
Introduced by Senator Yee

February 22, 2013

An act to amend Section 1275 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 766, as introduced, Yee. Health facilities: standards for health facility physical plants.

Existing law requires the Office of Statewide Health Planning and Development to adopt and enforce regulations prescribing building standards for the adequacy and safety of health facility physical plants.

This bill would make technical, nonsubstantive changes to these 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 1275 of the Health and Safety Code is
2 amended to read:
3 1275. (a) The ~~state~~ department shall adopt, amend, or repeal,
4 in accordance with Chapter 3.5 (commencing with Section 11340)
5 of Part 1 of Division 3 of Title 2 of the Government Code and
6 Chapter 4 (commencing with Section 18935) of Part 2.5 of Division
7 13, any reasonable rules and regulations as may be necessary or
8 proper to carry out the purposes and intent of this chapter and to
9 enable the ~~state~~ department to exercise the powers and perform
10 the duties conferred upon it by this chapter, not inconsistent with
11 ~~any a~~ statute of this state including, but not limited to, the State

1 Building Standards Law, Part 2.5 (commencing with Section
2 18901) of Division 13.

3 All regulations in effect on December 31, 1973, ~~which that~~ were
4 adopted by the State Board of Public Health, the State Department
5 of Public Health, the State Department of Mental Hygiene, or the
6 State Department of Health *Care Services* relating to licensed
7 health facilities shall remain in full force and effect until altered,
8 amended, or repealed by the director or pursuant to Section 25 or
9 other provisions of law.

10 (b) Notwithstanding this section or any other ~~provision of~~ law,
11 the Office of Statewide Health Planning and Development shall
12 adopt and enforce regulations prescribing building standards for
13 the adequacy and safety of health facility physical plants.

14 (c) The building standards adopted by the State Fire ~~Marshal;~~
15 *Marshal* and the Office of Statewide Health Planning and
16 Development, pursuant to subdivision (b), for the adequacy and
17 safety of freestanding physical plants housing outpatient services
18 of a health facility licensed under subdivision (a) or (b) of Section
19 1250 shall not be more restrictive or comprehensive than the
20 comparable building standards established, or otherwise made
21 applicable, by the State Fire Marshal and the Office of Statewide
22 Health Planning and Development to clinics and other facilities
23 licensed pursuant to Chapter 1 (commencing with Section 1200).

24 (d) Except as provided in subdivision (f), the licensing standards
25 adopted by the ~~state~~ department under subdivision (a) for outpatient
26 services located in a freestanding physical plant of a health facility
27 licensed under subdivision (a) or (b) of Section 1250 shall not be
28 more restrictive or comprehensive than the comparable licensing
29 standards applied by the ~~state~~ department to clinics and other
30 facilities licensed under Chapter 1 (commencing with Section
31 1200).

32 (e) Except as provided in subdivision (f), the state agencies
33 specified in subdivisions (c) and (d) shall not enforce any standard
34 applicable to outpatient services located in a freestanding physical
35 plant of a health facility licensed pursuant to subdivision (a) or (b)
36 of Section 1250, to the extent that the standard is more restrictive
37 or comprehensive than the comparable licensing standards applied
38 to clinics and other facilities licensed under Chapter 1
39 (commencing with Section 1200).

1 (f) All health care professionals providing services in settings
2 authorized by this section shall be members of the organized
3 medical staff of the health facility to the extent medical staff
4 membership would be required for the provision of the services
5 within the health facility. All services shall be provided under the
6 respective responsibilities of the governing body and medical staff
7 of the health facility.

8 (g) For purposes of this section, “freestanding physical plant”
9 means ~~any a building which~~ *that* is not physically attached to a
10 building in which inpatient services are provided.