

ASSEMBLY BILL

No. 2403

**Introduced by Assembly Member Bloom
(Principal coauthor: Assembly Member Wilk)
(Coauthor: Assembly Member Brough)**

February 19, 2016

An act to amend Section 11834.09 of the Health and Safety Code, relating to alcoholism and drug abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 2403, as introduced, Bloom. Alcoholism or drug abuse recovery or treatment facilities.

Existing law provides for the licensure, certification, and regulation of alcoholism or drug abuse recovery or treatment facilities, as defined, administered by the State Department of Health Care Services. Existing law authorizes the department, if certain criteria are met, to issue a single license to a residential facility or a facility wherein separate buildings or portions of a residential facility are integral components of a single alcoholism or drug abuse recovery or treatment facility and all of the components of the facility are managed by the same licensee.

This bill would instead require the department, if certain criteria are met, to issue a single license to a residential facility or integral facilities and would define integral facilities to mean any combination of two or more facilities located on the same or different parcels that collectively serve 7 or more persons, not including the licensee or members of the licensee's family or persons employed as facility staff, and that are under the control or management of the same owner, operator, management company, or licensee, or any affiliate of any of them, or which together comprise one operation or enterprise.

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 11834.09 of the Health and Safety Code
2 is amended to read:
3 11834.09. (a) Upon receipt of a completed written application,
4 fire clearance, and licensing fee from the prospective licensee, and
5 subject to the department’s review and determination that the
6 prospective licensee can comply with this chapter and regulations
7 adopted pursuant to this chapter, the department ~~may~~ *shall* issue
8 a single license to the following types of alcoholism or drug abuse
9 recovery or treatment facilities:
10 (1) A residential facility.
11 ~~(2) A facility wherein separate buildings or portions of a~~
12 ~~residential facility are integral components of a single alcoholism~~
13 ~~or drug abuse recovery or treatment facility and all of the~~
14 ~~components of the facility are managed by the same licensee.~~
15 *(2) Integral facilities. As used in this section, “integral*
16 *facilities” means any combination of two or more facilities located*
17 *on the same or different parcels that collectively serve seven or*
18 *more persons, not including the licensee or members of the*
19 *licensee’s family or persons employed as facility staff and that are*
20 *under the control or management of the same owner, operator,*
21 *management company, or licensee, or any affiliate of any of them,*
22 *or which together comprise one operation or enterprise. Integral*
23 *facilities shall include, but not be limited to, the provision of*
24 *housing in one facility and recovery programming, treatment,*
25 *meals, or any other service at another facility, or facilities, or by*
26 *assigning staff or a consultant to provide services to or in more*
27 *than one facility.*
28 (b) Failure to submit a completed written application, fire
29 clearance, and payment of the required licensing fee in a timely
30 manner shall result in termination of the department’s licensure
31 review and shall require submission of a new application by the
32 prospective licensee.
33 (c) Failure of the prospective licensee to demonstrate the ability
34 to comply with this chapter or the regulations adopted pursuant to

- 1 this chapter shall result in departmental denial of the prospective
- 2 licensee's application for licensure.

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