

Assembly Bill No. 2488

CHAPTER 471

An act to add Section 1268.6 to the Health and Safety Code, relating to health facilities.

[Approved by Governor September 12, 1996. Filed with Secretary of State September 13, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2488, Alby. Health facilities.

Under existing law, the State Department of Health Services and the State Department of Developmental Services have authority to jointly develop and implement licensing and Medi-Cal regulations appropriate to intermediate care facilities/developmentally disabled-habilitative (ICF/DDH) and intermediate care facilities/developmentally disabled-nursing.

This bill would add to the licensing requirements of these facilities, commencing July 1, 1997, a requirement that the applicant or designee of the applicant attend an 8-hour orientation program approved by the State Department of Developmental Services that outlines certain requirements, relating to the operation of an ICF/DDH or intermediate care facility/developmentally disabled-nursing facility.

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

SECTION 1. Section 1268.6 is added to the Health and Safety Code, to read:

1268.6. Commencing July 1, 1997, it shall be a requirement of initial licensure of an intermediate care facility/developmentally disabled-habilitative or an intermediate care facility/developmentally disabled-nursing that the applicant or designee of the applicant attend an eight-hour orientation program approved by the State Department of Developmental Services.

(a) The eight-hour orientation program shall outline the role, requirements, and regulations of each of the following:

- (1) The scope of responsibility for operation including regulatory requirements and statutes governing the facility type.
- (2) Cost reporting.
- (3) Local planning.
- (4) Regional center and other community support services.
- (5) All federal and state agencies responsible for licensing and certification, and data collection.



(6) Government and private agencies responsible for ensuring the rights of the developmentally disabled.

(b) The orientation shall be conducted by relevant community services and provider organizations. Organizations conducting the orientation class shall be responsible for keeping a record of all attendees and shall provide the department with the information within 15 working days or upon request. Instructors of the orientation must have knowledge or experience in the subject area to be taught, and shall meet any of the following criteria:

(1) Possession of a four-year college degree relevant to the course or courses to be taught.

(2) Be a health professional with a valid and current license to practice in California.

(3) Have at least two years experience in California as an administrator of a long-term health care facility that provides services to persons with developmental disabilities within the last eight years.

(c) If the licensee can demonstrate to the satisfaction of the department that the licensee or a representative of the licensee has taken the orientation program within a two-year period prior to opening a new facility, the licensee shall not be required to repeat the program to open the facility. This subdivision shall become inoperative on July 1, 2001.

(d) On or after July 1, 2001, if the licensee can demonstrate to the satisfaction of the department that the licensee, or a representative of the licensee, has taken the orientation program any year prior to opening a new facility, the licensee shall not be required to repeat the program to open the facility.

