

AMENDED IN SENATE JUNE 20, 1996
AMENDED IN ASSEMBLY MAY 16, 1996
AMENDED IN ASSEMBLY APRIL 15, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 2835

Introduced by Assembly Members Bordonaro and Davis

February 22, 1996

An act to amend Section 1507 of the Health and Safety Code, relating to community care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2835, as amended, Bordonaro. Community care facilities: adult day care facilities.

Existing law regulates the licensure of community care facilities, including adult day care facilities, and authorizes a community care facility to provide incidental medical services. Existing law provides that a violation of the provisions governing community care facilities is subject to criminal sanction.

This bill would require the Department of Social Services to adopt emergency regulations *for community care facilities for adults* by February 1, 1997, to specify the incidental medical services that are permitted, those that are prohibited, and the conditions under which they may be provided, ~~by a community care facility.~~

This bill would make other changes of a technical, nonsubstantive nature.

To the extent that this bill would change the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. *It is the intent of the Legislature to*
2 *ensure that adults with incidental medical needs have*
3 *access to community care facilities.* Section 1507 of the
4 Health and Safety Code is amended to read:

5 1507. (a) A community care facility may provide
6 incidental medical services. If the medical services
7 constitute a substantial component of the services
8 provided by the community care facility as defined by the
9 director in regulations, the medical services component
10 shall be approved as set forth in Chapter 1 (commencing
11 with Section 1200) or Chapter 2 (commencing with
12 Section 1250).

13 (b) The department shall adopt emergency
14 regulations *for community care facilities for adults* by
15 February 1, 1997, to do all of the following:

16 (1) Specify incidental medical services that may be
17 provided ~~by a community care facility~~. These incidental
18 medical services ~~shall~~ *may* include, but need not be
19 limited to, gastrostomy, colostomy, ileostomy, and
20 urinary catheters.

21 (2) Specify the conditions under which incidental
22 medical services may be provided ~~by a community care~~
23 ~~facility~~.

24 (3) Specify the medical services that, due to the level
25 of care required, are prohibited services ~~for provision by~~
26 ~~a community care facility~~.



1 SEC. 2. No reimbursement is required by this act
2 pursuant to Section 6 of Article XIII B of the California
3 Constitution because the only costs that may be incurred
4 by a local agency or school district will be incurred
5 because this act creates a new crime or infraction,
6 eliminates a crime or infraction, or changes the penalty
7 for a crime or infraction, within the meaning of Section
8 17556 of the Government Code, or changes the definition
9 of a crime within the meaning of Section 6 of Article
10 XIII B of the California Constitution.

11 Notwithstanding Section 17580 of the Government
12 Code, unless otherwise specified, the provisions of this act
13 shall become operative on the same date that the act
14 takes effect pursuant to the California Constitution.

