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AB-665 Care facilities: internet access. (2021-2022)

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Assembly Bill No. 665

CHAPTER 469

An act to add Sections 1537.1, 1568.074, and 1569.319 to the Health and Safety Code, relating to care facilities.

[Approved by Governor October 04, 2021. Filed with Secretary of State October 04, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 665, Eduardo Garcia. Care facilities: internet access.

Under existing law, the State Department of Social Services is required to license, inspect, and regulate various types of care facilities, including community care facilities, residential care facilities for persons with chronic life-threatening illness, and residential care facilities for the elderly. Existing law imposes criminal penalties on a person who violates these provisions, or who willfully or repeatedly violates any rule or regulation adopted under these provisions.

This bill would require residential facilities serving adults, residential care facilities for persons with chronic life-threatening illness, and residential care facilities for the elderly with existing internet service to provide at least one internet access device that can support real-time interactive applications, is equipped with videoconferencing technology, and is dedicated for client or resident use, as specified. Because a violation of the bill would be a misdemeanor, the bill would create 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.

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

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

SECTION 1. Section 1537.1 is added to the Health and Safety Code, to read:

1537.1. (a) A licensee of a residential facility serving adults that has internet service shall provide at least one internet access device, such as a computer, smart phone, tablet, or other device, that can support real-time interactive applications, is equipped with videoconferencing technology, including microphone and camera functions, and is dedicated for client use.

(b) A licensee shall ensure the following requirements are met in providing any internet access device for client use:

(1) The device shall be available in a manner that allows a client to access it for discussion of personal or confidential information with a reasonable level of personal privacy.

(2) The device shall be made available to clients in a manner that permits shared access among all clients in the facility during reasonable hours.

SEC. 2. Section 1568.074 is added to the Health and Safety Code, to read:

1568.074. (a) A licensee of a facility that has internet service shall provide at least one internet access device, such as a computer, smart phone, tablet, or other device, that can support real-time interactive applications, is equipped with videoconferencing technology, including microphone and camera functions, and is dedicated for client use.

(b) A licensee shall ensure the following requirements are met in providing any internet access device for client use:

(1) The device shall be available in a manner that allows a client to access it for discussion of personal or confidential information with a reasonable level of personal privacy.

(2) The device shall be made available to clients in a manner that permits shared access among all clients in the facility during reasonable hours.

SEC. 3. Section 1569.319 is added to the Health and Safety Code, to read:

1569.319. (a) A licensee of a facility that has internet service shall provide at least one internet access device, such as a computer, smart phone, tablet, or other device, that can support real-time interactive applications, is equipped with videoconferencing technology, including microphone and camera functions, and is dedicated for resident use.

(b) A licensee shall ensure the following requirements are met in providing any internet access device for resident use:

(1) The device shall be available in a manner that allows a resident to access it for discussion of personal or confidential information with a reasonable level of personal privacy.

(2) The device shall be made available to residents in a manner that permits shared access among all residents in the facility during reasonable hours.

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.