

ASSEMBLY BILL

No. 1177

Introduced by Assembly Members Gomez, Burke, and Low

February 27, 2015

An act to add, repeal, and add Section 1204.2 of the Health and Safety Code, relating to primary care clinics.

LEGISLATIVE COUNSEL'S DIGEST

AB 1177, as introduced, Gomez. Primary care clinics: written transfer agreements.

Existing regulations require primary care clinics to maintain a written transfer agreement with one or more nearby hospitals and other facilities as appropriate to meet medical emergencies. Existing law authorizes certain clinics to request that the State Department of Public Health waive this requirement.

This bill would provide that a primary care clinic that is licensed is not required to enter into a written transfer agreement pursuant to those provisions. The bill would require the State Department of Public Health to repeal its regulations to conform to these changes.

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 1204.2 is added to the Health and Safety
- 2 Code, to read:
- 3 1204.2. (a) Notwithstanding any other provision of law,
- 4 including, but not limited to, Section 75047 of Title 22 of the
- 5 California Code of Regulations, a primary care clinic licensed

1 pursuant to subdivision (a) of Section 1204 shall not be required
2 to enter into a written transfer agreement with a nearby hospital
3 as a condition of licensure.

4 (b) The State Department of Public Health shall, no later than
5 July 1, 2016, repeal Section 75047 of Chapter 7 of Division 5 of
6 Title 22 of the California Code of Regulations.

7 (c) This section shall remain in effect only until January 1, 2018,
8 and as of that date is repealed, unless a later enacted statute, that
9 is enacted before January 1, 2018, deletes or extends that date.

10 SEC. 2. Section 1204.2 is added to the Health and Safety Code,
11 to read:

12 1204.2. (a) Notwithstanding any other provision of law, a
13 primary care clinic licensed pursuant to subdivision (a) of Section
14 1204 shall not be required to enter into a written transfer agreement
15 with a nearby hospital as a condition of licensure.

16 (b) This section shall become operative on January 1, 2018.