

**ASSEMBLY BILL**

**No. 2547**

**Introduced by Assembly Member Hertzberg**

February 24, 2000

An act to amend Section 1265 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2547, as introduced, Hertzberg. Health facilities: public access to information: licensing.

Existing law requires each applicant for a license to operate a health facility to provide specified information to State Department of Health Services. Existing law also requires the department to make the specified information available to the public upon request and to include the information in the department's public file of the facility.

This bill would authorize the department to publicize the specified information on a designated licensing and certification information Internet site.

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. Section 1265 of the Health and Safety
- 2 Code is amended to read:
- 3 1265. Any person, political subdivision of the state, or
- 4 governmental agency desiring a license for a health
- 5 facility or approval for a special service under this chapter



1 shall file with the state department a verified application  
2 on forms prescribed and furnished by the state  
3 department, containing all of the following:

4 (a) The name of the applicant and, if an individual,  
5 whether the applicant has attained the age of 18 years.

6 (b) The type of facility or health facility.

7 (c) The location thereof.

8 (d) The name of the person in charge thereof.

9 (e) Evidence satisfactory to the state department that  
10 the applicant is of reputable and responsible character. If  
11 the applicant is a firm, association, organization,  
12 partnership, business trust, corporation, or company, like  
13 evidence shall be submitted as to the members or  
14 shareholders thereof, and the person in charge of the  
15 health facility for which application for license is made.  
16 If the applicant is a political subdivision of the state or  
17 other governmental agency, like evidence shall be  
18 submitted as to the person in charge of the health facility  
19 for which application for license is made.

20 (f) Evidence satisfactory to the state department of  
21 the ability of the applicant to comply with this chapter  
22 and of rules and regulations promulgated under this  
23 chapter by the state department.

24 (g) Evidence satisfactory to the department that the  
25 applicant to operate a skilled nursing facility or  
26 intermediate care facility possesses financial resources  
27 sufficient to operate the facility for a period of at least 45  
28 days.

29 (h) Each applicant for a license to operate a skilled  
30 nursing facility or intermediate care facility shall disclose  
31 to the state department evidence of the right to  
32 possession of the facility at the time the application will  
33 be granted, that may be satisfied by the submission of a  
34 copy of applicable portions of a lease agreement or deed  
35 of trust. The names and addresses of any persons or  
36 organizations listed as owner of record in the real estate,  
37 including the buildings and the grounds appurtenant to  
38 the buildings, shall be disclosed to the state department.



1 (i) Any other information as may be required by the  
2 state department for the proper administration and  
3 enforcement of this chapter.

4 (j) Upon submission of an application to the state  
5 department by an intermediate care  
6 facility/developmentally disabled habilitative or an  
7 intermediate care facility/developmentally  
8 disabled—nursing, the application shall include a  
9 statement of need signed by the chairperson of the area  
10 board pursuant to Chapter 4 (commencing with Section  
11 4570) of Division 4.5 of the Welfare and Institutions Code.  
12 In the event the area board has not provided the  
13 statement of need within 30 days of receipt of the request  
14 from the applicant, the state department may process the  
15 application for license without the statement.

16 (k) The information required pursuant to this section  
17 shall be made available to the public upon request, and  
18 shall be included in the department's public file  
19 regarding the facility. *The department may augment the*  
20 *public access requirement of this subdivision by*  
21 *publicizing the required information on a designated*  
22 *licensing and certification information Internet site.*

