

**ASSEMBLY BILL**

**No. 2374**

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**Introduced by Assembly Member Mansoor**

February 21, 2014

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An act to amend Section 11833 of, and to add Section 11830.01 to, the Health and Safety Code, relating to substance abuse treatment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2374, as introduced, Mansoor. Substance abuse: recovery and treatment services.

(1) Existing law grants the Department of Health Care Services the sole authority in state government to license adult alcoholism or drug abuse recovery or treatment facilities. The department is authorized to issue a license to specified types of facilities if certain criteria are met.

This bill would require an alcoholism or drug abuse program licensee to report specified events or incidents, including among other things, the death of a program resident, telephonically within one working day of the event or incident, and to provide a written report, as specified, within 7 days of the event or incident.

(2) Existing law grants the department the sole authority in state government to determine the qualifications, including the appropriate skills, education, training, and experience of personnel working within alcoholism or drug abuse recovery and treatment programs licensed, certified, or funded under state law. The department, by regulation, requires that a person who will provide counseling services to those programs to register with, and be certified by, a nationally accredited certifying organization approved by the department.

This bill would require the department to require that the certifying organization consult with each of the other department-approved

nationally accredited certifying organizations and the National Practitioner Data Bank to determine whether the person has ever had his or her license or certification as a counselor revoked.

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 11830.01 is added to the Health and  
2 Safety Code, to read:

3 11830.01. (a) The death investigation policy of the department  
4 shall be designed to ensure that a resident’s death is reported by  
5 the licensee and addressed by the department in a timely manner.

6 (b) The licensee shall make a telephonic report to the department  
7 within one working day of any of the following events or incidents:

8 (1) Death of any resident for any cause, even if the death did  
9 not occur at the facility.

10 (2) Any facility-related injury of any resident that requires  
11 medical treatment.

12 (3) All cases of communicable disease reportable under Section  
13 120130.

14 (4) Poisonings.

15 (5) Natural disasters that affect the facility premises.

16 (6) Fires or explosions that occur in or on the facility premises.

17 (7) Unusual events or incidents that affect the physical or  
18 emotional health or safety of any resident.

19 (c) The telephonic report described in subdivision (b) shall be  
20 followed by a written report to the department, in a form prescribed  
21 by the department, within seven days of the event or incident.

22 (d) The telephonic and written reports shall include, but not be  
23 limited to, a description of the event or incident, including the  
24 time, location, and nature of the event or incident, a list of  
25 immediate actions that were taken, including persons contacted,  
26 and a description of the followup action that is planned, including,  
27 but not limited to, steps taken to prevent a recurrence of the event  
28 or incident.

29 SEC. 2. Section 11833 of the Health and Safety Code is  
30 amended to read:

31 11833. (a) The department shall have the sole authority in  
32 state government to determine the qualifications, including the

1 appropriate skills, education, training, and experience of personnel  
2 working within alcoholism or drug abuse recovery and treatment  
3 programs licensed, certified, or funded under this part.

4 *(b) The department shall require that a counselor working within*  
5 *a program described in subdivision (a) be certified by a nationally*  
6 *accredited certifying organization that has consulted with all other*  
7 *nationally accredited certifying organizations and the National*  
8 *Practitioner Data Bank to determine whether the person has ever*  
9 *had his or her license or certification as a counselor revoked.*

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