

**ASSEMBLY BILL**

**No. 911**

---

---

**Introduced by Assembly Member Brough**  
(Principal coauthor: Senator Bates)

February 26, 2015

---

---

An act to add Section 1255.23 to the Health and Safety Code, relating to hospitals, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 911, as introduced, Brough. Hospitals: closures.

Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, by the State Department of Public Health. Existing law authorizes a general acute care hospital, as defined, to offer special services, including, but not limited to, emergency medical services. Existing law requires a hospital that provides emergency medical services to provide notice of the planned reduction or elimination of those services to certain entities and the public, as specified. Existing law requires a health facility that implements a downgrade or change in services to make a reasonable effort to inform the community that it serves of the downgrade or change, as specified. Existing law authorizes the department to exempt a hospital from those disclosure requirements upon specified circumstances.

This bill would require a general acute care hospital that provides emergency medical services that is scheduled for closure to conduct public hearings for public review and comment, as specified. The bill would also authorize Saddleback Memorial Medical Center, San Clemente, to continue, under its existing license, to provide emergency

medical services to patients in the region if it otherwise transforms its delivery of services.

This bill would make legislative findings and declarations as to the necessity of a special statute for the communities of San Clemente, Dana Point, and San Juan Capistrano.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. It is the intent of the Legislature in enacting this  
2 act to do the following:

3 (a) Authorize Saddleback Memorial Medical Center, San  
4 Clemente, to operate a stand-alone emergency room for purposes  
5 of stabilizing patients prior to transfer to any other hospital in the  
6 region.

7 (b) Provide transparency with regard to hospital closures.

8 SEC. 2. Section 1255.23 is added to the Health and Safety  
9 Code, immediately following Section 1255.2, to read:

10 1255.23. (a) In addition to the requirements set forth in  
11 Sections 1255.1 and 1255.2, a general acute care hospital that  
12 provides emergency medical services pursuant to Section 1255,  
13 and that is scheduled for closure, shall conduct a public hearing  
14 for public review and comment during the 90-day period  
15 established pursuant to subdivision (a) of Section 1255.1.

16 (b) A hospital that conducts a public hearing pursuant to  
17 subdivision (a) shall conduct the hearing pursuant to the procedural  
18 requirements that are established pursuant to the Ralph M. Brown  
19 Act (Chapter 9 (commencing with Section 54950) of Part 1 of  
20 Division 2 of Title 5 of the Government Code).

21 SEC. 3. Notwithstanding any other law, Saddleback Memorial  
22 Medical Center, San Clemente, may continue, under its existing  
23 license, to provide emergency medical services to patients in the  
24 region if it otherwise transforms its delivery of services.

25 SEC. 4. The Legislature finds and declares that a special law  
26 is necessary and that a general law cannot be made applicable  
27 within the meaning of Section 16 of Article IV of the California  
28 Constitution because of the unique circumstances regarding the

1 provision of emergency medical services to the communities of  
2 San Clemente, Dana Point, and San Juan Capistrano.

3 SEC. 5. This act is an urgency statute necessary for the  
4 immediate preservation of the public peace, health, or safety within  
5 the meaning of Article IV of the Constitution and shall go into  
6 immediate effect. The facts constituting the necessity are:

7 In order to ensure the provision of emergency medical services  
8 to the communities of San Clemente, Dana Point, and San Juan  
9 Capistrano at the earliest point in time, and to provide transparency  
10 with regard to hospital closures, it is necessary that this act take  
11 effect immediately.

O