

Introduced by Senator Bowen

February 10, 2005

An act to amend Section 1442.5 of the Health and Safety Code, relating to county medical facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 210, as introduced, Bowen. County medical facilities: services reduction: notice.

Existing law authorizes the board of supervisors in each county to establish and maintain a county hospital and prescribe rules for the government and management thereof. Prior to closing, eliminating or reducing the level of medical services provided by, or leasing, selling, or transferring management of, a county facility, existing law requires the board to provide public notice of public hearings to be held by the board prior to its decision to proceed. Existing law requires the notice to be posted not less than 14 days prior to the public hearings.

This bill would increase the amount of time prior to the public hearings that the notice must be posted from 14 days to 30 days.

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 1442.5 of the Health and Safety Code is
- 2 amended to read:
- 3 1442.5. (a) Prior to (1) closing , (2) eliminating or reducing
- 4 the level of medical services provided by, or (3) the leasing,
- 5 selling, or transfer of management of, a county facility, the board
- 6 shall provide public notice, including notice posted at the
- 7 entrance to all county health care facilities, of public hearings to

1 be held by the board prior to its decision to proceed. The notice
2 shall be posted not less than ~~14~~ 30 days prior to the public
3 hearings. The notice shall contain a list of the proposed
4 reductions or changes, by facility and service. The notice shall
5 include the amount and type of each proposed change, the
6 expected savings, and the number of persons affected.

7 (b) Notwithstanding the board's closing of, the elimination of
8 or reduction in the level of services provided by, or the leasing,
9 selling, or transfer of management of, a county facility
10 subsequent to January 1, 1975, the county shall fulfill its duty to
11 provide care to all indigent people, either directly through county
12 facilities or indirectly through alternative means.

13 (1) Where the county duty is fulfilled by a contractual
14 arrangement with a private facility or individual, the facility or
15 individual shall assume the county's full obligation to provide
16 care to those who cannot afford it, and make their services
17 available to Medi-Cal and Medicare recipients.

18 (2) Where the county duty is fulfilled by alternative means, the
19 facility or individual providing services shall be in compliance
20 with Sections 441.18 and 1277.

21 (3) The board shall designate an agency to provide a 24-hour
22 information service that can give eligible people immediate
23 information on the available services and access to them, and an
24 agency to receive and respond to complaints from people eligible
25 for services under this chapter. The designated agency may be
26 the agency that operates the facility. This subdivision applies
27 only in instances in which there is (1) a closing of, (2) an
28 elimination or reduction in the level of services provided by, or
29 (3) the leasing, selling, or transfer of, a county facility.

30 (4) The board shall arrange for all facilities or individuals
31 contracting to provide services to indigent people to be listed in
32 the local telephone directory under county listings, and shall
33 specify therein that the facilities or individuals fulfill the
34 obligations of county facilities.

35 (5) Section 25371 of the Government Code does not relieve
36 the county of the obligation to comply with this section.