

AMENDED IN ASSEMBLY APRIL 12, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2512

Introduced by Assembly Member Blumenfield

February 19, 2010

An act to amend Section 127045 of, *and to add Section 130061.6 to*, the Health and Safety Code, relating to seismic safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 2512, as amended, Blumenfield. Seismic safety: Office of Statewide Health Planning and ~~Development~~. *Development and health facilities*.

Existing

(1) *Existing* law establishes the Office of Statewide Health Planning and Development within the California Health and Human Services Agency and vests various functions with the office, including, among other things, the maintenance of the Health Professions Career Opportunity Program, establishing a contract program for funding certain allied health manpower training projects, and establishing a health care workforce clearinghouse.

Existing law authorizes the office to enter into agreements and contracts with any person, department, agency, corporation, or legal entity that are necessary to carry out specified functions vested in the office.

Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, establishes, under the jurisdiction of the office, a program of seismic safety building standards for certain hospitals constructed on and after March 7, 1973. Existing law requires the office to assess an application fee for the review of facilities design and construction,

and requires that full and complete plans be submitted to the office for review and approval.

This bill would authorize the office to enter into agreements and contracts that are necessary to carry out various duties regarding the above-described seismic safety building standards program.

(2) Existing law requires that, after January 1, 2008, any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life be used only for nonacute care hospital purposes, except that the office may grant a 5-year extension under prescribed circumstances. Existing law also allows the office to grant an additional extension to the January 2008 deadline for certain general acute care hospital buildings owned or operated by a county, city, or county and city that has requested an extension of this deadline by January 1, 2009, if specified conditions are met, including a requirement that the hospital owner submit, by January 1, 2010, a facility master plan with prescribed information for specified buildings that the hospital intends to replace by a specified date.

This bill would extend until June 30, 2011, the above-described January 1, 2009, deadline for requesting the January 1, 2008, deadline extension to a hospital owned or operated by a nonprofit organization that exclusively provides pediatric care at no cost to the patient, meeting all of the specified conditions.

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 127045 of the Health and Safety Code
- 2 is amended to read:
- 3 127045. The office may enter into agreements and contracts
- 4 with any person, department, agency, corporation, or legal entity
- 5 that are necessary to carry out the functions vested in the office
- 6 by this chapter, Article 1 (commencing with Section 127875),
- 7 Article 2 (commencing with Section 127900), Article 5
- 8 (commencing with Section 128050) of Chapter 2, Article 2
- 9 (commencing with Section 128375), Article 3 (commencing with
- 10 Section 128425) of Chapter 5 of Part 3, and Article 3 (commencing
- 11 with Section 129750) of Chapter 1 of Part 7.
- 12 SEC. 2. *It is the intent of the Legislature to create a mechanism*
- 13 *that will allow a hospital to meet seismic safety requirements in*

1 new facilities and provide state agencies and the public with more
2 timely and detailed information about the progress the hospital is
3 making toward seismic safety compliance.

4 SEC. 3. Section 130061.6 is added to the Health and Safety
5 Code, to read:

6 130061.6. (a) The office may also approve an extension of the
7 deadline described in subdivision (a) or (b) of Section 130060 for
8 a general acute care hospital building that is classified as a
9 nonconforming SPC-1 building and is owned or operated by a
10 nonprofit organization that exclusively provides pediatric care at
11 no cost to the patient and is located in a city with a population
12 greater than three million persons that has requested an extension
13 of this deadline by June 30, 2011, if the owner or operator files a
14 declaration with the office stating that as of the date of the filing,
15 the owner lacks the ability to meet the requirements of subdivision
16 (a) of Section 130060 for that building pursuant to subparagraph
17 (B) of paragraph (3) of subdivision (b) of Section 130060, the
18 owner or operator is negotiating an agreement with a city or
19 county to purchase or lease public land that meets the requirements
20 to relocate to a compliant SPC-5 and NPC-4 or NPC-3 building
21 that is constructed on or after January 1, 2011, and that the owner
22 is committed to replacing that building by January 1, 2020, with
23 other buildings on the public land that meet the requirements of
24 Section 130065.

25 (b) Approval of the extension shall be subject to compliance
26 with all of the following conditions:

27 (1) The hospital owner submits by January 1, 2012, a facility
28 master plan for all buildings that are subject to subdivision (a) of
29 Section 130060 that the hospital intends to replace by January 1,
30 2020. The facility master plan shall identify at least all of the
31 following:

32 (A) A description of each building that is subject to subdivision
33 (a) of Section 130060.

34 (B) The plan to replace the building with one or more buildings
35 that comply with Section 130065.

36 (C) The building to be removed from acute care service and the
37 projected date of that action.

38 (D) The location of any new building or buildings to replace
39 the building described in subparagraph (C).

1 (E) A copy of the preliminary design for the new building or
2 buildings.

3 (F) The number of beds available for acute care use in each
4 new building.

5 (G) The timeline for completed plan submission.

6 (H) The proposed construction timeline.

7 (I) The proposed cost at the time of submission.

8 (J) A copy of any record of the hospital governing board's
9 approval of the master plan.

10 (2) By January 1, 2015, the hospital owner submits to the office
11 a building plan that is deemed ready for review by the office, for
12 each building or for review by a qualified inspector retained by
13 the applicant at its own cost.

14 (3) By January 1, 2016, the hospital owner receives a building
15 permit to begin construction for each building that the owner
16 intends to replace pursuant to the master plan.

17 (4) Within six months of receipt of the building permit, the
18 hospital owner provides the office with a construction timeline
19 that identifies at least all of the following:

20 (A) A description of each building that is subject to subdivision
21 (a) of Section 130060.

22 (B) The project number or numbers for replacement of each
23 building.

24 (C) The projected construction start date or dates and projected
25 construction completion date or dates.

26 (D) The building or buildings to be removed from acute care.

27 (E) The estimated cost of construction.

28 (F) The name of the contractor.

29 (5) By January 1, 2017, and every six months thereafter, the
30 hospital owner shall report to the office on the status of the project,
31 including any delays or circumstances that could materially affect
32 the estimated completion date.

33 (6) The hospital owner pays to the office an additional fee, to
34 be determined by the office, sufficient to cover the additional cost
35 incurred by the office for maintaining all reporting requirements
36 established under this section, including, but not limited to, the
37 costs of reviewing and verifying the financial information submitted
38 pursuant to this section. This additional fee shall not include any

- 1 *cost for review of the plans or other duties related to receiving a*
- 2 *building or occupancy permit.*

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