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**California Department of
Public Health**



GAVIN NEWSOM
Governor

January 18, 2023

AFL 23-01

TO: Skilled Nursing Facilities (SNF)
Intermediate Care Facilities (ICF)

SUBJECT: Assembly Bill (AB) 895: Notice to Prospective Residents

AUTHORITY: Health and Safety Code (HSC) sections 1599.75 and 1422.65

All Facilities Letter (AFL) Summary

- This AFL notifies SNFs and ICFs of the chaptering of AB 895 (Chapter 577, Statutes 2022), requiring these licensed facilities to provide prospective residents or their representative with a written notice about local long-term care ombudsman programs and specified websites prior to or at the time of admission.
- AB 895 also requires these facilities to update their grievance forms to include the ombudsman program information, the California Department of Public Health's (CDPH's) information, and how to file a grievance.

Effective January 1, 2023, AB 895 requires SNFs and ICFs to provide prospective residents or their representative with a written notice including information about local long-term care ombudsman programs and specified websites prior to or at the time of admission. The bill permits SNFs and ICFs to add the new notice to their standard admission agreements.

The written notice must include the telephone number, internet website address, and email address for the local long-term care ombudsman program along with links to the CDPH's Licensing and Certification Program's website, the California Health Facility Information Database (Cal Health Find) page, and to CalLongTermCareCompare.org.

The written notice must inform prospective residents or their representative that the ombudsman is a resource for accessing additional information regarding resident care at the facility and for reporting resident care complaints. CDPH recommends including this information with the standard admission agreement as authorized by the bill.

If the facility chooses to include the required notice in their standard admission agreement, CDPH recommends including the following paragraph. The facility must fill in the information for that facility's local long-term care ombudsman in the blanks below:

Resources for accessing additional information regarding resident care at the facility include the local long-term care ombudsman at _____ (phone number), _____ (internet web address), and _____ (email address), CDPH's Licensing and Certification Program's website (cdph.ca.gov/Programs/CHCQ/LCP/Pages/LandCProgramHome.aspx), the California Health Facility Information Database (Cal Health Find) page (cdph.ca.gov/programs/chcq/lcp/calhealthfind/Pages/Home.aspx), and the Cal Long Term Care Compare website (CalLongTermCareCompare.org).

Reporting resident care complaints can be done using the local long term care ombudsman information above and through the CDPH complaint process (cdph.ca.gov/Programs/CHCQ/LCP/Pages/LandCProgramHome.aspx).

AB 895 also requires SNFs and ICFs to update their grievance forms to include information about the local long-term care ombudsman and the CDPH complaint process.

CDPH's failure to expressly notify facilities of statutory or regulatory requirements does not relieve facilities of their responsibility for following all laws and regulations. Facilities

should refer to the full text of all applicable sections of the HSC and the California Code of Regulations to ensure compliance.

If you have any questions about this AFL, please contact your local district office.

Sincerely,

Original signed by Cassie Dunham

Cassie Dunham

Deputy Director

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