

AMENDED IN ASSEMBLY JUNE 30, 2004

AMENDED IN SENATE MARCH 23, 2004

SENATE BILL

No. 1745

Introduced by Senator Perata

February 20, 2004

An act to add Section 1271.15 to the Health and Safety Code, and to add Section 5675.2 to the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1745, as amended, Perata. Mental health rehabilitation centers.

(1) Existing law authorizes Placer County and up to 15 additional counties to establish a pilot project to develop a shared mental health rehabilitation center for providing community care and treatment for persons with mental disorders who are placed in a state hospital because there is no available community placement and authorizes the State Department of Mental Health to establish appropriate licensure requirements for new programs for the treatment of mental illness.

This bill would require each new and renewal application for a license to operate a mental health rehabilitation center to be accompanied by an application or renewal fee, and to expire 12 months from the date of issuance.

(2) Existing law authorizes a health facility to place up to 50% of its licensed bed capacity in voluntary suspension for up to 3 years, unless extended, and authorizes the health facility to remove all or any portion of its voluntarily suspended bed capacity from voluntary suspension unless the facility fails to meet currently applicable operational requirements or fails to meet construction requirements for the health

facility in effect at the time the request for suspension of the beds was received by the department.

This bill would similarly authorize a ~~health facility~~ *general acute care hospital or and acute psychiatric hospital* to voluntarily suspend all or part of its bed capacity or to voluntarily suspend its license for the purpose of operating a mental health rehabilitation center and would permit the facility to reinstate the suspended ~~health facility~~ bed capacity or license unless the facility fails to meet currently applicable operational requirements for a ~~health facility~~ *general acute care hospital or acute psychiatric hospital* or fails to meet construction and life safety requirements for the ~~health facility~~ in effect at the time the facility was originally licensed as a ~~health facility~~ *general acute care hospital or acute psychiatric hospital*.

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 1271.15 is added to the Health and
2 Safety Code, immediately following Section 1271.1, to read:

3 1271.15. (a) Notwithstanding any provision of law to the
4 contrary, including, but not limited to, Section 1271.1, a ~~health~~
5 ~~facility~~ *general acute care hospital or an acute psychiatric*
6 *hospital* may do any of the following:

7 (1) (A) It may place all or a portion of its licensed bed capacity
8 in voluntary suspension for the purposes of using the facility to
9 operate a mental health rehabilitation center pursuant to Section
10 5675 of the Welfare and Institutions Code after submitting written
11 notification to the State Department of Health Services and to the
12 Office of Statewide Health Planning and Development.

13 (B) A mental health rehabilitation center operating under this
14 paragraph may remove all or any portion of its voluntarily
15 suspended bed capacity from voluntary suspension by submitting
16 a request to the State Department of Health Services.

17 (C) The department shall grant the request under subparagraph
18 (B) to remove bed capacity from voluntary suspension and to
19 reinstatement of the ~~health facility~~ *general acute care hospital or*
20 *acute psychiatric hospital* bed capacity, unless the facility fails to
21 meet currently applicable operational requirements for a ~~health~~
22 ~~facility~~ *general acute care hospital or an acute psychiatric*



1 *hospital* or fails to meet construction and life safety requirements
2 for the ~~health facility~~ *general acute care hospital or acute*
3 *psychiatric hospital, as the case may be, in effect at the time the*
4 *facility was originally licensed as a* ~~health facility~~ *general acute*
5 *care hospital or an acute psychiatric hospital.*

6 (2) (A) It may voluntarily surrender its license for the purpose
7 of converting the facility to a mental health rehabilitation center
8 pursuant to Section 5675 of the Welfare and Institutions Code after
9 submitting written notification to the State Department of Health
10 Services and to the Office of Statewide Health Planning and
11 Development.

12 (B) A mental health rehabilitation center operating under this
13 paragraph may elect to convert the facility back to a ~~health facility~~
14 *general acute care hospital or an acute psychiatric hospital* and
15 to be issued a new ~~health facility~~ *general acute care hospital or*
16 *acute psychiatric hospital* license by submitting a request to the
17 State Department of Health Services.

18 (C) The department shall grant a request under subparagraph
19 (B) to convert the facility back to a ~~health facility~~ *general acute*
20 *care hospital or acute psychiatric hospital* and to issue a new
21 ~~health facility~~ *general acute care hospital or acute psychiatric*
22 *hospital, as the case may be, license, unless the facility fails to*
23 *meet currently applicable operational requirements for a* ~~health~~
24 ~~facility~~ *general acute care hospital or an acute psychiatric*
25 *hospital* or fails to meet construction and life safety requirements
26 for the ~~health facility~~ *general acute care hospital or acute*
27 *psychiatric hospital* in effect at the time the facility was originally
28 licensed as a ~~health facility~~ *general acute care hospital or an acute*
29 *psychiatric hospital, as the case may be.*

30 (b) This section authorizes the voluntary suspension of bed
31 capacity or surrender of a license by a ~~health facility~~ *general acute*
32 *care hospital or an acute psychiatric hospital* only for the purpose
33 of converting the facility for use as a mental health rehabilitation
34 center pursuant to Section 5675 of the Welfare and Institutions
35 Code.

36 SEC. 2. Section 5675.2 is added to the Welfare and
37 Institutions Code, to read:

38 5675.2. (a) Commencing January 1, 2005, each new and
39 renewal application for a license to operate a mental health



1 rehabilitation center shall be accompanied by an application or
2 renewal fee.

3 (b) The amount of the fees shall be determined by the State
4 Department of Mental Health, but the total amount of the fees
5 collected shall not exceed the actual costs of licensure and
6 regulation of the centers, including, but not limited to, the costs of
7 processing the application, inspection costs, and other related
8 costs.

9 (c) Each license or renewal issued pursuant to this chapter shall
10 expire 12 months from the date of issuance. Application for
11 renewal of the license shall be accompanied by the necessary fee
12 and shall be filed with the department at least 30 days prior to the
13 expiration date. Failure to file a timely renewal may result in
14 expiration of the license.

