

AMENDED IN SENATE APRIL 3, 2025

AMENDED IN SENATE MARCH 17, 2025

**SENATE BILL**

**No. 83**

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**Introduced by Senator Umberg**

January 17, 2025

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An act to ~~add Section 100219 to~~ amend Section 11831.5 of the Health and Safety Code, relating to the State Department of Health Care Services.

LEGISLATIVE COUNSEL'S DIGEST

SB 83, as amended, Umberg. State Department of Health Care ~~Services~~. *Services: substance abuse treatment: disclosures.*

*Existing law grants the State Department of Health Care Services the sole authority in state government to license adult alcoholism or drug abuse recovery or treatment facilities and authorizes the department to issue a license to specified types of facilities if certain criteria are met. Existing law requires an operator of a licensed alcoholism or drug abuse recovery or treatment facility or certified alcohol or other drug program to include on its internet website and intake form paperwork a disclosure that an individual may check the internet website of the department to confirm whether the facility's license or program's certification has been placed in probationary status, been subject to a temporary suspension order, been revoked, or the operator has been given a notice of operation in violation of law. Existing law requires the disclosure to include a link to the department's internet website that contains the Probationary Status, Temporary Suspension Order, Revoked and Notice of Operation in Violation of Law Program List.*

*This bill would require the department to indicate on its internet website containing the above-described list, in a location and font that is easy to see and read, that notices to recovery residences issued for a specified violation are not included in that list. The bill would also require the department to post on its internet website, in a specified manner, an identification and summary of each violation the department has issued for the above-described facilities and programs. The bill would require the department to implement this requirement to protect the public it serves by providing sufficient information regarding those who violate the state laws it administers without posting information that violates privacy rights and protections provided by state or federal law.*

~~Existing law establishes the State Department of Health Care Services to administer and license various health-related programs and health professionals, including, among others, programs and professionals supporting mental health, providing basic health care, and addressing substance use disorder. Existing law requires the department to post certain information regarding these programs and professionals on its internet website, including reports and data regarding individuals served under its administered programs.~~

~~This bill would require the State Department of Health Care Services to post on its internet website, in a specified manner, an identification and summary of each violation the department has issued for every program administered by the department. The bill would further require the department to implement this requirement to protect the public it serves by providing sufficient information regarding those who violate the state laws it administers without posting information that violates privacy rights and protections provided by state or federal law.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1     **SECTION 1.** *Section 11831.5 of the Health and Safety Code*
- 2     *is amended to read:*
- 3     11831.5. (a) An operator of a licensed alcoholism or drug
- 4     abuse recovery or treatment facility, as defined in Section
- 5     11834.02, or a certified alcohol or other drug program shall include
- 6     on its internet website and intake form paperwork a disclosure that
- 7     an individual may check the internet website of the *State*

1 Department of Health Care Services to confirm whether the  
2 facility's license or program's certification has been placed in  
3 probationary status, been subject to a temporary suspension order,  
4 been revoked, or the operator has been given a notice of operation  
5 in violation of law. The disclosure shall include a link to the  
6 department's internet website that contains the Probationary Status,  
7 Temporary Suspension Order, Revoked and Notice of Operation  
8 in Violation of Law Program List. *The department shall indicate*  
9 *on its internet website containing this list, in a location and font*  
10 *that is easy to see and read, that notices to recovery residences,*  
11 *as defined in Section 11833.05, issued for a violation of Section*  
12 *11834.30, are not included in this list.*

13 (b) A violation of subdivision (a) shall be subject to penalty by  
14 the department pursuant to Section 11831.7.

15 (c) *The department shall post on its internet website, in a*  
16 *location easily navigable from a link on its main homepage that*  
17 *is prominently located and clearly and conspicuously labeled, an*  
18 *identification and summary of each violation the department has*  
19 *issued for the facilities and programs described in subdivision (a).*  
20 *A summary of each violation shall include all of the following:*

21 (1) *Name of the entity or person to whom the department issued*  
22 *the violation.*

23 (2) *A citation to the relevant statute, regulation, or standard.*

24 (3) *A summary of the department's decision to issue the*  
25 *violation.*

26 (4) *Date the department issued the violation.*

27 (5) *Any other information the department determines is*  
28 *necessary for the public to recognize the entity or person who*  
29 *received the violation and understand the basis for the violation.*

30 (d) *The department shall implement this section to protect the*  
31 *public it serves by providing sufficient information regarding those*  
32 *who violate the state laws it administers. The department shall not*  
33 *implement this section by posting information on its internet*  
34 *website that violates privacy rights and protections provided by*  
35 *state or federal law.*

36 ~~SECTION 1. Section 100219 is added to the Health and Safety~~  
37 ~~Code, to read:~~

38 ~~100219. (a) The State Department of Health Care Services~~  
39 ~~shall post on its internet website, in a location easily navigable~~  
40 ~~from a link on its main homepage that is prominently located and~~

1 clearly and conspicuously labeled, an identification and summary  
2 of each violation the department has issued for every program  
3 administered by the department. A summary of each violation shall  
4 include all of the following:

5 (1) Name of the entity or person to whom the department issued  
6 the violation.

7 (2) Legal basis for the violation, including citation to statute or  
8 regulation.

9 (3) Facts supporting the department's decision to issue the  
10 violation.

11 (4) Date the department issued the violation.

12 (5) Any other information the department determines is  
13 necessary for the public to recognize the entity or person who  
14 received the violation and understand the legal and factual basis  
15 for the violation.

16 (b) The State Department of Health Care Services shall  
17 implement this section to protect the public it serves by providing  
18 sufficient information regarding those who violate the state laws  
19 it administers. The State Department of Health Care Services shall  
20 not implement this section by posting information on its internet  
21 website that violates privacy rights and protections provided by  
22 state or federal law.