

AMENDED IN ASSEMBLY APRIL 24, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 482**

**Introduced by Assembly Member Aroner**

February 24, 1997

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An act to add Section 4081 to the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 482, as amended, Aroner. Psychiatric health facilities: discharge information.

~~Existing law creates, as one of the categories of health facilities, psychiatric health facilities, as defined. These facilities are licensed by the State Department of Mental Health.~~

*Existing law provides for various types of health facilities in which inpatient psychiatric services are provided.*

This bill would require that when a psychiatric ~~health facility~~ patient is being discharged *from any of specified health facilities* into the care of a family member *who is the primary caregiver*, the discharge plan to be provided to the caregiver shall include specified basic information about the patient's mental disorder, in order to facilitate the patient's care after he or she is discharged.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

1 SECTION 1. Section 4081 is added to the Welfare and  
2 Institutions Code, to read:

3 4081. (a) ~~When a psychiatric health facility~~  
4 *Notwithstanding subdivision (a) of Section 5328, Section*  
5 *5622 or any other provision of law relating to*  
6 *confidentiality or privilege, when a psychiatric patient is*  
7 *being discharged from one of the facilities specified in*  
8 *subdivision (b), into the care of a family member who is*  
9 *the patient's primary in-home caregiver, the discharge*  
10 *plan to be provided to the caregiver shall include basic*  
11 *information about the patient's mental disorder, in order*  
12 *to facilitate the patient's care after he or she is discharged.*  
13 *Basic information provided pursuant to this subdivision is*  
14 ~~information~~ *shall be information from the facility, the*  
15 *physician, and other providers regarding diagnosis,*  
16 *prognosis, medication management and potential side*  
17 *effects, and specific recommendations regarding*  
18 *treatment that are relevant to the person's care.*

19 (b) *Subdivision (a) shall apply to all of the following*  
20 *facilities:*

- 21 (1) *A state mental hospital.*
- 22 (2) *A general acute care hospital.*
- 23 (3) *A psychiatric health facility.*
- 24 (4) *A mental health rehabilitation center.*
- 25 (5) *An institute for mental disease.*
- 26 (6) *An acute psychiatric hospital.*

27 (c) *It is the intent of the Legislature to protect the*  
28 *patient's right to privacy guaranteed by Section 1 of*  
29 *Article I of the California Constitution. Therefore, this*  
30 *section shall not be construed to permit the facility to*  
31 *provide a family caregiver access to medical records or*  
32 *any information other than the basic information*  
33 *specifically authorized by subdivision (a).*

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