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**AB-1577 Health facilities and clinics: clinical placements: nursing.** (2023-2024)

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**Assembly Bill No. 1577**

**CHAPTER 680**

An act to add and repeal Article 2 (commencing with Section 127775) of Chapter 1 of Part 3 of Division 107 of the Health and Safety Code, relating to health facilities.

[ Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1577, Low. Health facilities and clinics: clinical placements: nursing.

Existing law establishes the Department of Health Care Access and Information (HCAI) in the California Health and Human Services Agency for the promotion of education and training of health professionals to address workforce shortage and distribution needs. Existing law establishes the Board of Registered Nursing within the Department of Consumer Affairs for the licensure and regulation of the practice of nursing. Existing law provides for the licensure and regulation of health facilities and clinics, as defined, by the State Department of Public Health.

This bill would require a health facility or clinic, upon the request of a California community college or California State University with an approved school of nursing or approved nursing program, to meet with the California community college or California State University and work in good faith to meet the needs of the prelicensure nursing clinical placement needs of the California community college or California State University program, including adding additional clinical placement slots to accommodate the nursing program. The bill would require the health facility or clinic, following that meeting, to inform the department if it cannot provide additional placement slots, as specified, no later than the following January 30, and annually on or before each January 30 thereafter. The bill would require the health facility or clinic to inform the department as to the reason it cannot meet the needs of the California community college or California State University for each type of clinical rotation requested, such as obstetrics and pediatrics, among others. The bill would subject the health facility or clinic to an administrative penalty not to exceed \$1,000 for failure to provide the information, as required. The bill would require the department to post the information on its internet website. The bill would repeal those provisions on January 1, 2032.

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 (commencing with Section 127775) is added to Chapter 1 of Part 3 of Division 107 of the Health and Safety Code, to read:

**Article 2. Nursing Clinical Placements**

**127775.** As used in this article, the following terms have the following meanings:

(a) "Approved school of nursing or approved nursing program" has the same meaning as defined in Section 2786 of the Business and Professions Code.

(b) "Clinic" has the same meaning as defined in Section 1200, and includes a primary care clinic and a specialty clinic, as described in Section 1204.

(c) "Department" means the Department of Health Care Access and Information.

(d) "Health facility" has the same meaning as defined in Section 1250.

**127776.** (a) A health facility or clinic, upon the written request of a California community college or California State University with an approved school of nursing or approved nursing program, shall meet with the California community college or California State University and work in good faith to meet the precicensure nursing clinical placement needs of the California community college or California State University program, including adding additional clinical placement slots to accommodate the nursing program, to the extent the health facility or clinic has the capacity and capability to provide additional clinical placements. This meeting can take place during any other meeting the health facility or clinic may have with the California community college or California State University.

(b) A written request sent pursuant to subdivision (a) shall also be provided to the department in a manner determined by the department.

(c) (1) If a health facility or clinic, after meeting as required by subdivision (a), cannot provide additional clinical placement slots to fully meet the needs of the California State University or California community college, the health facility or clinic shall inform the department of its lack of capability or capacity to meet the needs of the California community college or California State University approved school of nursing or approved nursing program using a form developed by the department on or before the following January 30 and annually on or before each January 30 thereafter. A health facility or clinic is not required to inform the department pursuant to this subdivision more than once in a calendar year.

(2) The form created by the department shall include, but not be limited to, all of the following information:

(A) The dates and names of the schools with which the health facility or clinic has met.

(B) The reason or reasons the health facility or clinic is unable to meet the needs of the meeting participant for each type of clinical rotation requested, including, but not limited to, medical, surgical, obstetrics, pediatrics, psychiatric, mental health, and geriatrics. The form shall provide all of the following options for a health facility or clinic to choose from in addition to a space for the health facility or clinic to write in a rationale:

(i) The health facility or clinic does not provide the service.

(ii) The health facility or clinic does not have sufficient patient census to provide a satisfactory clinical experience.

(iii) The health facility or clinic does not have sufficient nursing personnel available, willing, and trained to provide a satisfactory clinical experience.

(iv) The health facility or clinic and nursing school or program has not reached an agreement on the terms of an affiliation agreement or contract.

(v) The nursing school or program has declined placements offered by the health facility or clinic due to evening, night, or weekend shifts.

(vi) Other, which the health facility or clinic shall specify.

(d) The department shall assess an administrative penalty in an amount not to exceed one thousand dollars (\$1,000) for failure to provide the informational notice pursuant to this section. This subdivision does not apply to a federally qualified health center, as defined in Section 1396d(l)(2)(B) of Title 42 of the United States Code.

(e) The information provided by a health facility or clinic for failure to provide additional clinical placement slots shall be posted on the department's internet website for five years, after which period it shall be removed.

(f) Any attempt to identify additional clinical placements by the Board of Registered Nursing, a health facility, or a clinic pursuant to this section shall not supplant or disrupt the clinical placement of any nursing student for whom a clinical placement is already in progress, has already been scheduled, or is under agreement for future use by an approved school of nursing or approved nursing program.

**127778.** This article shall remain in effect only until January 1, 2032, and as of that date is repealed.

