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**SB-541 Substance use disorder treatment facilities and programs: disclosure of license and certification status.** (2021-2022)

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**Senate Bill No. 541**

**CHAPTER 730**

An act to add Section 11831.12 to the Health and Safety Code, relating to substance use disorder.

[ Approved by Governor October 08, 2021. Filed with Secretary of State October 08, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 541, Bates. Substance use disorder treatment facilities and programs: disclosure of license and certification status.

Existing law requires the State Department of Health Care Services to license and regulate alcoholism or drug abuse recovery or treatment facilities, which provide residential nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services. Existing law also requires the department to implement a voluntary certification program for alcohol and other drug treatment recovery services. Existing law prohibits specified persons, programs, or entities from giving or receiving remuneration or anything of value for the referral of a person who is seeking alcoholism or drug abuse recovery and treatment services. Existing law authorizes the department to investigate allegations of violations of that prohibition and to impose sanctions for a violation, including assessing a penalty upon, or suspending or revoking the license of, a facility or the certification of a program.

This bill would require a facility licensed or program certified by the department to disclose its license or certification number and the date that the license or certification is scheduled to expire, as applicable, in specified circumstances that include, among others, posting on its internet website, as specified, and in any advertising or marketing in a clear and conspicuous manner. A violation of these disclosure requirements would be investigated and penalized in the same manner as described above.

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

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

**SECTION 1.** Section 11831.12 is added to the Health and Safety Code, to read:

**11831.12.** (a) A facility licensed by the department pursuant to Chapter 7.5 (commencing with Section 11834.01) shall disclose its license number and the date that the license is scheduled to expire in all of the following circumstances:

- (1) To any person who inquires about the facility's license in writing, verbally, electronically, or by any other method of communication between the person and the facility.
- (2) By posting on the internet website of the facility in a clear and conspicuous manner the following language and a link to the department's internet website that contains the facility's license number and expiration date: "Licensed by the State Department of Health Care Services."

(3) Included in any print, audio, or electronic advertising or marketing of the facility in a clear and conspicuous manner. For the purpose of complying with this paragraph, a facility may include the following language and a link to the department's internet website that contains its license number and expiration date, as described in paragraph (2): "Licensed by the State Department of Health Care Services."

(b) A program certified by the department pursuant to this chapter shall disclose its certification number and the date that the certification is scheduled to expire in all of the following circumstances:

(1) To any person who inquires about the certification of the program or the services provided by the program in writing, verbally, electronically, or by any other method of communication between the person and the program.

(2) By posting on the internet website of the program or the services provided by the program in a clear and conspicuous manner the following language and a link to the department's internet website that contains its certification number and expiration date: "Certified by the State Department of Health Care Services."

(3) Included in any print, audio, or electronic advertising or marketing of the program or the services provided by the program in a clear and conspicuous manner. For the purpose of complying with this paragraph, a program may include the following language and a link to the department's internet website that contains its certification number and expiration date, as described in paragraph (2): "Certified by the State Department of Health Care Services."