

ASSEMBLY BILL

No. 1369

Introduced by Assembly Member Pavley
(Coauthor: Assembly Member Maze)
(Coauthors: Senators Figueroa and Romero)

February 21, 2003

An act to add Sections 1267.85 and 1569.6 to the Health and Safety Code, and to add Chapter 9.5 (commencing with Section 9620) to Division 8.5 of the Welfare and Institutions Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1369, as introduced, Pavley. Health facilities.

Existing law authorizes the Emergency Medical Services Authority to establish minimum standards for the training and use of automatic external defibrillators by individuals not otherwise licensed or certified for the use of the device.

Under existing law, the State Department of Health Services licenses and regulates skilled nursing and intermediate care facilities.

Under existing law, the State Department of Social Services licenses and regulates residential care facilities for the elderly.

A violation of provisions relating to skilled nursing and intermediate care facilities and residential care facilities for the elderly is a crime.

Existing law contains provisions for the establishment of various types of programs that come within the definition of a senior center.

This bill would, commencing January 1, 2005, require every skilled nursing facility, intermediate care facility, and residential care facility for the elderly, where the facility's licensed bed capacity exceeds 60 persons, and every senior center, to purchase and train personnel in the

use of automatic external defibrillators, except that a state-operated skilled nursing or intermediate care facility would not be required to comply with the bill until January 1, 2008.

Because this bill would create new crimes, it would impose new duties upon local law enforcement agencies, thus constituting a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 1267.85 is added to the Health and
2 Safety Code, to read:

3 1267.85. (a) Subject to subdivision (b), commencing
4 January 1, 2005, every skilled nursing facility and intermediate
5 care facility with a licensed bed capacity that exceeds 60 persons
6 shall purchase and train personnel in the use of an automatic
7 external defibrillator.

8 (b) A facility operated by the state shall not be required to
9 comply with this section until January 1, 2008.

10 SEC. 2. Section 1569.6 is added to the Health and Safety
11 Code, to read:

12 1569.6. Commencing January 1, 2005, every residential care
13 facility for the elderly with a licensed bed capacity that exceeds 60
14 persons shall purchase and train personnel in the use of an
15 automatic external defibrillator.

16 SEC. 3. Chapter 9.5 (commencing with Section 9620) is
17 added to Division 8.5 of the Welfare and Institutions Code, to read:

18
19 CHAPTER 9.5. USE OF DEFIBRILLATORS IN SENIOR CENTERS
20

21 9620. Commencing January 1, 2005, every senior center shall
22 purchase and train personnel in the use of an automatic external
23 defibrillator.

1 9621. For purposes of this chapter, “senior center” shall have
2 the same definition as that used in subdivision (n) of Section 9591.

3 SEC. 4. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.

