

Senate Bill No. 1073

CHAPTER 728

An act to amend Section 1585.2 of the Health and Safety Code, relating to health facilities.

[Approved by Governor September 21, 1998. Filed
with Secretary of State September 22, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1073, Vasconcellos. Health facilities.

Existing law provides for the licensure and regulation of adult day health care services. Existing law provides that an adult day health care license for purposes of a licensed health facility is a special permit, as defined, empowering the health facility to provide adult day health care services as a separate program in a distinct part of the facility. Existing law requires any operator of a health facility, clinic, or community care facility licensed to provide adult day health care under these provisions to provide that adult day health care as an independent program located in a separate, freestanding facility or in a distinct portion of the health facility, clinic, or community care facility.

This bill would provide, instead, that any operator of a health facility licensed to provide adult day health care under these provisions shall provide that adult day health care as a separate program as determined by the department and any operator of a clinic or community care facility licensed to provide adult day health care under these provisions shall provide that adult day health care as an independent program that is located in a separate, freestanding facility or in a distinct part of the clinic or community care facility.

This bill would incorporate additional changes in Section 1585.2 of the Health and Safety Code, proposed by AB 1817.

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

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Today's long-term health care facilities must adapt their services to a broader range of individuals with more divergent and complex health care needs.

(2) Facilities are constantly exploring ways to attract qualified medical professionals such as physicians and dentists into their buildings to care for these medically complex patients.

(3) To aid in the transition to this higher acuity patient population, long-term health care facilities must be able to appeal to medical



professionals by providing more diversified service opportunities for them within the facility setting.

(4) Physicians have expressed a greater willingness to work in long-term health care facilities if they have the ability to provide different health care services to a larger more diverse clientele.

(b) It is the intent of the Legislature in enacting the act adding this section to authorize long-term health care facilities licensed to provide adult day health care to provide adult day health care within their facility, thereby permitting these long-term health care facilities to attract more medical professionals into their buildings and provide more diversified services to their patient population and surrounding community.

SEC. 2. Section 1585.2 of the Health and Safety Code is amended to read:

1585.2. (a) Any operator of a health facility licensed to provide adult day health care under this chapter shall provide that adult day health care as a separate program as determined by the State Department of Health Services.

(b) Any operator of a clinic or community care facility licensed to provide adult day health care under this chapter shall provide that adult day health care as an independent program that is located in a separate, freestanding facility or in a distinct part of the clinic or community care facility.

(c) The State Department of Health Services and the State Department of Social Services shall together explore the feasibility of a dual licensure process for combined adult day health care and social day care centers. A report shall be submitted to the Legislature regarding the feasibility of a single survey process. The State Department of Health Services shall have the primary responsibility for the development of this report.

SEC. 3. Section 1585.2 of the Health and Safety Code is amended to read:

1585.2. (a) Any operator of a health facility licensed to provide adult day health care under this chapter shall provide that adult day health care as a separate program as determined by the State Department of Health Services.

(b) Any operator of a clinic or community care facility licensed to provide adult day health care under this chapter shall provide that adult day health care as an independent program that is located in a separate, freestanding facility or in a distinct part of the clinic or community care facility.

SEC. 4. Section 3 of this bill incorporates amendments to Section 1585.2 of the Health and Safety Code proposed by both this bill and AB 1817. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 1999, (2) each bill amends Section 1585.2 of the Health and Safety Code, and (3) this bill



is enacted after AB 1817, in which case Section 2 of this bill shall not become operative.

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