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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 1@ General Acute Care Hospitals

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Article 7@ Administration

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Section 70715@ Nondiscrimination Policies

70715 Nondiscrimination Policies

(a)

No hospital shall discriminate against any person based on sex, race, color, religion, ancestry, national origin, sexual orientation, disability, medical condition, marital status, or registered domestic partner status, except as provided herein. This provision shall apply to the appointment of the medical staff, hiring of hospital employees, and the admission, housing, or treatment of patients.

(b)

Any bona fide nonprofit religious, fraternal or charitable organization which can demonstrate to the satisfaction of the Department that its primary or substantial purpose is not to evade this section may establish admission policies limiting or giving preference to its own members or adherents. Such policies shall not be construed as a violation of the first paragraph of this section. Any admission of nonmembers or nonadherents shall be subject to the first paragraph of this section.

(c)

No hospital which permits sterilization operations for contraceptive purposes nor any member of its medical staff shall require of the patient any special nonmedical qualifications which are not imposed upon individuals seeking other types of operations. Prohibited nonmedical qualifications shall include, but not be limited to, age, marital status, registered domestic partner status, and number of

natural children. This prohibition does not affect requirements relating to the physical or mental condition of the patient, physician counseling of the patient or existing law pertaining to individuals below the age of majority.