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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 2@ Acute Psychiatric Hospital

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Article 8@ Hospital Administrative Penalties

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Section 71701@ Applicability

71701 Applicability

(a)

This article only applies to the assessment of administrative penalties pursuant to Health and Safety Code Section 1280.3. This article does not apply to: (1) Minor violations as defined in Section 70952, (2) Settlement of any enforcement action, or (3) Penalties assessed by the department under laws other than Health and Safety Code Section 1280.3, including but not limited to Health and Safety Code Sections 1278.5, 1280.15, 1280.4, 1317.3, 1317.4, and 1317.6(a).

(1)

Minor violations as defined in Section 70952,

(2)

Settlement of any enforcement action, or

(3)

Penalties assessed by the department under laws other than Health and Safety Code Section 1280.3, including but not limited to Health and Safety Code Sections 1278.5, 1280.15, 1280.4, 1317.3, 1317.4, and 1317.6(a).

(b)

This article applies only to incidents occurring on or after April 1, 2014. As to such incidents, the hospital's compliance history prior to April 1, 2014, including deficiencies constituting immediate jeopardy, shall be considered in assessing administrative penalties as provided in this article and under Health and Safety

Code Section 1280.3(a) and (b).

(c)

Incidents occurring prior to April 1, 2014, shall be subject to administrative penalties as described in Health and Safety Code Section 1280.1(d).