

AMENDED IN SENATE MARCH 9, 2000
AMENDED IN SENATE FEBRUARY 9, 2000
AMENDED IN ASSEMBLY JANUARY 19, 2000
AMENDED IN ASSEMBLY MAY 25, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 894

Introduced by Assembly Member Alquist
(~~Coauthor: Assembly Member Bock~~)
(Coauthors: Assembly Members Bock, Knox, Longville, and
Strom-Martin)
(Coauthor: Senator Speier)

February 25, 1999

An act to add Section 1418.9 to the Health and Safety Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

AB 894, as amended, Alquist. Physicians and surgeons: skilled nursing facilities: antipsychotic medication.

Existing law prescribes certain procedures to be followed if the attending physician and surgeon of a resident in a skilled nursing facility or intermediate care facility prescribes or orders a medical intervention that requires informed consent.

This bill would provide that if the attending physician and surgeon of a resident in a skilled nursing facility prescribes or orders an antipsychotic medication, ~~the physician and surgeon,~~ in addition to obtaining consent from the resident for

purposes of prescribing the medication, *the physician and surgeon, personally or through a designee from his or her personal staff* shall also make reasonable attempts to notify the interested family member, as designated in the medical record, within 48 hours of the order or the increase of an order if, the resident consents to the notification.

The bill would provide that once the attending physician and surgeon of a resident prescribes or orders an antipsychotic medication and the resident consents to the notification to the interested family member, the physician and surgeon and the resident shall agree on a dosage range for the antipsychotic medication that, when exceeded, shall also require notification to the interested family member. It would also provide that no notification is required if certain circumstances exist.

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

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

1 SECTION 1. Section 1418.9 is added to the Health and
 2 Safety Code, to read:
 3 1418.9. (a) If the attending physician and surgeon of
 4 a resident in a skilled nursing facility prescribes or orders
 5 an antipsychotic medication, the physician and surgeon,
 6 in addition to obtaining consent from the resident for
 7 purposes of prescribing the medication, shall also make
 8 reasonable attempts, *either personally or through a*
 9 *designee from his or her personal staff*, to notify the
 10 interested family member, as designated in the medical
 11 record, if the resident consents to the notification. If the
 12 resident consents to the notification, notification to the
 13 interested family member shall be provided within 48
 14 hours of the order or the increase of an order. Notification
 15 may be made by the resident's attending physician and
 16 surgeon or his or her designee. No notification is required
 17 if any of the following circumstances exist:
 18 (1) There is no interested family member designated
 19 in the medical record.



1 (2) The resident has been diagnosed as terminally ill
2 by his or her physician and surgeon and is receiving
3 hospice services from a licensed, certified hospice agency
4 in the facility.

5 (3) The resident has refused to consent to the
6 notification.

7 (b) Once the attending physician and surgeon of a
8 resident prescribes or orders an antipsychotic medication
9 and the resident consents to the notification to the
10 interested family member as provided in subdivision (a),
11 the physician and surgeon and the resident shall agree on
12 a dosage range for the antipsychotic medication that,
13 when exceeded, shall also require notification to the
14 interested family member in accordance with subdivision
15 (a).

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