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**AB-417 Acute psychiatric hospital: County of Ventura: outpatient mental health services.** (2017-2018)

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**Assembly Bill No. 417**

**CHAPTER 9**

An act to add and repeal Section 1271.25 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor March 23, 2018. Filed with Secretary of State March 23, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 417, Limón. Acute psychiatric hospital: County of Ventura: outpatient mental health services.

Existing law provides for the regulation and licensure of health facilities, as defined, including acute psychiatric hospitals, by the State Department of Public Health. Existing law defines an acute psychiatric hospital for purposes of these provisions to mean a health facility having a duly constituted governing body with overall administrative and professional responsibility and an organized medical staff that provides 24-hour inpatient care for persons with mental health disorders or other patients referred, as specified, including medical, nursing, rehabilitative, pharmacy, and dietary services. A violation of the provisions governing health facilities is a crime.

This bill would authorize, for a period of not more than 180 days, and only until November 1, 2018, the State Department of Public Health to permit an acute psychiatric hospital that was affected by a wildfire during the month of December 2017, and that is in the County of Ventura, to provide outpatient mental health services that were approved by the department and operational as supplemental services before the wildfire occurred, while the inpatient operations of the acute psychiatric hospital are voluntarily suspended.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Ventura.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** The Legislature finds and declares all of the following:

(a) The Aurora Vista del Mar Hospital (AVDM), located in Ventura, California, is the only private, free-standing, acute psychiatric hospital in the County of Ventura, and its 87 acute psychiatric hospital beds account for almost three-fourths of all acute psychiatric hospital beds in the County of Ventura.

(b) AVDM has been providing mental and behavioral health services under an Acute Psychiatric Hospital license issued by the State Department of Public Health.

(c) AVDM is the only acute psychiatric care provider serving adolescents in the Counties of Ventura, Santa Barbara, and San Luis Obispo.

(d) AVDM also supported emergency departments and crisis teams across southern California, including in the Counties of Ventura, Santa Barbara, Kern, Kings, Tulare, Fresno, Los Angeles, Riverside, San Luis Obispo, San Diego, Orange, Madera, Merced, and San Bernardino.

(e) The Thomas Fire destroyed two buildings on the AVDM campus and caused significant damage to powerlines and other utilities connected to the campus. As a result of the fire, AVDM ceased providing all mental health services, including both inpatient and outpatient services, on December 4, 2017.

(f) The loss of services by AVDM has had a ripple effect throughout the community, leading to longer wait times for psychiatric hospital beds and mental health services, and causing individuals to go without urgently needed treatment.

(g) AVDM is currently ready and able to commence outpatient supplemental mental health services near the facility.

(h) There is a dire need for mental health service providers in the Counties of Ventura and Santa Barbara.

**SEC. 2.** Section 1271.25 is added to the Health and Safety Code, to read:

**1271.25.** (a) Notwithstanding any other law, for a period of not more than 180 days, the State Department of Public Health may permit an acute psychiatric hospital that was affected by a wildfire during the month of December 2017 and that is in the County of Ventura to provide outpatient mental health services that were approved by the department and operational as supplemental services before the wildfire occurred, while the inpatient operations of the acute psychiatric hospital are voluntarily suspended.

(b) This section shall become inoperative on November 1, 2018, and, as of January 1, 2019, is repealed.

**SEC. 3.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances caused by the Thomas Fire in the County of Ventura.

**SEC. 4.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure, at the earliest possible time, that mental health services are available for adults and adolescents in the Counties of Ventura and Santa Barbara and other nearby communities, it is necessary that this act take effect immediately.