

AMENDED IN ASSEMBLY MARCH 27, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 371**

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**Introduced by Assembly Member Huffman**

February 14, 2007

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An act to add Section 15459.10 to the Government Code, relating to health facility financing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 371, as amended, Huffman. Health facilities.

Existing law regulates the operation of health facilities, including hospitals. The existing California Health Facilities Financing Authority Act empowers the California Health Facilities Financing Authority to make loans from the continuously appropriated California Health Facilities Financing Authority Fund to nonprofit corporations or associations for financing or refinancing the acquisition, construction, or remodeling of health facilities.

Existing law, the California Occupational Safety and Health Act of 1973, establishes certain safety and other responsibilities of employers and employees, including, but not limited to, the requirement that no employer shall fail or neglect to provide safety devices or safeguards reasonably necessary to render the employment safe. This law also requires each employer to establish, implement, and maintain an effective injury prevention program, as prescribed.

This bill would require every general acute care hospital that applies to the authority *or any other public entity* for financing from the issuance of tax-exempt bonds to provide ~~the authority~~, with *the application*, a copy of the hospital's injury and illness prevention program established, implemented, and maintained pursuant to the California Occupational

Safety and Health Act of 1973 or through a collective bargaining agreement. The copy of the program shall specify how the general acute care hospital plans to implement or has implemented the program with a specified zero lift component. ~~Except as specified, the bill would require at least 1% of the amount of bond financing or \$100,000, whichever amount is greater, to be allocated for the planning, purchase, construction, and installation of equipment to implement the zero lift component.~~

Because the bill would expand the purposes for which a continuously appropriated fund may be used, it would result in an appropriation.

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

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

1 SECTION 1. Section 15459.10 is added to the Government  
2 Code, to read:  
3 15459.10. (a) Every general acute care hospital, as defined in  
4 subdivision (a) of Section 1250 of the Health and Safety Code,  
5 that applies to the authority *or any other public entity* for financing  
6 from the issuance of tax-exempt bonds shall provide ~~the authority~~  
7 ~~with, with the application,~~ a copy of the hospital’s injury and illness  
8 prevention program established, implemented, and maintained  
9 pursuant to Section 6401.7 of the Labor Code or through a  
10 collective bargaining agreement that specifies how the general  
11 acute care hospital has implemented or plans to implement a  
12 hospital patient and health care worker injury prevention program.  
13 This program shall include a zero lift component that substitutes  
14 the manual lifting and transferring of patients with powered patient  
15 transfer devices, lifting devices, or lift teams.  
16 (b) ~~If an a general~~ acute care hospital does not have a hospital  
17 patient and health care worker injury prevention program described  
18 in ~~subdivision (a), at least 1 percent of the amount of bond~~  
19 ~~financing or one hundred thousand dollars (\$100,000), whichever~~  
20 ~~amount is greater, shall be allocated for the planning, purchase,~~  
21 ~~construction, and installation of equipment to implement the zero~~  
22 ~~lift component described in subdivision (a), unless the authority~~  
23 ~~authorizes, on the basis of the size of the hospital or the hospital’s~~  
24 ~~existing inventory of equipment for this purpose, a lesser amount.~~  
25 *subdivision (a), the application shall include a description of how*

- 1 *the applicant will allocate its financial resources for the planning,*
- 2 *purchase, construction, and installation of equipment to implement*
- 3 *the zero lift component described in subdivision (a).*

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