

**Senate Bill No. 221**

**CHAPTER 39**

An act to amend Section 1247.9 of the Business and Professions Code, and to repeal Chapter 11 (commencing with Section 1794.01) of Division 2 of the Health and Safety Code, relating to home dialysis agencies.

[Approved by Governor August 5, 2009. Filed with  
Secretary of State August 6, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 221, Walters. Home dialysis agencies.

Existing law provides for the licensing and regulation of home dialysis agencies by the State Department of Public Health.

This bill would repeal these provisions and make a conforming change.

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

SECTION 1. The Legislature finds and declares that the provisions of Chapter 11 (commencing with Section 1794.01) of Division 2 of the Health and Safety Code relating to home dialysis agencies have never been implemented, and will not be implemented due to existing funding constraints. Allowing these provisions to remain in the code has created confusion and misunderstandings with respect to dialysis services provided in skilled nursing facilities. It is necessary to repeal these provisions to avoid continued confusion and misunderstandings.

SEC. 2. Section 1247.9 of the Business and Professions Code is amended to read:

1247.9. No person or entity shall provide chronic dialysis services to patients in this state unless the services are provided under the direction of a chronic dialysis clinic, licensed pursuant to Section 1204 of the Health and Safety Code, or a general acute care hospital, licensed pursuant to Section 1250 of the Health and Safety Code.

SEC. 3. Chapter 11 (commencing with Section 1794.01) of Division 2 of the Health and Safety Code is repealed.