE 10, 2014

AMENDED IN ASSEMBLY MAY 1, 2014

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1974

Introduced by Assembly Member Quirk

February 19, 2014

An act to amend Section 1252 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1974, as amended, Quirk. Health facilities: special services.

Existing law provides for the licensure and regulation of health facilities by the State Department of Public Health and prohibits a health facility from providing a special service without the approval of the department. Existing law defines a “special service” to mean a functional division, department, or unit of a health facility that is organized, staffed, and equipped to provide a specific type of patient care and that has been identified by regulations of the department and for which the department has established special standards for quality of care.

The bill would specify that a “special service” does not include a functional division, department, or unit of a nursing facility ~~that is certified to participate as a provider in the Medicare or Medi-Cal program and~~, *as defined*, that is organized, staffed, and equipped to provide inpatient physical therapy services, occupational therapy services, or speech pathology and audiology services to residents of the

facility *if those services are provided solely to meet the federal Centers for Medicare and Medicaid Services certification requirements*. The bill would specify that a “special service” includes physical therapy services, occupational therapy services, or speech pathology and audiology services provided by a nursing facility to outpatients and would state that these provisions do not limit the department’s ability to enforce or evaluate compliance with specified therapy requirements during investigations or inspections.

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 1252 of the Health and Safety Code is
2 amended to read:
3 1252. (a) “Special service” means a functional division,
4 department, or unit of a health facility that is organized, staffed,
5 and equipped to provide a specific type or types of patient care
6 and that has been identified by regulations of the state department
7 and for which the state department has established special standards
8 for quality of care. “Special service” does not include a functional
9 division, department, or unit of a nursing facility, as defined in
10 subdivision (k) of Section 1250, ~~that is Medicare or Medi-Cal~~
11 ~~certified~~ and that is organized, staffed, and equipped to provide
12 inpatient physical therapy services, occupational therapy services,
13 or speech pathology and audiology services to residents of the
14 facility *if these services are provided solely to meet the federal*
15 *Centers for Medicare and Medicaid Services certification*
16 *requirements. “Special service” includes physical therapy services,*
17 *occupational therapy services, or speech pathology and audiology*
18 *services provided by a nursing facility, as defined in subdivision*
19 *(k) of Section 1250, to outpatients.*
20 (b) This section does not limit the department’s ability to
21 evaluate compliance with the therapy requirements for nursing
22 facilities and skilled nursing facilities established in Title 22 of
23 the California Code of Regulations during investigations or
24 inspections, including, but not limited to, inspections conducted

- 1 pursuant to Section 1422, or to limit the department's ability to
- 2 enforce the therapy requirements.

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