



State of California—Health and Human
Services Agency
**California Department of
Public Health**



November 19, 2021

AFL 21-46

TO: Skilled Nursing Facilities (SNFs)

SUBJECT: Assembly Bill (AB) 749 - Medical Director Certification

All Facilities Letter (AFL) Summary

This AFL notifies SNFs of the chaptering of AB 749 (Chapter 586, Statutes of 2021) establishing new medical director certification requirements.

AB 749 prohibits SNFs from contracting with a person as a medical director if the person is not, or will not be within five years of the date of initial hire as the facility's medical director, certified by the American Board of Post-Acute and Long-Term Care Medicine, or an equivalent organization, as a Certified Medical Director. A medical director already employed in a SNF as of January 1, 2022, shall have until January 1, 2027, to become a Certified Medical Director.

All SNFs shall report to the California Department of Public Health (CDPH) no later than June 30, 2022, the name and certification status of the facility's medical director by submitting all of the following information on its medical director:

- An HS 215A form (PDF) or its successor form
- A résumé
- Whether its medical director is certified as a Certified Medical Director according to the requirements established by the American Board of Post-Acute and Long-Term Care Medicine or an equivalent organization as determined by CDPH
- If the medical director is not yet certified, the expected date of certification

SNFs must also submit the information described above on their initial licensing applications, and a SNF must notify CDPH within 10 calendar days of any changes in its medical director by submitting an HS 215A form or its successor form, a résumé, and proof of certification or progress towards certification for its new medical director.

These requirements do not apply to a SNF that is operated as a distinct part of an acute care hospital. However, a SNF that is operated as a distinct part of an acute care hospital shall designate a qualified physician as a medical director who is responsible for standards, coordination, surveillance, and planning for improvement of medical care in the facility, where qualified physician means either of the following:

- The physician is certified, or pursuing certification, by the American Board of Post-Acute and Long-Term Care Medicine as a Certified Medical Director.

- The physician is board certified in a medical specialty consistent with the type of care provided in the SNF, including, but not limited to, physical medicine and rehabilitation or pulmonology, and whose role as the medical director of the SNF has been reviewed and approved by the hospital's leadership.

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 Health and Safety Code 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

Acting Deputy Director

Center for Health Care Quality, MS 0512 . P.O. Box 997377 . Sacramento, CA
95899-7377
(916) 324-6630 . (916) 324-4820 FAX
Department Website (cdph.ca.gov)

