

AMENDED IN ASSEMBLY APRIL 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2743

Introduced by Assembly Member Eggman

February 19, 2016

An act to add Article ~~3.7~~ *7.1* (commencing with Section ~~1289~~) *1323.1* to Chapter 2 of Division 2 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2743, as amended, Eggman. Psychiatric bed registry.

Under existing law, the State Department of Public Health licenses and regulates health facilities, as defined. A violation of these provisions is a crime.

Existing law, the Lanterman-Petris-Short Act, provides for the involuntary commitment and treatment of persons with specified mental disorders for the protection of the persons so committed. Under the act, when a person, as a result of a mental health disorder, is a danger to others, or to himself or herself, or gravely disabled, he or she may, upon probable cause, be taken into custody by a peace officer, a member of the attending staff of an evaluation facility, designated members of a mobile crisis team, or another designated professional person, and placed in a facility designated by the county and approved by the State Department of Social Services as a facility for 72-hour treatment and evaluation.

~~Beginning~~

On or before July 1, 2017, this bill would require the department to establish and administer a pilot program to create an Internet Web site-based electronic registry, known as the acute psychiatric bed

registry, *in specified counties*, to collect, aggregate, and display *specified* information regarding the availability of acute psychiatric beds in *psychiatric health facilities* ~~facilities~~, *as defined*, to facilitate the identification and designation of health facilities for the temporary detention and treatment of individuals who meet specified criteria for temporary detention. The bill would require a *psychiatric* health facility to, on or before July 1, 2017, designate an employee to submit to the registry notification that an acute psychiatric bed has become available at the *psychiatric* health facility and to serve as the contact person to respond to requests for information related to data reported to the registry, as provided. *The bill would require the department to submit specified reports to the Legislature regarding the registry and to make these reports available to the public and on its Internet Web site.*

This bill would provide that a violation of its provisions is not a ~~crime~~ *crime* ~~under existing law~~. *The bill would repeal these provisions on January 1, 2022.*

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. ~~Article 3.7 7.1~~ (commencing with Section ~~1289~~)
 2 *1323.1*) is added to Chapter 2 of Division 2 of the Health and
 3 Safety Code, to read:

4
 5 Article ~~3.7-7.1~~. Acute Psychiatric Bed Registry

6
 7 ~~1289~~.
 8 *1323.1*. For purposes of this article, the following definitions
 9 apply:

10 (a) “Designated employee” means the employee designated by
 11 a *psychiatric* health facility pursuant to subdivision (a) of Section
 12 ~~1289.4~~. *1323.3*.

13 (b) “*Psychiatric health facility*” means an acute psychiatric
 14 hospital as defined by subdivision (b) of Section 1250 and a
 15 licensed health facility that provides a program certified by the
 16 State Department of Health Care Services pursuant to Section
 17 5909 of the Welfare and Institutions Code.

18 (b)

1 (c) "Registry" means the acute psychiatric bed registry
2 established pursuant to subdivision (a) of Section ~~1289.2~~ 1323.2.
3 ~~1289.2~~

4 1323.2. (a) (1) On or before July 1, 2017, the department shall
5 establish a pilot program to create an Internet Web site-based
6 electronic acute psychiatric bed registry to collect, aggregate, and
7 display information regarding the availability of acute psychiatric
8 beds in psychiatric health facilities to facilitate the identification
9 and designation of psychiatric health facilities having beds
10 available for the temporary detention and treatment of individuals
11 who require that level of care or who meet the criteria for
12 temporary detention under Section 5150 of the Welfare and
13 Institutions Code.

14 (2) For purposes of this section, the pilot program shall be
15 administered in the Counties of Alameda, Contra Costa, Marin,
16 Napa, Santa Clara, San Joaquin, San Mateo, Solano, and Sonoma,
17 and the City and County of San Francisco.

18 (b) The department shall administer the operation of the registry.

19 (c) When the registry becomes operational, the department shall
20 notify each psychiatric health facility that the registry is
21 operational.

22 (d) The department shall include at least the following fields in
23 the registry to enable each psychiatric health facility to report and
24 update all of the following information:

25 (A) The contact information for the psychiatric health facility's
26 designated employee.

27 (B) The license type of the facility.

28 (C) Whether the facility provides substance abuse treatment.

29 (D) Whether the facility provides medical treatment.

30 (E) Whether the available bed is secure.

31 (F) The types of diagnoses for which the available bed is
32 appropriate.

33 ~~1289.4.~~

34 1323.3. (a) On or before July 1, 2017, a psychiatric health
35 facility shall designate an employee who shall submit information
36 for inclusion in the acute psychiatric bed registry and serve as the
37 contact person to respond to requests for information related to
38 data reported to the registry.

39 (b) On and after the date on which the department notifies a
40 psychiatric health facility that the registry is operational pursuant

1 to subdivision (c) of Section ~~1289.2~~, 1323.2, the *psychiatric* health
 2 facility, through its designated ~~employee pursuant to subdivision~~
 3 ~~(a)~~, *employee*, shall submit to the registry notification that an acute
 4 psychiatric bed has become available, upon the bed becoming
 5 available, at the *psychiatric* health facility.

6 1323.4. (a) *The department shall submit, in compliance with*
 7 *Section 9795 of the Government code, an interim report to the*
 8 *Legislature that details the department’s work to support the*
 9 *electronic registry. The department shall make the report available*
 10 *to the public and shall post the report on its Internet Web site.*

11 (b) *The department shall develop an evaluation plan to assess*
 12 *the impact of the pilot program. The department, in compliance*
 13 *with Section 9795 of the Government Code, shall submit a report*
 14 *to the Legislature at the end of the fourth year of the pilot program*
 15 *evaluating the impact of the pilot program and providing*
 16 *recommendations for further implementation. The department*
 17 *shall make the report available to the public and shall post the*
 18 *report on its Internet Web site.*

19 ~~1289.6.~~

20 1323.45. Notwithstanding Article 4 (commencing with Section
 21 1290), a violation of this article is not a crime.

22 1323.46. *This article shall remain in effect only until January*
 23 *1, 2022, and as of that date is repealed.*