



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**SB-664 Hospice licensure: moratorium on new licenses.** (2021-2022)

SHARE THIS:  

Date Published: 10/05/2021 09:00 PM

**Senate Bill No. 664**

**CHAPTER 494**

An act to add and repeal Article 2.3 (commencing with Section 1751.70) of Chapter 8.5 of Division 2 of the Health and Safety Code, relating to hospice.

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

**LEGISLATIVE COUNSEL'S DIGEST**

SB 664, Allen. Hospice licensure: moratorium on new licenses.

The California Hospice Licensure Act of 1990 requires a person, political subdivision of the state, or other governmental agency to obtain a license from the State Department of Public Health to provide hospice services to an individual who is experiencing the last phase of life due to a terminal disease, as defined, and their family, except as provided. The act also provides for the renewal of a license. The act imposes criminal penalties on any person who violates any provision of the act or any rule or regulation promulgated under the act.

This bill would impose, beginning on January 1, 2022, a moratorium on the department issuing a new license to provide hospice services, unless the department makes a written finding that an applicant for a new license, or with a license application pending on January 1, 2022, has shown a demonstrable need for hospice services in the area where the applicant proposes to operate based on the concentration of all existing hospice services in that area. The moratorium would end either 365 days from the date that the California State Auditor publishes a report on hospice licensure or when these provisions are repealed on January 1, 2027, whichever is soonest. The bill would prohibit these provisions from being deemed to modify the authority of the department to renew a license pursuant to the act.

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

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

**SECTION 1.** Article 2.3 (commencing with Section 1751.70) is added to Chapter 8.5 of Division 2 of the Health and Safety Code, to read:

**Article 2.3. New License Moratorium**

**1751.70.** Notwithstanding any other law and except as provided in Section 1751.75, on and after January 1, 2022, and until 365 days from the date that the California State Auditor publishes a report on hospice licensure, the department shall not issue a new license to operate a hospice pursuant to this chapter.

**1751.75.** (a) The department may grant an exception to the moratorium imposed by this article upon making a written finding that an applicant for a new license, or with a license application pending on January 1, 2022, has shown a demonstrable need for

hospice services in the area where the applicant proposes to operate based on the concentration of all existing hospice services in that area.

(b) The department shall issue a new license during the moratorium pursuant to an exception granted under this section in accordance with this chapter, including Article 2 (commencing with Section 1747).

**1751.80.** This article shall not be deemed to modify the authority of the department to renew a license pursuant to this chapter.

**1751.85.** This article shall remain in effect only until January 1, 2027, and as of that date is repealed.