

AMENDED IN SENATE MARCH 27, 2007

SENATE BILL

No. 725

Introduced by Senator Alquist

February 23, 2007

An act to amend Section 1279 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 725, as amended, Alquist. Health facilities: periodic inspections.

Under existing law, the State Department of Health Services regulates the licensure and operation of health facilities. Existing law requires the department to conduct periodic inspections of every health facility for which a license or special permit has been issued, as specified. *Existing law authorizes the department to conduct joint periodic inspections with entities under contract with the department, and if it does so, requires the department to conduct an additional periodic inspection that is not announced or noticed to the health facility if the entity with which it joins to conduct the joint inspection provides notice to the health facility in advance of the periodic inspection.*

Effective July 1, 2007, responsibility for the above-mentioned provisions will be transferred to the State Department of Public Health.

~~This bill would exempt intermediate care facility/developmentally disabled, intermediate care facility/developmentally disabled habilitative, and intermediate care facility/developmentally disabled—nursing from these required periodic inspections.~~

This bill would require the department, if it conducts a joint inspection with an entity that provides notice to the health facility in advance of the joint inspection, to conduct its additional periodic inspection before the announcement of that joint inspection, if reasonably feasible.

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 1279 of the Health and Safety Code, as
2 amended by Section 3 of Chapter 895 of the Statutes of 2006, is
3 amended to read:

4 ~~1279. (a) Except for a health facility specified in subdivision~~
5 ~~(e), (g), or (h) of Section 1250, every health facility~~

6 *1279. (a) Every health facility* for which a license or special
7 permit has been issued shall be periodically inspected by the
8 department, or by another governmental entity under contract with
9 the department. The frequency of inspections shall vary, depending
10 upon the type and complexity of the health facility or special
11 service to be inspected, unless otherwise specified by state or
12 federal law or regulation. The inspection shall include participation
13 by the California Medical Association consistent with the manner
14 in which it participated in inspections, as provided in Section 1282
15 prior to September 15, 1992.

16 (b) Except as provided in subdivision (c), inspections shall be
17 conducted no less than once every two years and as often as
18 necessary to ensure the quality of care being provided.

19 (c) For a health facility specified in subdivision (a), (b), or (f)
20 of Section 1250, inspections shall be conducted no less than once
21 every three years, and as often as necessary to ensure the quality
22 of care being provided.

23 (d) During the inspection, the representative or representatives
24 shall offer such advice and assistance to the health facility as they
25 deem appropriate.

26 (e) For acute care hospitals of 100 beds or more, the inspection
27 team shall include at least a physician, registered nurse, and persons
28 experienced in hospital administration and sanitary inspections.
29 During the inspection, the team shall offer advice and assistance
30 to the hospital as it deems appropriate.

31 (f) The department shall ensure that a periodic inspection
32 conducted pursuant to this section is not announced in advance of
33 the date of inspection. An inspection may be conducted jointly
34 with inspections by entities specified in Section 1282. However,
35 if the department conducts an inspection jointly with an entity

1 specified in Section 1282 that provides notice in advance of the
2 periodic inspection, the department shall conduct an additional
3 periodic inspection that is not announced or noticed to the health
4 facility, *which shall occur before the announcement of the joint*
5 *inspection, if reasonably feasible.*

6 (g) Notwithstanding any other provision of law, the department
7 shall inspect for compliance with provisions of state law and
8 regulations during a state or federal periodic inspection, including,
9 but not limited to, an inspection required under this section.

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