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**AB-1766 Licensed adult residential facilities and residential care facilities for the elderly: data collection: residents with a serious mental disorder. (2019-2020)**

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**Assembly Bill No. 1766**

**CHAPTER 139**

An act to add Sections 1507.4, 1509.6, and 1569.4 to the Health and Safety Code, relating to adult residential facilities.

[ Approved by Governor September 29, 2020. Filed with Secretary of State September 29, 2020. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1766, Bloom. Licensed adult residential facilities and residential care facilities for the elderly: data collection: residents with a serious mental disorder.

The California Community Care Facilities Act provides for the licensure and regulation of community care facilities by the State Department of Social Services, including various adult residential facilities, as described. The act includes legislative findings and declarations that there is an urgent need to establish a coordinated and comprehensive statewide service of quality community care for the mentally ill, the developmentally and physically disabled, and children and adults who require care or services. A person who violates the California Community Care Facilities Act is guilty of a misdemeanor. Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly, as defined, by the department and expresses the intent of the Legislature to require that those facilities be licensed as a separate category within the existing licensing structure of the department.

This bill would require the department to collect information and send a report to each county's department of mental health or behavioral health, beginning May 1, 2021, and annually thereafter, of all licensed adult residential facilities and residential care facilities for the elderly, as described, that accept a specified federal rate and accept residents with a serious mental disorder, as defined, and the number of licensed beds at each facility. The bill would require the department, beginning May 1, 2021, and quarterly thereafter, to send to those county departments a report of licensed adult residential facilities and residential care facilities for the elderly that closed permanently in the prior quarter, as specified. The bill would require the department to notify the county mental or behavioral health department within 3 business days upon receiving notice that a licensed adult residential facility or residential care facility for the elderly intends to close permanently.

The bill would also revise the California Community Care Facilities Act by requiring an applicant or licensee of an adult community care facility to maintain an email address of record with the department and to provide written notification to the department of the email address and of any change to the email address within 10 business days of the change. Because a person who violates the California Community Care Facilities Act is guilty of a misdemeanor, the bill would create new crimes, thereby imposing 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.

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

### **SECTION 1.** Section 1507.4 is added to the Health and Safety Code, to read:

**1507.4.** (a) Beginning May 1, 2021, and annually thereafter, the department shall collect information and send a report to each county's department of mental health or behavioral health of all licensed adult residential facilities in the county that accept the federal supplemental security rate and accept residents with a serious mental disorder, as defined in Section 5600.3 of the Welfare and Institutions Code, and the number of licensed beds at each facility.

(b) Beginning May 1, 2021, and quarterly thereafter, the department shall send to each county's department of mental health or behavioral health the report of licensed adult residential facilities that closed permanently in the prior quarter, by county, and shall include the number of licensed beds of each facility and the reason for closing. The report shall include cumulative data and closure trends for each county and be based on facilities identified in subdivision (a).

(c) Upon receiving notice that a licensed adult residential facility intends to close permanently, the department shall notify the county mental or behavioral health department within three business days.

### **SEC. 2.** Section 1509.6 is added to the Health and Safety Code, to read:

**1509.6.** An applicant or licensee of an adult community care facility shall maintain an email address of record with the department. The applicant or licensee shall provide written notification to the department of the email address and of any change to the email address within 10 business days of the change.

### **SEC. 3.** Section 1569.4 is added to the Health and Safety Code, to read:

**1569.4.** (a) Beginning May 1, 2021, and annually thereafter, the department shall collect information and send a report to each county's department of mental health or behavioral health of all licensed residential care facilities for the elderly in the county that accept the federal supplemental security rate and accept residents with a serious mental disorder, as defined in Section 5600.3 of the Welfare and Institutions Code, and the number of licensed beds at each facility.

(b) Beginning May 1, 2021, and quarterly thereafter, the department shall send to each county's department of mental health or behavioral health the report of licensed residential care facilities for the elderly that closed permanently in the prior quarter, by county, and shall include the number of licensed beds of each facility and the reason for closing. The report shall include cumulative data and closure trends for each county and be based on facilities identified in subdivision (a).

(c) Upon receiving notice that a licensed residential care facility for the elderly intends to close permanently, the department shall notify the county mental or behavioral health department within three business days.

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