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HEALTH AND SAFETY CODE - HSC

DIVISION 107. HEALTH CARE ACCESS AND INFORMATION [127000 - 130079] (*Heading of Division 107 amended by Stats. 2021, Ch. 143, Sec. 28.)*

PART 3. HEALTH PROFESSIONS DEVELOPMENT [127775 - 128565] (*Part 3 added by Stats. 1995, Ch. 415, Sec. 9.)*

CHAPTER 1. Health Professions Planning [127775 - 127778] (*Chapter 1 added by Stats. 1995, Ch. 415, Sec. 9.)*

ARTICLE 2. Nursing Clinical Placements [127775 - 127778] (*Article 2 added by Stats. 2024, Ch. 680, Sec. 1.)*

127775. As used in this article, the following terms have the following meanings:

- (a) "Approved school of nursing or approved nursing program" has the same meaning as defined in Section 2786 of the Business and Professions Code.
- (b) "Clinic" has the same meaning as defined in Section 1200, and includes a primary care clinic and a specialty clinic, as described in Section 1204.
- (c) "Department" means the Department of Health Care Access and Information.
- (d) "Health facility" has the same meaning as defined in Section 1250.

(*Added by Stats. 2024, Ch. 680, Sec. 1. (AB 1577) Effective January 1, 2025. Repealed as of January 1, 2032, pursuant to Section 127778.*)

127776. (a) A health facility or clinic, upon the written request of a California community college or California State University with an approved school of nursing or approved nursing program, shall meet with the California community college or California State University and work in good faith to meet the precicensure nursing clinical placement needs of the California community college or California State University program, including adding additional clinical placement slots to accommodate the nursing program, to the extent the health facility or clinic has the capacity and capability to provide additional clinical placements. This meeting can take place during any other meeting the health facility or clinic may have with the California community college or California State University.

(b) A written request sent pursuant to subdivision (a) shall also be provided to the department in a manner determined by the department.

(c) (1) If a health facility or clinic, after meeting as required by subdivision (a), cannot provide additional clinical placement slots to fully meet the needs of the California State University or California community college, the health facility or clinic shall inform the department of its lack of capability or capacity to meet the needs of the California community college or California State University approved school of nursing or approved nursing program using a form developed by the department on or before the following January 30 and annually on or before each January 30 thereafter. A health facility or clinic is not required to inform the department pursuant to this subdivision more than once in a calendar year.

(2) The form created by the department shall include, but not be limited to, all of the following information:

(A) The dates and names of the schools with which the health facility or clinic has met.

(B) The reason or reasons the health facility or clinic is unable to meet the needs of the meeting participant for each type of clinical rotation requested, including, but not limited to, medical, surgical, obstetrics, pediatrics, psychiatric, mental health, and geriatrics. The form shall provide all of the following options for a health facility or clinic to choose from in addition to a space for the health facility or clinic to write in a rationale:

(i) The health facility or clinic does not provide the service.

(ii) The health facility or clinic does not have sufficient patient census to provide a satisfactory clinical experience.

(iii) The health facility or clinic does not have sufficient nursing personnel available, willing, and trained to provide a satisfactory clinical experience.

(iv) The health facility or clinic and nursing school or program has not reached an agreement on the terms of an affiliation agreement or contract.

(v) The nursing school or program has declined placements offered by the health facility or clinic due to evening, night, or weekend shifts.

(vi) Other, which the health facility or clinic shall specify.

(d) The department shall assess an administrative penalty in an amount not to exceed one thousand dollars (\$1,000) for failure to provide the informational notice pursuant to this section. This subdivision does not apply to a federally qualified health center, as defined in Section 1396d(l)(2)(B) of Title 42 of the United States Code.

(e) The information provided by a health facility or clinic for failure to provide additional clinical placement slots shall be posted on the department's internet website for five years, after which period it shall be removed.

(f) Any attempt to identify additional clinical placements by the Board of Registered Nursing, a health facility, or a clinic pursuant to this section shall not supplant or disrupt the clinical placement of any nursing student for whom a clinical placement is already in progress, has already been scheduled, or is under agreement for future use by an approved school of nursing or approved nursing program.

(Added by Stats. 2024, Ch. 680, Sec. 1. (AB 1577) Effective January 1, 2025. Repealed as of January 1, 2032, pursuant to Section 127778.)

127778. This article shall remain in effect only until January 1, 2032, and as of that date is repealed.

(Added by Stats. 2024, Ch. 680, Sec. 1. (AB 1577) Effective January 1, 2025. Repealed as of January 1, 2032, by its own provisions. Note: Repeal affects Article 2, commencing with Sec. 127775.)