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AB-2798 Hospitals: licensing. (2017-2018)

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Assembly Bill No. 2798

CHAPTER 922

An act to add Section 1272 to the Health and Safety Code, relating to health facilities.

[Approved by Governor September 29, 2018. Filed with Secretary of State September 29, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2798, Maienschein. Hospitals: licensing.

Existing law establishes the State Department of Public Health and sets forth its powers and duties, including, but not limited to, duties relating to the licensing and regulation of health facilities, as defined.

This bill would prescribe timelines for the department to approve a written application submitted by a general acute care hospital or an acute psychiatric hospital to, among other things, modify, add, or expand a service or program. The bill would require the department to complete its evaluation and approve or deny an application within 100 days of receipt of the application. The bill would require the department to approve a written application to expand a service that is currently being provided within 30 business days of receipt of the completed application, unless the hospital is out of compliance with existing laws governing the service to be expanded. Under the bill, an approved expanded service would remain licensed for not more than 18 months, unless the department approves the license for a longer period. The bill would require the department to develop a centralized applications advice program to assist hospitals in identifying and completing the correct paperwork and other requirements necessary to modify, add, or expand a service or program. The bill would require the department, on or before December 31, 2019, to develop an automated application system to process applications. Under the bill, the resources necessary to implement the application process would be made available, upon appropriation, from the Internal Departmental Quality Improvement Account.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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

SECTION 1. It is the intent of the Legislature to provide the State Department of Public Health with the resources, staffing, training, and external consultants necessary to meet the requirements of this act.

SEC. 2. Section 1272 is added to the Health and Safety Code, to read:

1272. (a) If a general acute care hospital or an acute psychiatric hospital submits a written application to the department's centralized applications unit, the department shall do both of the following:

- (1) Complete its evaluation and approve or deny the application within 100 days of receiving it, including completing any activities pursuant to paragraph (2).

(2) Once the written application is approved, the district office of the department shall, within 30 business days from the date of approval, complete any additional review, including an onsite visit, if applicable, and submit its findings to the department. If the hospital's application is approved, the department shall add it to the hospital's license and issue a new or revised license on the 31st business day following approval of the written application.

(b) Notwithstanding subdivision (a), if a general acute care hospital or an acute psychiatric hospital submits a written application to expand a service that it currently provides and that is currently approved by the department, the department shall, within 30 business days of receipt of the completed application, approve the expansion, add it to the hospital license, and issue a revised license, unless the hospital is out of compliance with existing laws governing the service to be expanded. A service approved pursuant to this subdivision shall remain licensed for not more than 18 months, unless the department approves the license for a longer period. The department shall not be required to conduct an onsite inspection of the service to approve the expansion. This subdivision does not preclude the department from conducting an onsite inspection of a hospital at any time or denying an application in accordance with this subdivision.

(c) A general acute care hospital or an acute psychiatric hospital that receives a license to modify, add, or expand a service or program pursuant to this section shall comply with all laws related to that service or program.

(d) The department shall develop a centralized applications advice program to assist hospitals in identifying and completing the correct paperwork and other requirements necessary to modify, add, or expand a service or program.

(e) On or before December 31, 2019, the department shall develop an automated application system to process applications submitted pursuant to this section.

(f) The resources necessary to implement this section shall, upon appropriation by the Legislature, be made available from the Internal Departmental Quality Improvement Account, established pursuant to subdivision (f) of Section 1280.15.