

Senate Bill No. 1207

Passed the Senate August 31, 2020

Secretary of the Senate

Passed the Assembly August 30, 2020

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2020, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 1418.22 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1207, Jackson. Skilled nursing facilities: backup power system.

The Long-Term Care, Health, Safety, and Security Act of 1973 generally requires the State Department of Public Health to license, inspect, and regulate long-term health care facilities, defined to include a skilled nursing facility. Existing regulations require a skilled nursing facility to have emergency planning, including an emergency lighting and power system. Under existing law, the department is required to enforce the requirements of the act and regulations promulgated under the act through citations and civil penalties.

This bill would require a skilled nursing facility to have an alternative source of power to protect resident health and safety for no less than 96 hours during any type of power outage that complies with specified federal requirements, as provided.

The people of the State of California do enact as follows:

SECTION 1. Section 1418.22 is added to the Health and Safety Code, to read:

1418.22. (a) The Legislature finds and declares that it is the public policy of this state to ensure the health and safety of highly vulnerable persons residing in skilled nursing facilities during power outages that may result from a public safety power shutoff, an emergency, a natural disaster, or other cause.

(b) A skilled nursing facility shall have an alternative source of power to protect resident health and safety for no less than 96 hours during any type of power outage.

(c) Alternative sources of power shall comply with applicable federal requirements for long-term care facilities, including, but not limited to, Sections 483.73 and 483.90 of Title 42 of the Code

of Federal Regulations. These requirements include maintaining a safe temperature for residents and staff.

(d) Consistent with federal standards, facilities that use a generator shall maintain sufficient fuel onsite to maintain generator operation for no less than 96 hours or make arrangements for fuel delivery for an emergency event. If fuel is to be delivered during an emergency event, the facility shall ensure that fuel will be available with no delays.

Approved _____, 2020

Governor