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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 7. FACILITIES DESIGN REVIEW AND CONSTRUCTION [129675 - 130079] (*Part 7 added by Stats. 1995, Ch. 415, Sec. 9.)*

CHAPTER 1. Health Facilities [129675 - 130070] (*Chapter 1 added by Stats. 1995, Ch. 415, Sec. 9.)*

ARTICLE 6. Enforcement [129975 - 129990] (*Article 6 added by Stats. 1995, Ch. 415, Sec. 9.)*

129975. The director of the department may conduct studies relating to the implementation of this chapter to ensure that the implementation of its provisions results in the least amount of increases in costs, staffing, and regulation.

(*Amended by Stats. 2021, Ch. 143, Sec. 318. (AB 133) Effective July 27, 2021.*)

129980. Whenever any construction or alteration of any hospital building is being performed contrary to the provisions of this chapter, the department may order the construction or alteration stopped by written notice served upon any persons engaged in or causing the work to be done. Upon service of the written notice, all construction or alteration shall cease until an authorization to remove the notice is issued by the department. Any person so served shall, upon request made within 15 days of the written notice, be entitled to a hearing pursuant to Section 11506 of the Government Code.

(*Amended by Stats. 2021, Ch. 143, Sec. 319. (AB 133) Effective July 27, 2021.*)

129985. (a) Whenever it is necessary to make an inspection to enforce any of the provisions of this chapter or whenever the department or its authorized representatives has reasonable cause to believe that there exists in any building or upon any premises any condition or a violation of any applicable building standards that makes the building or premises unsafe, dangerous, or hazardous, the department or its authorized representatives may enter the building or premises at any reasonable time to make an inspection or to perform any authorized duty. Prior to an entry authorized by this section, the authorized representatives of the department shall first present proper identification and credentials and request entry. In the event that the building or premises are unoccupied, there shall be a reasonable effort made to locate the owner or other person or persons having control or charge of the building or premises in order to request an entry. If a request for entry is refused, the department or its authorized representatives shall have recourse to any remedy prescribed by law to secure entry.

(b) Whenever the owner, occupant, or other person having control or charge of the building or premises is presented with a proper inspection warrant or other authorization prescribed by law to secure entry and a request for entry is made, the owner, occupant, or other person having control or charge of the building or premises shall promptly permit the entry of the authorized representatives of the department for the purpose of inspection and examination authorized by this chapter.

(*Amended by Stats. 2021, Ch. 143, Sec. 320. (AB 133) Effective July 27, 2021.*)

129990. The department may order the vacating of any building or structure found to have been in violation of the adopted regulations of the department and may order the use of the building or structure discontinued within the time prescribed by the department upon the service of notice to the owner or other person having control or charge of the building or structure. Any owner or person having control so served shall, upon request made within 15 days of the written notice, be entitled to a hearing pursuant to Section 11506 of the Government Code.

(*Amended by Stats. 2021, Ch. 143, Sec. 321. (AB 133) Effective July 27, 2021.*)